

Held June 20, 19 77

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, June 20, 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 Clyde Powell from the Fairhaven Church of the Christian Missionary Alliance 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 Russell Sweetman
 Leonard Stubbs
 Charles McQueeney
 Nora Lake
 City Manager Darryl Kenning
 Assistant City Manager John Levermann
 City Planner Garth Reynolds
 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

Councilman Ralph Spencer was absent from this Meeting due to a previous commitment. Mr. Sweetman moved that Councilman Ralph Spencer be excused from this Meeting. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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

Council Meeting:
 June 6, 1977.
 Council Work Session Meetings:
 June 6, 1977.
 June 13, 1977.

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

A plaque in appreciation for his services as the Chairman of the Citizens Committee for Road Bond was presented to Mr. William Burke. Similar plaques will be presented to Mr. Warren Herminghausen and Mrs. Marian Simmons for their services on same Committee.

The Oath of Office was administered to Youth Board Member Christine Thompson by Mayor Green.

Mayor Green also administered the Oath of Office to City Beautiful Commission Member Nancy Lee Schardt.

Mayor Green read a letter received from the City Beautiful Commission expressing their concern with certain eyesores within the City of Centerville.

Mr. Kenning reported the following during his City Manager's Report:
 The Transportation Coordinating Committee has agreed to conduct a North Main Street study for the City at no cost, in order that the City can qualify for 90% grant monies for the North Main Safety Corrections project.

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The City of Centerville has been notified by the Board of Montgomery County Commissioners that it will receive 10 special project job slots under the Title 6, Public Service Employment program. This program is similar to CETA; however, it will be a one-year program and employees will be employed by the City. The 10 employees will be distributed as follows:

Police Department - 3
Service Department - 3
Planning Department - 2
Engineering Department - 1
Personnel Department - 1

As of January 1, 1977, the City has received a total of 15,273 incoming telephone calls.

Upon question of Mr. Stubbs, Mr. Kenning advised that, although the final statistics have not been released, the preliminary report concerning the Centerville Ox Roast indicates it to be a success.

WOODLEY ESTATES SECTION ONE

Mr. Reynolds reported on the Planning Commission Meeting held June 14, 1977. He reviewed the Record Plan for Woodley Estates, Section One, a development proposed to be located on the south side of Hewitt Road, west of Bigger Road. A strip 25 feet wide along the south property line is in the City of Centerville. The developer plans to construct a 6 foot high screen along the south property line to correspond with same in Donwood Heights, Section Two. The Planning Commission unanimously recommended approval of this Plan. Mr. Stone moved that the Record Plan for Woodley Estates, Section One, be approved as submitted. Mr. McQueeney seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Sweetman and Mr. Stubbs voted no.

The City Staff was requested to review the signs located at the entrance of Carriage Trace Condominiums for conformance with the city's sign regulations.

FOX RUN SECTION TWO

Mr. Reynolds reviewed the Record Plan for Fox Run, Section Two, a development located west of Wilmington Pike and south of Whipp Road. Maintenance of the drainage ditch in this Section was discussed with property owner, Mr. Robert Booher. Mr. Sweetman moved that the Record Plan for Fox Run, Section Two, be approved with the stipulation that all maintenance, repairs and cleaning of the drainage ditch along the northeast property line be the responsibility of the condominium association, that the association be so advised, and subject to the receipt of a Performance Bond in the amount of \$23,900.00 and a Subdividers Agreement. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Reynolds announced the following Public Hearings set before the Planning Commission for June 28, 1977:

Amendment to Architectural Preservation District boundaries, specifically along the east side of Virginia Avenue, the north side of White Birch Road and the east and west side of Westerfield Drive.

Rezoning of property located at the northeast and southeast corners of Bigger Road and Thomas Paine Parkway, a change from B-2 to I-1.

Rezoning of property located at the northeast and southeast corners of Clyo Road and Black Oak Drive, a change from B-1 to R-4.

Mr. Sweetman advised that an extension of time has been requested for Cable TV, this moves the program to at least October, 1977.

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Mr. McQueeney thanked voters for passage of the 1.62 Bond Issue during the Special Election held June 7, 1977.

Mr. Kenning reported the passage of House Bill 419 which prohibits the installation of gas lights, gas heated swimming pools and gas home appliances.

ORDINANCE NUMBER 20-77 ZONING ORDINANCE AMENDMENT DAYTON SUBURBAN REZONING

The Public Hearing was held concerning Ordinance Number 20-77. Mr. Reynolds reviewed this Rezoning Request filed by Dayton Suburban, Inc. for approximately 26.321 acres located along the north extension of Applecreek Road, the east extension of Princewood Avenue and Hyde Park Drive. Requested is a change from Washington Township R-4 to Centerville R-2, R-3 and R-4 zone classifications. Planning Commission unanimously recommended approval of this Request during their Meeting on April 19, 1977.

