

DAYTON LEGAL BLANK CO. 10144

Held December 4, 1978

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, December 4, 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 Gerald Fuller from the Centerville United Methodist 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 Nora Lake
- Leonard Stubbs
- Jeffrey Siler
- James Singer
- Clerk of Council Marilyn McLaughlin
- City Manager Darryl Kenning
- Planner Alan Schwab
- Service Director Richard Bishop
- City Engineer Karl Schab
- Director of Parks and Recreation John Dunathan
- Director of Finance William Bettcher
- Chief of Police William Randolph
- Municipal Attorney Robert Farquhar
- Administrative Assistant Joseph Minner

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

- Council Meeting - November 20, 1978.
- Council Work Session Meeting - November 20, 1978.

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

Mayor Green announced a legislative briefing being held Thursday, December 14, 1978 concerning the status of Interstate 675. The Meeting will be held in the Montgomery County Administration Building, Room 1020 at 3:00 P.M.

Mr. Kenning reported the following during his City Manager's Report: The Chamber of Commerce and area businessmen have provided additional Christmas decorations for the center of town.

On Wednesday, December 6, 1978, the Centerville Planning Commission will hold a Meeting to discuss proposed new developments at the Centerville High School. The Meeting will begin at 7:30 P.M. in the Council Chambers.

Mr. Kenning briefly reviewed the Report of the Service Department for the month of November, 1978.

HIDDEN HILLS

Mr. Kenning reviewed the Planning Commission Meeting held November 28, 1978. The Commission unanimously recommended to Council that the Preliminary Plan for Hidden Hills be amended with the stipulation that lots numbered 46, 47 and 48 have the option of zero lot line development and that at the Record Plan stage an easement be provided between lots 48 and 49 as a public walkway easement and that some type easement in the vicinity of lots 46, 47 or 48 be provided to the open space area. It was also recommended that the existing fire hydrant located at the end of Marshall Road stub street be turned around at time of development. Mr. Schwab reviewed the amendment to the Preliminary Plan and located the property on a map; formerly known as Whispering Hills and located south of Whipp Road, west of Bigger Road and north of the proposed I-675. The amendment includes the southwestern portion

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of the project: development into 6 lots and the construction of the cul-de-sac of Marshall Road.

Mr. Dale Smith, Developer, explained the reason for this amendment to the Preliminary Plan; additional land was purchased and included in the subdivision in order to provide additional lots and the construction of the roadway.

Mr. Singer moved that Council approve the amendment to the Preliminary Plan for Hidden Hills (formerly Whispering Hills) with the stipulation that lots numbered 46, 47 and 48 have the option of zero lot line development and that at the Record Plan stage an easement be provided between lots 48 and 49 as a public easement and that some type easement in the vicinity of lots 46, 47 or 48 be provided to the open space. It is further understood that the existing fire hydrant located at the end of Marshall Road stub street, west side of the property line, be turned around at the time of development.

Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mayor Green was not present during this item on the agenda.

Mr. Sweetman, as Chairman of the Council Finance Committee, advised that the Finance Committee will go into Executive Session following this Council Meeting to discuss Personnel matters relating to the 1979 Budget for the City of Centerville.

Mr. Delbert Tickel, 8500 Maltbie Road, a resident of Washington Township, addressed Council to encourage legislation for water management to cope with future water run off problems. He made reference to House Bill 513. Mr. Kenning will further review this matter.

Councilman J. V. Stone entered the Meeting at this time.

#### ORDINANCE NUMBER 58-78 PERSONNEL APPEALS BOARD

The Public Hearing was held concerning Ordinance Number 58-78. Mr. Singer sponsored Ordinance Number 58-78, An Ordinance Appointing Richard Rice To The Personnel Appeals Board For The City Of Centerville, Ohio, And Establishing A Term Of Office, 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 59-78 ARTS COMMISSION

The Public Hearing was held concerning Ordinance Number 59-78. Mr. Stubbs sponsored Ordinance Number 59-78, An Ordinance Appointing John J. Pfetzing To The Arts Commission 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 60-78 BOARD OF TAX APPEALS

Mr. Sweetman moved that Ordinance Number 60-78, An Ordinance Appointing Robert P. Hensley And Stephen Mikula To The Board Of Tax Appeals For The City Of Centerville, Ohio, And Establishing Terms Of Office, be set for Public Hearing on December 18, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ROSE ESTATES SECTION TEN

Mr. Kenning reviewed for Council the recommendation of the City Engineer concerning the release of the Performance Bond on Rose Estates, Section Ten. He recommended release of the \$22,500.00 Performance Bond subject to the receipt of a Maintenance Bond and an additional Performance Bond to be

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specifically earmarked for replacement of certain panels, should failures occur within one year. This is necessary due to the fact that certain panels of pavement were treated with a new type of epoxy sealer unfamiliar to the City's Engineering Department. Mr. Sweetman moved that the Performance Bond posted on Rose Estates, Section Ten, be released, subject to the receipt of a Maintenance Bond in the amount of \$1,125.00 and subject to the receipt of a one year Performance Bond of \$1,500.00 specifically earmarked for replacement of certain panels, should failures occur within this one year period. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

PLYMOUTH NOTCH SECTION THREE

Mr. Kenning reviewed the recommendation of the City Engineer concerning the release of the Performance Bond posted on Plymouth Notch, Section Three. Mr. Schab recommended that the Bond be released subject to the receipt of a Maintenance Bond and a Performance Bond to cover the replacement of certain panels should failures occur. Mr. Singer moved that the Performance Bond posted on Plymouth Notch, Section Three, be released, subject to the receipt of a Maintenance Bond in the amount of \$1,230.00 and subject to the receipt of a one year Performance Bond of \$2,500.00 specifically earmarked for replacement of certain panels, should failures occur within this one year period. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: *Victor A. Green*  
Mayor

ATTEST:

*Harold J. McLaughlin*  
Clerk of the Council