

Held March 21, 19 77

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, March 21, 1977 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Nicholas Rachford from the Saint Barbara Byzantine Catholic Church and the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor J. V. Stone
 Councilmembers Leonard Stubbs
 Ralph Spencer
 Nora Lake
 Clerk of Council Marilyn McLaughlin
 City Manager Darryl Kenning
 Assistant City Manager John Levermann
 City Planner Garth Reynolds
 City Engineer Karl Schab
 Director of Finance William Bettcher
 Chief of Police William Randolph
 Municipal Attorney Robert Farquhar

Mayor Green announced that Councilmen Russell Sweetman and Charles McQueeney were out of the City at this time, thus their absence from this Meeting. Mr. Spencer moved that Councilmem Russell Sweetman and Charles McQueeney be excused from this Council Meeting. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

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

Council Meeting:
 March 7, 1977.
 Council Work Session Meetings:
 March 7, 1977.
 March 14, 1977.

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

Mayor Green administered the Oath of Office to Parks and Recreation Member Michael Callahan.

Mrs. McLaughlin announced the receipt of an Appeal from Paul Lapp concerning Planning Commission's denial of the Record Plan for Pelbrook Farm, Section Six, during their Meeting on February 22, 1977.

Mayor Green distributed to Council copies of a letter received from the Home Builders Association of Metropolitan Dayton, Inc., requesting an opportunity to offer input before Centerville approves the Standards prepared by Southwest Ohio Engineers; to eventually unify Subdivision Regulations in this area.

Mayor Green also solicited input from Council concerning a Reciprocity Support Survey prepared by the YES (Your Equal Share) Committee.

Mr. Kenning reported the following during his City Manager's Report: Director of Parks and Recreation, John Dunathan has been hospitalized, has had heart surgery and is now recovering in the intensive care unit of Kettering Memorial Hospital.

The guardrail on Centerville Station Road has been installed through permissive tax monies.

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Curb ramping in the center part of the City is being let for bids. Preliminary engineering work has begun on the Spring Valley Road/State Route 48 improvement project. This should be ready for bid in approximately thirty days.

The Police Department's activity report for the month of February was reviewed by Mr. Kenning.

Service Department's statistics were also reviewed during the City Manager's Report to Council.

The Youth Center located at 138 South Main Street is now open. The first floor is currently being utilized, other areas must be brought to code specifications. Upon question of Mr. Stubbs, Mr. Kenning advised that the Center has been advertised in the schools, the newspaper and information has been circulated to previous users of the facility.

Mr. Patrick Crippen, 71 Park Villa Court, appeared before Council, to discuss the street sign located at the corner of West Ridgeway Road and North Main Street. He proposed that times and days on the current "Right Turn Only" sign be changed to read:

7:30 AM - 9:00 AM

4:00 PM - 6:00 PM

Monday through Friday

Mr. Kenning will review this proposal and be in contact with Mr. Crippen.

Mr. Crippen also stated his opposition to the continuation of Lyons Drive north as projected in the tax proposal mailed to Centerville residents during the past week. Mr. Kenning pointed out the fact that Lyons Road has been intended to be a through street, it was not cul-de-sac when constructed. This continuation was recommended by the Transportation Coordinating Committee in their Centerville Central Sector Thoroughfare Plan prepared in 1974. Mayor Green advised that Council will take this matter into consideration.

ORDINANCE NUMBER 10-77 WHIPP ROAD

The Public Hearing was held concerning Ordinance Number 10-77. This Ordinance is the same as one previously passed except that it names Centerville as the Contractual Agent for Montgomery County for the widening and reconstruction of Whipp Road. Mr. Spencer sponsored Ordinance Number 10-77, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio In The Matter Of The Hereinafter Described Improvement, Under The Supervision Of The Director Of Transportation, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 11-77 BOARD OF ARCHITECTURAL REVIEW

The Public Hearing was held concerning Ordinance Number 11-77. Mr. Spencer sponsored Ordinance Number 11-77, An Ordinance To Appoint Fayne E. Kuker To The Board Of Architectural Review Of 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 five ayes in favor of the motion.

ORDINANCE NUMBER 12-77 YOUTH BOARD

The Public Hearing was held concerning Ordinance Number 12-77. Mr. Stone sponsored Ordinance Number 12-77, An Ordinance To Appoint Robert A. Sands To The Youth 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 five ayes in favor of the motion.