Mr. Ralph Woodley, Representing Dayton Suburban, Inc. reviewed their Request; they will continue to develop under the existing use, the only difference being that proposed lots are larger than existing lots.

Mr. McQueeney sponsored Ordinance Number 20-77, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 26.321 Acres, More Or Less, From Washington Township R-4 Classification To Centerville R-2, R-3 And R-4 Classifications, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

BUDGET 1978

The Public Hearing was held concerning the proposed Tax Budget for the year 1978. Proposed receipts and expenses in various funds and Federal Revenue Sharing Fund uses were reviewed by Mr. Bettcher. Mr. Sweetman moved that the proposed Tax Budget for 1978 be approved as submitted. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 26-77 TRAFFIC REGULATIONS

The Public Hearing was held concerning Ordinance^{Number} 26-77. Mr. McQueeney sponsored Ordinance Number 26-77, An Ordinance Authorizing The City Manager To Establish And Enforce Fire Lanes On Public And Private Property Within The City Of Centerville, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Stubbs was absent during this item of business.

ORDINANCE NUMBER 27-77 BUILDING CODE

The Public Hearing was held concerning Ordinance Number 27-77. Mr. Kenning advised that item (i) under Section 1. should read as follows: All windows and sliding glass doors in exterior walls are to have either separate storm sash or, if metal frame, are to have double glazing thermo break window. Building Inspector William Armour explained the fact that this Ordinance would require the installation of thermo-break windows on all new construction; the cost would be over and above that of a standard window; estimated costs:

\$400 - \$500 more at time of installation.

\$900 - \$1,000 for storm windows

\$1,500 for wood

This Ordinance was initiated due to energy conservation. Mr. Sweetman indicated his opposition to this type legislation. Mayor Green questioned the significance this Ordinance would have on energy conservation. Mr. Jacque Sheley, representing the Home Builders Association of Dayton And The Miami Valley, pointed out the fact that heat loss is not through the frame of

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the window, but through the glass. Mr. Charles Rush, 534 Duberry Place, suggested that heating systems be improved. Mr. Jack Brainard, Brainard Construction Company, believes that the homeowner should have the opportunity to make this choice, 60% of the people do select this type window. Mr. William McCrabb, builder, believes that the proposed legislation is too restrictive. Mayor Green suggested that this item be discussed further during a Work Session scheduled for June 27, 1977. Mr. Stubbs moved that Ordinance Number 27-77, An Ordinance Amending Ordinance Number 52-75 And Amending The Unified Building Code For Montgomery County And The Ohio Building Code As They Relate To Energy Conservation, be tabled for further discussion. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 28-77 ARTS COMMISSION

The Public Hearing was held concerning Ordinance Number 28-77. Mr. Stubbs sponsored Ordinance Number 28-77, An Ordinance To Appoint Barbara Hohman To The Arts Commission 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 six ayes in favor of the motion.

ORDINANCE NUMBER 29-77 DWI

Mr. Sweetman moved that Ordinance Number 29-77, An Ordinance Amending Chapter 333 Of The Centerville Municipal Code Relating To Driving Or Physical Control Of An Automobile While Under The Influence, be set for Public Hearing on July 5, 1977. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 23-77 MAJOR ROAD IMPROVEMENT FUND

Mr. McQueeney sponsored Resolution Number 23-77, A Resolution Establishing A Major Road Improvement Fund And Authorizing And Directing The Director Of Finance To Take All Necessary Steps To Establish Said Fund In Providing For Payments Into And Out Of Said Fund, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 24-77 GASOLINE

Mr. Sweetman sponsored Resolution Number 24-77, A Resolution Declaring The Case Of Real And Present Emergency Arising In Connection With The Purchase Of Gasoline And Diesel Fuel And Authorizing And Directing The City Manager To Enter Into A Contract For The Purchase Of Gasoline And Diesel Fuel Without Advertising For Bids, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 25-77 APPRECIATION

Mr. Stone sponsored Resolution Number 25-77, A Resolution Of Appreciation To The Members Of The Citizens Committee For Road Bond, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 26-77 CURB RAMPS

Mr. Kenning reviewed the following three bids received for the installation of Curb Ramps at various intersections within the City of Centerville:

Finke Construction Company	\$5,543.00
Carey Paving Company, Inc.	5,363.50
R B & S Construction Company	4,043.00

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Based upon a review of work and cost, the City Manager recommended the acceptance of the low bid submitted by R B & S Construction Company for \$4,043.00. Mr. Stone sponsored Resolution Number 26-77, A Resolution Accepting The Bid Of R B & S Construction Company For The Installation Of Curb Ramps 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 six eyes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:


Clerk of the Council