

Held February 7, 19 77

CENTERVILLE COUNCIL MEETING  
REGULAR MEETING  
FEBRUARY 7, 1977

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, February 7, 1977 at 6:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Reverend Glenn Copeland from the Normandy United Methodist Church gave an Invocation later during the Meeting. Councilmembers and City Staff present were as follows:

Councilman Russell Sweetman  
Ralph Spencer  
Leonard Stubbs  
Charles McQueeney  
Nora Lake  
Clerk of Council Marilyn McLaughlin  
City Manager Darryl Kenning  
Assistant City Manager John Levermann  
City Engineer Karl Schab  
Service Director Richard Bishop  
City Planner Garth Reynolds  
Director of Finance William Bettcher  
Chief of Police William Randolph  
Municipal Attorney Robert Farquhar

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

Council Meeting:  
January 24, 1977.  
Council Work Session Meeting:  
January 24, 1977.  
January 31, 1977.

Mr. Spencer moved that the Minutes of the foregoing Meetings be approved as distributed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Green read and distributed to Council a letter and proposed Agreement from the Ohio Department of Transportation concerning the speed limit on State Route 48 and the problem of children crossing State Route 48 at the Incarnation School. Speed limits will be changed on both northbound and southbound lanes of Route 48 from Ridgeway Road to Whipp Road. A 20 MPH school zone will be established beginning at the south property line of Incarnation School and continuing to a point 300 feet north of the north property line. School flashers in both directions will be installed at the limits of the school zone, mounted on the right side of the roadway. The State will furnish the equipment while the City makes the installations, provides maintenance and is liable for the school zone in both directions.

Mr. Kenning reported the following during his City Manager's Report:  
The tax financing brochure should be in the mail within the following ten days.

The printing of the revised City Charter is underway.  
Grant Applications have been submitted for Housing and Community Development monies for the Maple Street construction, Planning funds, sidewalk construction and the Way-Lo acquisition.

## RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL PLANS CO. 10134

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The City's 701 Planning Grant has been approved. This Grant will finance a block by block environmental appraisal of the Community and the upgrade of Centerville's Base Map.

An unofficial Meeting is being held this date concerning I-675 in the Dayton City Commission Chambers; Meeting called by Commissioner Pat Roach.

Upon question of Mr. Stubbs, Mr. Bishop advised that 20 ton of salt was mixed with sand and used on major street intersections during the last snow fall. Regardless of back-order, Centerville is only receiving approximately 20 ton of salt at a time. 100 ton will do the entire City one time.

## PELBROOK FARM SECTION FOUR

Mr. Reynolds reviewed the Planning Commission Meeting held January 25, 1977. He reviewed the Record Plan for Pelbrook Farm, Section Four, a 9.6 acre development located on the south side of Alexandersville-Bellbrook Road and west of Wilmington Pike, containing 18 residential lots. Sidewalk will be located on the south side of Alexandersville-Bellbrook Road, east side of Greathouse Lane and the south side of Col. Crawford Court. Sidewalk is in conformance with the sidewalk policy followed in other Sections of Pelbrook Farm. The Planning Commission unanimously recommended approval of this Record Plan. Mr. Schab recommended that a Performance Bond in the amount of \$89,400.00, an Inspection Fee of \$279.00 and a Subdividers Agreement be required.

Deputy Mayor J. V. Stone entered the Meeting at this time.

Mr. McQueeney moved that Council approve the Record Plan for Pelbrook Farm, Section Four, subject to the receipt of a Performance Bond in the amount of \$89,400.00, a Subdividers Agreement and an Inspection Fee of \$279.00. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## CARRIAGE TRACE SQUARE SECTION 2-A

