

NATION LEAD-GRAPH CO. 10134

Held September 19,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, September 19, 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 Lawrence Fetzer from the Washington Heights Baptist 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 Nora Lake

James Singer

Leonard Stubbs

Russell Sweetman

Ralph Spencer

Clerk of Council Marilyn McLaughlin

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

Municipal Attorney Robert Farquhar

The Minutes of the Council Work Session Meeting held September 6, 1977 had been distributed prior to this Meeting. Mr. Spencer moved that the Minutes of the September 6, 1977 Council Work Session Meeting be approved, as distributed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Singer abstained. Mr. Sweetman, making reference to the informal Meeting held following the Council Meeting on September 6, requested that Councilmembers be advised of all Meetings including those called spontaneously. Mayor Green requested that the Work Session Meeting Minutes of September 6, 1977 reflect the fact that the Meeting held following the Council Meeting was an informal session and should not be considered a Work Session Meeting.

Mr. Kenning reported the following during his City Manager's Report:

The 1977 street resurfacing program is approximately 50 percent complete.

The August Police Activity Report was briefly reviewed. Total calls for service are down approximately eleven percent.

The Ohio Municipal League Conference held in Toledo was briefly discussed. He distributed to Council the Ohio Municipal League's analysis of the proposed State Labor Management legislation.

Mr. Bishop briefly reviewed the American Public Works Association Conference and Equipment Show held in Chicago. Much information was received from the Environmental Protection Agency dealing with some of the waste problems facing our Community.

Mrs. Lake reviewed for Council the Operations Committee Meeting, MVRPC, she attended this date. She suggested that Council discuss in a future Work Session the development of criteria to evaluate top staff personnel. She suggested that information be obtained concerning the Ohio Land Use Plan coming out of Ohio Legislature at this time; perhaps Council should, during a future Work Session Meeting, discuss County Plan Boards.

Mr. Sweetman announced the Cable TV Council Meeting scheduled for Thursday, September 29, 1977 to begin at 3:30 P.M. at the Centerville Municipal Building.

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Mayor Green announced the presence of Mr. Jim Robbins, Assistant Vice President of Continental Cablevision of Maimi Valley, Inc., at this Meeting to answer questions concerning Cable TV. Mr. Robbins advised that utilities are approximately fifty percent complete, service will be available to Centerville residents by January 15, 1978. Any damages caused upon properties due to construction will be taken care of by Continental. Upon question of Mr. Charles Rush, 534 Duberry Place, Mr. Robbins advised that the cost to customers will be \$7.95 per month, the benefit to be the receipt of additional channels.

ORDINANCE NUMBER 35-77 ZONING ORDINANCE AMENDMENT BLACK OAK REZONING

The Public Hearing was held concerning Ordinance Number 35-77, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 3.603 Acres, More Or Less, From Centerville B-1 Classification To Centerville R-4 Classification. Mr. Reynolds located the subject property on a map and reviewed the change proposed; property being located at the intersection of Black Oak Drive and Clyo Road. The City has initiated this change in zoning from B-1 to R-4 to provide for multi-family zoning at a density of 8,000 square feet per dwelling unit. The Planning Commission unanimously recommended approval of this rezoning. Mr. Reynolds made reference to a letter received from Black Oak Development Company, the owner of the property, indicating their agreement with the zoning as proposed. Mr. Spencer sponsored Ordinance Number 35-77, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 3.603 Acres, More Or Less, From Centerville B-1 Classification To Centerville R-4 Classification, 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 36-77 ZONING ORDINANCE AMENDMENT HUBER MANAGEMENT REZONING

The Public Hearing was held concerning Ordinance Number 36-77, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 9.6 Acres, More Or Less, From Centerville B-2 Classification To Centerville I-1 Classification. This Ordinance concerns the rezoning of property located at the northeast and southeast corners of Bigger Road and Thomas Paine Parkway. Mr. Reynolds located the subject property on a map and reviewed the change in zoning from B-2 to I-1 zone classification. The Planning Commission unanimously recommended approval of this City initiated rezoning. The owner of the property, being Huber Management, has indicated concerns with the rezoning because of the fact that if the property to the south is rezoned to residential, this property, if zoned I-1, would have additional development requirements.

