

Held November 7,

19 77

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, November 7, 1977 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilman Leonard Stubbs 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

Ralph Spencer

Leonard Stubbs

James Singer

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

Chief of Police William Randolph

Municipal Attorney Robert Farquhar

Mayor Green announced that Councilman Russell Sweetman was on active duty with the United States Army Reserves, thus his absence at this Meeting. Mr. Spencer moved that Councilman Russell Sweetman 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 Meetings;

October 17, 1977.

October 24, 1977.

October 31, 1977.

Council Work Session Meetings:

October 17, 1977.

October 24, 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 six ayes in favor of the motion.

Mayor Green administered the Oath of Office to Youth Board Member Janis West.

Mrs. McLaughlin announced the receipt of a letter of resignation from City Beautiful Commission Member Carol Farquhar.

Mrs. McLaughlin advised that an Appeal has been filed by Construction Managers of Ohio against a decision rendered by the Planning Commission on October 25, 1977. This Appeal has been set for Public Hearing before Council.

Mayor Green advised Council of a letter he received from Chamber of Commerce President, Jeff Nye, thanking the City for their cooperation to work out an Ordinance for the AP District which the Businessmen involved can support.

Mayor Green issued a Proclamation designating November 20 through November 27, 1977 as National Family Week in Centerville.

Held November 7, 1977 continued 19

Mr. Kenning reviewed the following during his City Manager's Report:
Chief of Police William Randolph has passed the BAR, a project which he has been working on for the past several years.
The October activity report of the Service Department was distributed to Council. Waste collection trips are meeting expectations, chipper calls and leaf collection have increased but should level off soon.
The October Building Inspection report was also reviewed. Mr. Stubbs suggested that new homes be checked periodically to solicit their inclusion on the tax duplicate as soon as possible.
A refund of \$461.63 has been received by the City of Centerville from the State of Ohio for reimbursement of the City's share paid to the Office of the Public Defender of Montgomery County for this fiscal year.
The fire hydrant inspection program in Centerville-Washington Township is underway. 930 hydrants have been inspected, 26 found to be out of service and 197 hydrants having one or more deficiencies. Discussion followed concerning the fact that new homes are being occupied before hydrants are put into service in new subdivisions.
A signed Contract has been received for the purchase of the Temple Property in the amount of \$46,000.00. Final investigations are being made.

MCDONALD'S RESTAURANT

Mr. Reynolds reviewed the Planning Commission Meeting held October 25, 1977. The Planning Commission unanimously approved an amended Site Plan for McDonald's Restaurant located at 6004 Far Hills Avenue, amended to provide for north and south enclosures and a drive-in window. This addition will reduce the number of parking spaces provided, but will still meet City requirements.

BLACK OAK ESTATES FOUR SECTION 3A

Mr. Reynolds reviewed the Record Plan for Black Oak Estates Four, Section 3A, a 2.77 acre development located on the northeast and southeast corners of Black Oak Drive and Clyo Road. The acreage will be divided into four lots. The present R-4 zoning classification will provide for the construction of sixteen housing units. Mr. Kenning reviewed the recommendation of the City Engineer that this Plan be approved subject to receipt of a Performance Bond in the amount of \$19,000.00 and an Inspection Fee of \$108.40. He also recommended that a new Sub-dividers Agreement be required to include a similar procedure as used in the Franklin East and Centerville Station Developments. Mr. Spencer moved that the Record Plan for Black Oak Estates Four, Section 3A, be approved subject to the receipt of a Performance Bond in the amount of \$19,000.00, an Inspection Fee of \$108.40 and in accordance with the recommendation of the City Engineer. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

SOUTH SUBURBAN ROAD

Mr. Reynolds reviewed a proposed street dedication for South Suburban Road which includes the cul-de-sac located at the end of South Suburban Road leading into the parking lot for Dimco Gray. The Planning Commission unanimously recommended approval of this street dedication subject to the present owner complying with the drawings submitted to the City Staff and subject to the owner placing an additional layer of blacktop on the surface to be dedicated and subject also to the posting of a Bond to be set by the City Engineer. Mr. Kenning reviewed the recommendation of the City Engineer that the street be brought to Centerville Street Specifications by the following being provided:

1. The roadway should be widened and a curb installed as shown on the Plan by Lockwood, Jones & Beals, Civil Engineers; an existing catch basin should be relocated as shown, and a 1 1/2 inch layer of asphalt should be

Held

November 7, 1977 continued

19

added to the existing surface.