Mr. Reynolds reviewed a Replat of a former Record Plan for Carriage Trace Square, Section 2-A, property being located on the west side of Bigger Road and south of Hewitt Road, consisting of 12.8 acres of land. Section 2-A is the southern half of the entire project. This Replating process is a result of an approved Revised Preliminary Plan. The Planning Commission unanimously recommended approval of this Record Plan. Mrs. Lake moved that Council approve the Revised Record Plan for Carriage Trace Square, Section 2-A. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman reviewed the Public Health and Safety Council Committee Meeting held February 1, 1977 to discuss fire related problems in the City of Centerville. Black Oak Estates residents, the Centerville-Washington Township Fire Chief and Montgomery County Sanitary Engineer Gene Cronk were in attendance. There will be a twice a year inspection program for fire hydrants followed by detailed records kept by the Washington Township Fire Department and the County Sanitary Department. A tanker truck will be dispatched to any structure fire automatically when the weather warrants the possibility of hydrant freezing. Mr. Sweetman asked for residents assistance when fire hydrants are piled with snow, the hydrants must be cleared for emergency purposes. In new plats, before hydrants are accepted by the Sanitary Department, the Fire Department will accompany the County on final inspections. Mr. Stone pointed out some confusion as to how many hydrant inspections will be made per year; Mr. Kenning will get clarification on this from Fire Chief Randall Staley. Mr. Sweetman solicited residents assistance in reporting unauthorized persons tampering

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with hydrants. He requested that the Municipal Attorney study possible legislation to impose a greater penalty upon violators tampering with fire hydrants.

Mr. Spencer made reference to Planning Commission Minutes of Tuesday, January 25, 1977. He hopes that the question of a supermarket in B-1 zoning, in reference to the Ned Haverstick Rezoning, is resolved before the issue comes before the Commission again. He also stated his displeasure with the Planning Commission making a decision based upon a Thoroughfare Plan, they must consider all necessary roads and traffic control devices in place before rezoning takes place.

Mr. McQueeney reported on a TCC Meeting he attended Thursday, February 3, 1977 at which citizen input was given concerning the I-675 Environmental Impact Study; criticism was on the Study itself not the project.

Mrs. Lake reminded Councilmen that MVRPC Meeting information is available in the City Manager's Office for review. She distributed to Council a "Summary of Research Findings" made of human services in Montgomery County, conducted by the Dayton-Montgomery County Partnership Project Task Force, funded in part through a Grant from the Department of Health, Education and Welfare. Mrs. Lake solicited comments concerning this review.

Mrs. James Althaus, 7385 Far Hills Avenue, representing the Centerville Womens Civic Club, appeared to request that City Council ask merchants to turn off unnecessary lights during this energy crisis. Mr. Kenning outlined what steps have been taken at the Centerville Municipal Building. Mayor Green, on behalf of City Council and the City of Centerville, requested the cooperation of area businessmen and residents to cutback on the use of electricity; this must be a Community effort. Mr. McQueeney suggested that a letter of request be written to the Governor, in order for commercial enterprises to cooperate, it must be state mandated, locally it will not work. Mrs. Lake outlined the effect consumers can have upon retailers through patronization.

#### ORDINANCE NUMBER 4-77 CITY BEAUTIFUL

The Public Hearing was held concerning Ordinance Number 4-77. Mr. Stubbs sponsored Ordinance Number 4-77, An Ordinance To Appoint Suzie Holloway To The City Beautiful Commission Of The City Of Centerville 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 5-77 PARKS AND RECREATION

The Public Hearing was held concerning Ordinance Number 5-77. Mr. Stone sponsored Ordinance Number 5-77, An Ordinance To Appoint Michael Callahan To The Parks And Recreation Board Of The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Councilman Ralph Spencer left the Meeting at this time.

Mr. Stubbs questioned the status of the City's Contract with Montgomery County relative to waste disposal. Mr. Kenning advised that the new Contract is being reviewed with the Municipal Attorney. In consideration of the possible closing of the south incinerator, Mrs. Lake

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wondered whether dumping in a southern Municipality has been reviewed by the Solid Waste Task Force Committee. Mr. McQueeney advised that the main thrust of the Committee has been to put together rationale to promote a regional resource recovery facility. Mrs. Lake hopes that Montgomery County will review all alternatives for dumping refuse before the south incinerator is closed. Mr. Kenning will keep Council apprised of Solid Waste Management Advisory Committee Meetings.

