

DAYTON LEGAL BLANK CO. 10144

Held October 16, 1978

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, October 16, 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 Kenneth Liu from the Centerville Community 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

Nora Lake

James Singer

J. V. Stone

Jeffrey Siler

Clerk of Council Marilyn McLaughlin

Acting City Manager and Chief of Police William Randolph

Administrative Assistant Joseph Minner

City Planner Garth Reynolds

Service Director Richard Bishop

City Engineer Karl Schab

Director of Parks and Recreation John Dunathan

Director of Finance William Bettcher

Municipal Attorney Robert Farquhar

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

Council Meeting - October 2, 1978.

Council Work Session Meetings - October 2, 1978.

- October 9, 1978.

Mr. Stubbs moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Siler abstained.

Mrs. McLaughlin advised that an Appeal had been filed by the Blommel Sign Company in behalf of Famous Chicken Recipe, concerning the refusal to grant a Variance by the Board of Architectural Review. This decision was rendered on September 19, 1978 relative to their proposed internally illuminated plastic free-standing sign, 7'11" high by 9'5" wide to be located at 278 North Main Street.

Mayor Green announced the receipt of a letter from Mrs. Dorothy Yeck, President of the Washington Township Library Board of Trustees concerning their new proposed location on the east side of Far Hills Avenue adjacent to the new Hunter Savings building. Mrs. Yeck advised that the Board has instructed their architect to redesign the site plan for the new Library to accommodate the extension of Fireside Drive if and when it is extended. Discussion followed concerning the dedication of a 40 foot easement along the rear line of this property. A legal opinion will be obtained as to the City's legal right to require this dedication as part of the approval of a site plan. After the opinion has been received, a Work Session will be scheduled between Council and the Library Board to resolve this matter. Mrs. Lake stressed the importance of this extension of Fireside Drive to be included in Centerville's Thoroughfare Plan. She suggested that the procedure and mechanics to obtain roadways, such as this, be outlined.

Mayor Green reviewed the Meetings he has attended of the Solid Waste Advisory Committee; as a result of these Meetings a definite Plan is being developed to handle solid waste in Montgomery County during the next several years. A new Contract with Montgomery County will be forthcoming to all Municipalities for consideration.

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Mayor Green advised that tentative arrangements have been made for the Second Annual Citizens Recognition Reception to be held on October 29, 1978 from 2:00 P.M. until 5:00 P.M. at the Beekman's residence on Alexandersville-Bellbrook Road. Following discussion by Council the date was changed to Sunday, November 5, 1978.

During the City Manager's Report, Mr. Dunathan reviewed the work performed in the Benjamin Archer Park by the Centerville Lions Club and the Chairman of Parks and Recreation Board to develop the fitness trail.

ORDINANCE NUMBER 48-78 YOUTH BOARD

The Public Hearing was held concerning Ordinance Number 48-78. Mr. Stubbs sponsored Ordinance Number 48-78, An Ordinance Appointing Richard J. Gregory To The Youth Board For 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 49-78 PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 49-78. Mr. Sweetman sponsored Ordinance Number 49-78, An Ordinance Appointing Bernard M. Samples To The City Planning Commission For The City Of Centerville, Ohio, For The Unexpired Term Of James P. Hickey, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 50-78 BOARD OF ARCHITECTURAL REVIEW

The Public Hearing was held concerning Ordinance Number 50-78. Mr. Stone sponsored Ordinance Number 50-78, An Ordinance Appointing Robert L. Nichol To The Board Of Architectural Review For The City Of Centerville, Ohio, For The Unexpired Term Of James Gallagher, 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 65-78 APPRECIATION

Mr. Singer sponsored Resolution Number 65-78, A Resolution Of Appreciation For The Services Of James Gallagher As A Member Of The Board Of Architectural Review Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 51-78 ARTS COMMISSION

Mr. Stone moved that Ordinance Number 51-78, An Ordinance Appointing R. Paul Perkins, Jr., And Von H. Cellars To The Arts Commission For The City Of Centerville, Ohio, And Establishing Terms Of Office, be set for Public Hearing on November 6, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 52-78 PARKS AND RECREATION BOARD

Mr. Sweetman moved that Ordinance Number 52-78, An Ordinance Appointing Jan Massey To The Parks And Recreation Board For The City Of Centerville, Ohio, For The Unexpired Term Of Ralph H. Alkire, be set for Public Hearing on November 6, 1978. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 53-78 BOARD OF TAX APPEALS

Mr. Stubbs moved that Ordinance Number 53-78, An Ordinance Appointing Charles G. Taylor To The Board Of Tax Appeals For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on November 6, 1978. Mr. Stone seconded the motion. A roll call vote resulted

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in seven ayes in favor of the motion.