ORDINANCE NUMBER 13-77 PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 13-77. Mr.

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Stubbs sponsored Ordinance Number 13-77, An Ordinance To Appoint Robert J. Hopperton To The Planning Commission Of The City Of Centerville, Ohio, For The Unexpired Term Of Dennis Donnellan, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 14-77 ARTS COMMISSION

The Public Hearing was held concerning Ordinance Number 14-77. Mr. Stubbs sponsored Ordinance Number 14-77, An Ordinance To Appoint Alice L. Nye 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 five ayes in favor of the motion.

As questioned by Mr. Stubbs, Mr. Levermann advised that he is still trying to develop a volunteer program for newspaper pick-up. The City Administration will continue to pursue this matter; an update will be forthcoming to Council in a few weeks.

ORDINANCE NUMBER 15-77 ALEXANDERSVILLE-BELLBROOK ROAD

Mr. Kenning reviewed a proposed Ordinance to provide for the replacement of the bridge located on Alexandersville-Bellbrook Road through County and State Funds. Mr. Stone sponsored Ordinance Number 15-77, An Emergency Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Hereinafter Described Improvement, Under The Supervision Of The Director Of Transportation, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 16-77 ALEXANDERSVILLE-BELLBROOK ROAD

Mr. Stone moved that Ordinance Number 16-77, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Hereinafter Described Improvement, Under The Supervision Of The Director Of Transportation, be set for Public Hearing on April 4, 1977. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 17-77 PERSONNAL APPEALS BOARD

Mr. Stubbs moved that Ordinance Number 17-77, An Ordinance To Appoint Richard Rice To The Personnel Appeals Board Of The City Of Centerville, Ohio, For The Unexpired Term Of John E. Riley, be set for Public Hearing on April 4, 1977. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 13-77 HEALTH CONTRACT

Mr. Spencer sponsored Resolution Number 13-77, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With The Montgomery County Combined General Health District For The Year 1977, and moved that it be passed. Mrs. Lake seconded the motion. Mr. Kenning explained the fact that this includes only the General Health Contract, it does not include the Free Health Clinic. A roll call vote resulted in five ayes in favor of the motion.

PLYMOUTH NOTCH SECTION THREE

Mr. Kenning reviewed the request for Bond reduction and the City Engineer's recommendation concerning Plymouth Notch, Section Three. As recommended by Mr. Schab, Mr. Spencer moved that Council reduce the Performance Bond of \$24,600.00 to \$2,500.00, or to roughly 10% of the original amount on Plymouth Notch, Section Three. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

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DENNY'S RESTAURANT

Mr. Kenning reviewed the request of Denny's Restaurant for a temporary variance from the requirements which must be met before an occupancy permit can be issued. A Performance Bond and an Agreement has been received by the City to secure complete conformance. Mr. Stone moved that a temporary variance as requested be granted to Denny's Restaurant. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

CANDLEWYCK SOUTH

Mr. Kenning explained a change in the amount of a Performance Bond on Candlewyck South. Originally the amount was set at \$67,000.00 for Bond purposes. The current Developer has received a bid bond which assures that the work can be completed for a revised amount of money. Street construction and storm sewer system has been quoted at \$46,803.40 and sidewalk installation at \$7,872.00. Mr. Spencer moved that the Performance Bond on Candlewyck South be changed to \$46,803.40 for Street construction and storm sewer system and \$7,872.00 for sidewalk installation. Mr. Stone seconded the motion. Upon question of Mrs. Stubbs, Mr. Schab advised that this type of bid bond is standard policy by Montgomery County, the Performance Bond merely secures performance. A roll call vote resulted in five ayes in favor of the motion.

HAVERSTICK REZONING REQUEST

Mr. Stone moved that the Rezoning Request filed by Ned Haverstick for a change from O-S and R-4 to B-1 zone classification be set for Public Hearing on May 2, 1977. Mr. Spencer seconded the motion. Property is located at the northeast corner of Centerville Station Road and Cloyo Road and consists of approximately 6.1 acres of land. A roll call vote resulted in five ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: *Victor R. Green*
Mayor

ATTEST:

Marilyn J. McLaughlin
Clerk of the Council