2. A street dedication Record Plan should be drawn, and after the necessary approvals filed with the Montgomery County Recorder's Office. Mr. Schab also recommended that the approval be subject to the receipt of a Bond in the amount of \$4,600.00 and an Inspection Fee of \$29.00. Mr. Schab reviewed the fact that originally the City wanted this turn around to be dedicated, Dimco Gray did not, now Dimco Gray is requesting what the City desired several years ago. Advantage to the City with the dedication of this cul-de-sac would be that Dimco Gray would no longer have the option to block off this turn around and the City would have a turn around area at the end of a long dedicated street which is the current policy. Upon question of Mr. Stubbs, Mr. Schab explained reasons why South Suburban Road will probably never be extended further south or curved to intersect Clyo Road. Mr. Spencer moved that the street dedication of South Suburban Road be approved subject to the receipt of a Bond in the amount of \$4,600.00, an Inspection Fee of \$29.00 and in accordance with the recommendation of the City Engineer. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Green announced the Council Committee of the Whole Meeting scheduled for Saturday, November 12, 1977 to begin at 8:30 AM at the South Suburban Annex. Discussed will be the Waste Collection Report to Council.

ORDINANCE NUMBER 51-77 SISTER CITY COMMITTEE

The Public Hearing was held concerning Ordinance Number 51-77. Mrs. Lake sponsored Ordinance Number 51-77, An Ordinance To Appoint James W. Albrecht To The Sister City Committee 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 six ayes in favor of the motion.

ORDINANCE NUMBER 36-77 ZONING ORDINANCE AMENDMENT REZONING

The City initiated rezoning of the property located at the northeast and southeast corners of Thomas Paine Parkway and Bigger Road was discussed by Council. Mr. James Brennan, Attorney for Huber Management, reminded Council that with the recent rezoning of property to the south, if the subject land is rezoned to I-1, they will be faced with an increase in set back and will be required to provide screening. He requested that if the land is rezoned, the City consider keeping the set back requirement the same and that the screening not be required. Mr. Kenning explained to Mr. Brennan the fact that these two items are matters for a Variance and would be considered by the Planning Commission. Mayor Green pointed out the fact that, whether this property is zoned Business or Industrial, the set back requirement and screening is affected merely by the rezoning of the property to the south to Residential. Mr. Stubbs sponsored Ordinance Number 36-77, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Rezoning 9.6 Acres, More Or Less, From Centerville B-2 Classification To Centerville I-1 Classification, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

CAPITAL IMPROVEMENT PROGRAM 1978-1982

Mr. Kenning briefly reviewed the Capital Improvement Program which has been reviewed by the Council Finance Committee and recommended for approval to City Council for 1978 through 1982. This five year Program is a plan of action which represents the improvements in our Community envisioned by City Staff and City Council as being necessary and prioritized over the next five years. It contains cost estimates, operational estimates and some impacts upon other projects. It is a major element in the overall planning for the

DAYTON LEGAL BLANK CO. 10114

Held _____ November 7, 1977 continued _____ 19____

City of Centerville. The Capital Improvement Program is not a budget, it commits no resources, it deals with possibilities and probabilities. It represents approximately thirteen million dollars over a five year period. Mr. Spencer moved that Council adopt the Capital Improvement Program for 1978-82 as submitted. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 51-77 APPRECIATION

Mr. Stone read and sponsored Resolution Number 51-77, A Resolution Of Appreciation For The Services Of Walter J. Hill As A Member Of The Youth Board Of The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Kenning asked Council for authorization to negotiate a Contract with engineering firms for certain road improvement projects, projects including the safety upgrade of North Main Street, the Franklin/North Main Street intersection improvement and improvement at Clio/Centerville Station Road intersection. Eight firms have been interviewed and the City is now ready to enter into negotiations with certain firms. After negotiations have been completed, a Contract will be brought to Council for ratification. Mrs. Lake moved that Council authorize the City Manager to negotiate a Contract with engineering firms for certain road improvement projects in the City of Centerville. Mr. Stone 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: Victor A. Green
Mayor of the City of Centerville,
Ohio

ATTEST:

Marilyn J. Saenger
Clerk of the Council