Mr. Stubbs suggested that the City consider initiating a rezoning for the northeast and southeast corners of Thomas Paine Parkway and Bigger Road. The present zoning is B-2 and does not correspond with zoning of adjacent land. He requested that the City Planner submit his recommendation concerning this matter at the next Council Work Session Meeting.

#### SAMBO'S RESTAURANT

Mr. Kenning reviewed Sambo's Restaurant request for a variance from the requirement of City Council concerning the installation of landscaping, sidewalk and curb cuts at their new location on Far Hills Avenue. The Applicant would agree to the posting of a Bond to cover construction of these items when weather permits. Mr. Stone moved that the requirements of this Council concerning installation of landscaping, sidewalk, approach and other items pursuant to Council's Site Plan review powers, be suspended until June 1, 1977 on the condition that Sambo's post a cash Bond with the City in an amount approved by the City Engineer, said Bond to secure the performance by Sambo's of those requirements suspended by this motion within the time stipulated herein. Upon Sambo's compliance with the terms of this motion, the City administration is authorized to issue the permits necessary to permit the use and occupancy of the premises by Sambo's. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Stubbs voted no.

#### RESOLUTION NUMBER 4-77 BOND ISSUE

Mrs. Lake sponsored Resolution Number 4-77, Resolution Requesting Fiscal Officer To Certify Maximum Maturity Of Bonds, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Bettcher certified maximum maturity of \$2,000,000 of Bonds for the purpose of widening, extending, opening, resurfacing, grading, draining and changing the line of various roads, streets and highways in the City of Centerville, and installing sidewalks, curbs, gutters and traffic signals at selected locations within said City.

#### RESOLUTION NUMBER 5-77 BOND ISSUE

Mrs. Lake sponsored Resolution Number 5-77, Resolution Declaring The Necessity Of Issuing Bonds And Submitting The Question To The Electors Of The City, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 6-77 PARKS AND RECREATION

Mr. Sweetman moved that Ordinance Number 6-77, An Ordinance Appointing Ralph H. Alkire, Anton N. Evans And Gerard K. Hall To The Parks And Recreation Board Of The City Of Centerville And Establishing Terms Of Office, be set for Public Hearing on February 21, 1977. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 7-77 YOUTH BOARD

Mr. Stubbs moved that Ordinance Number 7-77, An Ordinance To Appoint Nancy N. Pogue To The Youth Board Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on February 21, 1977. Mrs. Lake seconded the motion. A roll call vote resulted in six

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eyes in favor of the motion.

Mr. Stubbs suggested that City Council meet jointly with the Centerville-Washington Park District in a Work Session Meeting to discuss their future plans. Mrs. Lake suggested that such a Meeting also be held with all Boards and Commissions, possibly on an annual basis. Mayor Green suggested a joint Meeting with the Washington Township Trustees and the Centerville City School Board of Education. He will coordinate joint Meetings for the future.

Mr. Duane Snyder, Washington Township Trustee, advised that the Fire Department will be educated by the Dayton Power and Light Company to shut off gas lines should an area be shut down for gas service by D.P.& L. Mrs. Lake suggested that residents also be educated in this respect.

ORDINANCE NUMBER 66-77 ZONING ORDINANCE AMENDMENT TEXT

The Public Hearing was held concerning Ordinance Number 66-76. As requested by Mrs. Lake, Mr. Kenning clarified Item 3b of the Ordinance, the Section which prohibits the issuance of a variance for a particular use, a use which would not otherwise be permitted within the zoned district. Item A is merely a repeat of the provisions presently contained in the Zoning Ordinance. Mr. Stubbs sponsored Ordinance Number 66-76, An Ordinance amending Ordinance 15-61, The Zoning Ordinance, By Changing The Powers Of The Planning Commission With Respect To Variances, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved:



Mayor of the City of Centerville, Ohio

ATTEST:

  
Clerk of the Council