

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO. 19144

Held May 1 1978

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, May 1, 1978 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Lawrence Fetzer from the Washington Heights Baptist Church and the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor Russell Sweetman
 Councilmembers Leonard Stubbs
 James Singer
 Jeffrey Siler
 J. V. Stone
 Nora Lake

Clerk of Council Marilyn McLaughlin
 City Manager Darryl Kenning
 Service Director Richard Bishop
 City Engineer Karl Schab
 Director of Parks and Recreation John Dunathan
 Director of Finance William Bettcher

The Minutes of the following Meetings had been distributed prior to this Meeting:

Council Meeting - April 17, 1978.
 Council Work Session Meetings - April 17, 1978.
 - April 24, 1978.

Mr. Sweetman moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mrs. McLaughlin advised that a Notice of Intent to Appeal a decision of of the Planning Commission rendered April 25, 1978 concerning Walnut Grove Estates has been filed by Mr. Allan Hause.

Mrs. McLaughlin also advised that a letter of resignation has been received from Planning Commission Member George Schottmiller.

Mayor Green issued a Proclamation designating May 6, 1978 to May 13, 1978 as Clean Up Week in the City of Centerville.

Mr. Kenning reviewed the following during his City Manager's Report:
 He has been appointed Vice President of the Supervisory Board for the Youth Services Agency for the six Cities.

The report of the Service Department for the month of April, 1978 was reviewed.

The Building Inspector's report for the month of April, 1978 was also reviewed.

Safetyville Square will be offered again this year, continuing June and July.

The first section of Cable TV installation is complete and operational.
 WALNUT HILLS ESTATES

Mr. Kenning reported on the Planning Commission Meeting held April 25, 1978. He reviewed Planning Commission's unanimous approval of the Record Plan for Walnut Hills Estates, Section One, a 18.9 acre development located south of Centerville Station Road and west of Wilmington Pike. Previously approved was a Residential Development Plan providing for 36 lots in this Section. The Planning Commission recommended that sidewalks be required on both sides of the streets and that temporary cul-de-sacs be provided in existing right-of-ways until future development occurs. The Commission also

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recommended that approval be subject to the dedication of the park land to the Centerville-Washington Park District, to proof that the Plat in Greene County has been recorded and Bond for streets provided, and that Geneva Drive be changed to Lac Lamen Drive.

Mr. Kenning reviewed the Record Plan for Section Two of Walnut Hills Estates, including 28 lots under a Residential Development Plan on 14.49 acres of land. The Planning Commission recommended approval of this Record Plan subject to the inclusion of temporary cul-de-sacs, same cul-de-sacs to be changed from square to round, subject to the dedication of the park land to the Centerville-Washington Park District, to proof that the Plat in Greene County has been recorded and Bond for streets provided, subject to Alpine Way being changed to Pavlak Drive and subject to sidewalks being provided on both sides of the streets except along the west side of lot 41 and along lots 42 through 47.

Upon question of Mr. Sweetman, Mr. Kenning advised that all running water in this development is included in the park. Removal of water in the Plat will be contained in concrete storm tiles. Mr. Schab reviewed the drainage plan by which water will drain from higher elevations. Properties abutting the stream are approximately 200 feet away and separated by a steep bank. Mr. Schab believes the drainage plan is adequate as submitted by the developer. Ingress and egress are off Wilmington Pike. The Fire Department is in agreement with the Plan as amended to include cul-de-sacs.

Mr. William Yeck, representing the Centerville-Washington Park District, explained the park land as being part of the Sugarcreek Preservation Area linking Sugarvalley Park with the Sugarcreek Reservation in Greene County. The entire area will be preserved as a nature park.

Mrs. Lake moved that the Record Plan for Walnut Hills Estates, Section One, be approved in accordance with the recommendations of the Planning Commission and subject to the receipt of a Performance Bond in the amount of \$183,700.00, an Inspection Fee of \$515.00, a Subdividers Agreement and subject to the dedication of the park land to the Centerville-Washington Park District. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mayor Green abstained.

Mr. Stubbs moved that Council approve the Record Plan for Walnut Hills Estates, Section Two, in accordance with the recommendations of the Planning Commission and subject to the receipt of a Performance Bond in the amount of \$85,650.00, a Subdividers Agreement, an Inspection Fee of \$266.00 and subject to the dedication of the park land to the Centerville-Washington Park District. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mayor Green abstained.

HUNTER SAVINGS ASSOCIATION

Mr. Kenning reviewed the Site Plan for Hunter Savings Association, proposed to be located on the east side of State Route 48, north of North Village Drive and south of Whipp Road. Acreage involved is 1.19 acres zoned B-2; the existing curb cut will be utilized. The Planning Commission unanimously recommended approval of this Site Plan contingent upon receiving an approved landscaping plan and screening design by Council. Mr. Kenning advised that a landscaping plan has not been received, thus he recommended that this item be tabled. Mrs. Lake moved to table the Site Plan For Hunter Savings Association until the landscape plan has been approved by the Planning Commission. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mrs. Lake reviewed the Operations Committee Meeting and the Miami Valley Regional Planning Commission Meeting she attended during the past week.