Attorney James Brennan, representing Huber Management, offered their favorable consideration of this City initiated rezoning presently, but requested that action be tabled until after the Public Hearing has been held concerning the Woodman Lanes/David Meeker rezoning because of the effect this rezoning has upon their property.

Attorney Gordon Arnold, representing the Woods Apartments, requested that Council consider the matter in total, at which time they will express their opinion to the total package. He expressed their concern with any type rezoning which would increase the flow of traffic in this area.

Mr. Stubbs moved that Council table this rezoning action until October 17, 1977. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. October 17 is the date which has been set for the Public Hearing concerning the Woodman Lanes/David Meeker rezoning.

ORDINANCE NUMBER 44-77 STREET NAME CHANGE

The Public Hearing was held concerning Ordinance Number 44-77. Mr.

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Reynolds reviewed the reasons why Kentshire Drive in the Village South Plat should be renamed to Marshall Road; it will never cross the railroad tracks and join the Kentshire Drive in the Red Coach South Plat. Two current residents and two vacant lots are affected with this proposed change. The change was requested by one of the current residents, in consideration of safety aspects. Mr. Sweetman sponsored Ordinance Number 44-77, An Ordinance Changing The Name Of A Portion Of Kentshire Drive To Marshall Road, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### COUNCIL POLICY 77-1 SIDEWALKS

Mr. Kenning reviewed proposed Council Policy Number 77-1; Sidewalk Repair and Replacement, New Sidewalk Installation, Curb and Gutter Installation, Repair and Replacement. This Policy is consistent with present City practices. Mr. Spencer moved that Council Policy Memo Number 77-1 be adopted. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### WINTER'S NATIONAL BANK AND TRUST COMPANY

Mr. Reynolds reviewed the Site Plan for Winter's National Bank And Trust Company, to be located in Centerville Square at Spring Valley Road and State Route 48. This full service Bank is proposed to occupy the northeastern portion of the total lot. Mr. Reynolds reviewed Planning Commission's approval of a twelve foot Variance for the canopy to be located from the north property line. Mr. Spencer moved that the Site Plan for Winter's National Bank And Trust Company as presented, be approved. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ORDINANCE NUMBER 45-77 YOUTH BOARD

Mr. Stone moved that Ordinance Number 45-77, An Ordinance To Appoint Richard Ernst To The Youth Board Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on October 3, 1977. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ORDINANCE NUMBER 46-77 CITY BEAUTIFUL

Mr. Sweetman moved that Ordinance Number 46-77, An Ordinance To Appoint William D. Zahrt II To The City Beautiful Commission Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on October 3, 1977. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ORDINANCE NUMBER 47-77 SISTER CITY COMMITTEE

Mr. Stubbs moved that Ordinance Number 47-77, An Ordinance To Appoint Susalee Wildason Grey To The Sister City Committee Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on October 3, 1977. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ORDINANCE NUMBER 48-77 YOUTH BOARD

Mrs. Lake moved that Ordinance Number 48-77, An Ordinance To Appoint Janis West To The Youth Board Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on October 3, 1977. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### RESOLUTION NUMBER 40-77 701 PLANNING GRANT

Mr. Kenning reviewed a proposed Resolution authorizing the acceptance

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of \$5,000.00 U. S. Department of Housing and Urban Development Comprehensive Planning Assistance funds which covers two thirds of the total cost for a study and a plan for Environmental Block Appraisal for a Housing and Land Use Data file. The remainder \$2,500.00 will be paid for by the City of Centerville. Mrs. Lake sponsored Resolution Number 40-77, Resolution Authorizing Acceptance Of A 701 Grant From The Ohio Department Of Economic And Community Development, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## RESOLUTION NUMBER 41-77 APPRECIATION

Mr. Sweetman read Resolution Number 41-77, A Resolution Of Appreciation, to Councilman Charles McQueeney. Mr. Sweetman sponsored Resolution Number 41-77 and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## RESOLUTION NUMBER 42-77 APPRECIATION

Mr. Stone read proposed Resolution Number 42-77. Mr. Stone sponsored Resolution Number 42-77, A Resolution Of Appreciation To The Members Of The Assessment Equalization Board, North Main Street Special Assessment Project, For The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake 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:

Marie J. ...  
Clerk of the Council