ORDINANCE NUMBER 54-78 CITY BEAUTIFUL COMMISSION

Mr. Stone moved that Ordinance Number 54-78, An Ordinance Appointing Ann Whipp And Susan L. Weber To The City Beautiful Commission Of The City Of Centerville, Ohio, And Establishing Terms Of Office, be set for Public Hearing on November 6, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 66-78 208 WATER QUALITY MANAGEMENT PLAN

Mr. Reynolds reviewed the 208 Areawide Water Quality Management Plan developed by the Miami Valley Regional Planning Commission; this Plan relates to the quality of water for swimming, water recreational based activities and to the betterment of wild life in these waters. The City of Centerville has been asked to support this Plan. Mrs. Lake advised that she did attend the Public Hearing held before MVRPC concerning this Plan, at which no complaints were received. Several Municipalities have already passed Resolutions in support of this Plan. Mrs. Lake sponsored Resolution Number 66-78, Resolution Of Support For The 208 Water Quality Management Plan Developed By The Miami Valley Regional Planning Commission, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

FOX RUN SECTION TWO

Mr. Schab reviewed his recommendation that the Performance Bond posted on Fox Run, Section Two be released. All corrections and adjustments given to the developer have been made. This Section is located west of and adjacent to the Centerville Corporation Line and east of Overbrook Drive. Mr. Stone moved that the Performance Bond posted on Fox Run, Section Two, be released subject to the receipt of a Maintenance Bond in the amount of \$1,195.00. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Singer abstained.

Upon question of Mr. Stubbs, Mr. Schab reviewed the reberming being done at the curve on Whipp Road.

Mr. Schab advised that, following the Council Work Session Meeting this date, the citizens group for Black Oak Forest, represented by Robert Browne, Douglas Kramer, Robert North and Thomas Krubl, and the Southwestern Reserve Company, represented by K. R. Case, agreed to the following improvements in Black Oak Forest, Section Two, to be provided by the Southwestern Reserve Company:

1. The Plan of Woolpert Engineering Company dated October 16, 1978, will be followed as far as the planting adjacent to the central swale is concerned.
2. A minimum of planting items (77 trees and 300 shrubs as per Hillside Nursery Proposal) will be provided. Crown vetch will be planted in Spring of 1979.
3. Southwestern will provide a 24" high fence (revised specifications of Weimer Fence) alongside concrete bottom of swale. Fence will not go across the 96" storm tiles.
4. Guard rail as proposed by Weimer Fence to be installed.
5. It is understood that the City will plant the trees shown between curb and sidewalk on both sides of Boulevard (northeast and southwest side.) Discussion followed concerning the planting of trees along the street in a plat by the City of Centerville and this perhaps being a future project for the City Beautiful Commission. Mr. Stubbs moved that the foregoing agreement made between the citizens group for Black Oak Forest and the Southwestern

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Reserve Company, be accepted and supported by City Council and that this action in no way relates to the Performance Bond or proposed Maintenance Bond for this Section. Mr. Singer seconded the motion. Mr. Sweetman offered concern with the fact that the fence posts should be cedar and should be creosoted. Also discussed was the time frame in which the City would be expected to plant the trees along the boulevard. A roll call vote resulted in four nays against the motion; Mr. Stubbs, Mr. Siler and Mayor Green voted yes. Mr. Singer moved that the agreement made between Black Oak Forest citizens and Mr. K. R. Case be accepted and supported by City Council and that this, in no way, addresses the Performance Bond or Maintenance Bond posted for Black Oak Forest, Section Two, and contingent upon the fence posts being cedar and creosoted and that the time when the City plants the trees along the boulevard be as soon as practical depending upon City Finances. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Stubbs abstained.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:

  
Clerk of the Council