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ORDINANCE NUMBER 22-78 ARTS COMMISSION

The Public Hearing was held concerning Ordinance Number 22-78. Mr. Stubbs sponsored Ordinance Number 22-78, An Ordinance Appointing Lura I. McEvoy To The Arts Commission Of The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 23-78 PERSONNEL APPEALS BOARD

The Public Hearing was held concerning Ordinance Number 23-78. Mr. Singer sponsored Ordinance Number 23-78, An Ordinance Appointing Kenneth F. Dubis To The Personnel Appeals Board For The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 24-78 PERSONNEL APPEALS BOARD

The Public Hearing was held concerning Ordinance Number 24-78. Mr. Sweetman sponsored Ordinance Number 24-78, An Ordinance Appointing Lester R. Stauske To The Personnel Appeals Board For The City Of Centerville, Ohio, For The Unexpired Term Of David S. Tooker, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stone advised that a recommendation has been received from the Centerville Historical Society for Robert J. Perkins to be appointed to membership on the Board of Architectural Review.

Mr. Sweetman brought attention to activities in opposition to the construction of I-675. He encouraged action in the City of Centerville to counteract this opposition. He endorsed placing this issue on the ballot in November as an advisory issue. Mr. Sweetman invited all persons interested in promoting the construction of I-675 to contact him to move into action.

ORDINANCE NUMBER 25-78 BOARD OF ARCHITECTURAL REVIEW

Mr. Stone sponsored Ordinance Number 25-78, An Emergency Ordinance Appointing Robert J. Perkins To The Board Of Architectural Review For The City Of Centerville, Ohio, And Establishing A Term Of Office On Said Board, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 26-78 BOARD OF ARCHITECTURAL REVIEW

Mr. Sweetman moved that Ordinance Number 26-78, An Ordinance Appointing Robert J. Perkins To The Board Of Architectural Review For The City Of Centerville, Ohio, And Establishing A Term Of Office On Said Board, be set for Public Hearing on May 15, 1978. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 33-78 APPRECIATION

Mr. Sweetman read and sponsored Resolution Number 33-78, A Resolution Of Appreciation To The Members Of The Citizens Committee To Preserve Present Services, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 34-78 APPRECIATION

Mr. Stubbs sponsored Resolution Number 34-78, A Resolution Of Appreciation For The Services Of Dennis Christen As A Member Of The City Beautiful Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of

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the motion.

ORDINANCE NUMBER 27-78 ELECTRIC LIGHTS

Mr. Kenning reviewed the reason for the delay for Council's consideration of an Ordinance to establish rates for electric lights throughout the City of Centerville. This matter has been under discussion by the six Cities for several months, rates are comparative to those charged other Municipalities. Mr. Sweetman moved that Ordinance Number 27-78, An Ordinance Fixing The Price Which The Dayton Power And Light Company, Its Successors And Assigns, May Charge For Electric Light Furnished To The Public Grounds, Streets, Lanes, Alleys And Avenues In The City Of Centerville, State Of Ohio, For A Period Of Two (2) Years, Commencing On The 29th Day Of December, 1977, And Determining The Manner In Which Said Lighting May Be Furnished, Provided And Paid For, be set for Public Hearing on May 15, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Kenning reviewed a Resolution passed by the Montgomery County Budget Commission concerning the "Amended Plan of Reorganization for Penn Central Transportation Company dated March 17, 1978". This Resolution deals with the payment of money owed to Municipalities in the taxing district by Penn Central Rail System. The amount of money owed the City of Centerville is \$202.27. Mrs. Lake moved that Council accept the Resolution from the Budget Commission of Montgomery County, Ohio, concerning the "Amended Plan of Reorganization for Penn Central Transportation Company dated March 17, 1978." Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 35-78 REFUSE PACKER

Mr. Kenning reviewed the following bids received for the purchase of one refuse packer for the City of Centerville:

Wagner Machinery, Inc. (Body only)	\$14,397.00
Acles GMC, Inc. (Chassis only)	27,500.00
Body Finn Company	53,333.00
United Container Company	49,079.00

Mr. Kenning recommended that the bid of United Container Company be accepted, the bid is within budget.

Upon question of Mr. Stubbs, Mr. Bishop explained the fact that the Company bidding on Chassis only refused to submit a Bid Bond and a Performance Bond, thus making it uncertain when and if the equipment would be received if that bid was accepted. Mr. Stone sponsored Resolution Number 35-78, A Resolution Accepting The Bid Of United Container Company To Supply One Refuse Packer To The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 36-78 LIFT VAN

Mr. Kenning reviewed the bid received from Flack Equipment Company in the amount of \$12,068.00 for the purchase of a lift van for the City of Centerville. He recommended acceptance of the bid received, funds have been budgeted. Mrs. Lake sponsored Resolution Number 36-78, A Resolution Accepting The Bid Of Flack Equipment Company To Supply One (1) Van Mounted Lift To The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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RESOLUTION NUMBER 37-78 EASEMENT

Mr. Kenning reviewed a proposed Resolution to provide for the granting of an easement for the Dayton Power and Light Company to install a gas line across Espanola Trail, a dedicated street. Mr. Sweetman sponsored Resolution Number 37-78, A Resolution Authorizing And Directing The City Manager To Act On Behalf Of The City Of Centerville To Grant An Easement For A Gas Line To The Dayton Power And Light Company, Said Easement To Be 23 Feet In Length And 10 Feet Wide Across Property Described In A Deed Recorded At Microfiche No. 74-398 C07 Of The Deed Records Of Montgomery County, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Green advised that the Mayors and Managers Association has been asked to endorse the Children Services Levy to be before the electorate on June 6, 1978; he solicited any objections from Council.

Mr. Stubbs suggested that the City Manager put together alternatives for the City to obtain additional revenue and that this be reviewed by the Council Finance Committee; he encouraged Citizen input.

There being no further business, the Meeting was adjourned.

Approved: Victor Green
Mayor

ATTEST:

Maile J. Scoughlin
Clerk of the Council