

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

Held December 19,

19 77

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, December 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 Bishop Robert Dunford from the Church of Jesus Christ of Latter Day Saints 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
 Nora Lake
 Ralph Spencer
 Clerk of Council Marilyn McLaughlin
 City Manager Darryl Kenning
 Assistant City Manager John Levermann
 Director of Parks and Recreation John Dunathan
 Service Director Richard Bishop
 City Engineer Karl Schab
 Director of Finance William Bettcher
 Chief of Police William Randolph
 Municipal Attorney Robert Farquhar

Mayor Green announced that Councilman James Singer has been hospitalized, thus his absence at this Meeting. Mr. Spencer moved that Councilman James Singer 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 - December 5, 1977.

Council Work Session Meeting - December 5, 1977.

Mr. Stubbs moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Spencer abstained. Mrs. Lake pointed out the fact that the Joint Meeting scheduled between the City and Washington Township and referenced in the Council Meeting Minutes of December 5, 1977 had been cancelled.

Mrs. McLaughlin announced the receipt of a letter of resignation from Planning Commission Member Michael Thill to be effective January 1, 1978.

Mayor Green briefed Council on the Mayors and Managers Association Meeting held December 14, 1977. He reviewed Mayor of Vandalia Marvin Collins comments concerning I-675. Darryl Kenning has been re-elected Secretary and Treasurer and Mayor Green Vice President for the year 1978; Mayor Marvin Collins has been elected President.

Mr. Kenning reviewed a demonstration project which has been originated by the Ohio Cities Consortium through the National Aeronautics Space Administration. Through membership in the Six Cities Cable TV Council, Communities will participate in this project to determine where heat loss is occurring in public and private buildings throughout our area. There will be no cost to participating municipalities.

Mr. Elmer Tate, Chairman of the Planning Commission, reviewed their Meeting held December 13, 1977; the following two facts were pointed out:

The Rezoning Request filed by Trans America Realty, Inc. concerns the second last lot to be rezoned on West Franklin Street among the AP District. The owners of the last lot have indicated that they will also proceed with

DAVISON LEGAL PRINTING CO. 10144

Held December 19, 1977 continued 19

a Request for Rezoning.

The open space included on the Preliminary Plan for Walnut Hills Estates is a continuation of that land owned by the Centerville Washington Park District. In view of this, Mr. Tate recommended that Council give consideration to the open space being deeded to the Park District rather than to the City of Centerville. The open space would be almost inaccessible for the City.

TRANS AMERICA REALTY, INC.

Mr. Stone moved that the Rezoning Request filed by Trans America Realty, Inc., located at 145 West Franklin Street, a change from R-1 to Architectural Preservation District, be set for Public Hearing on February 6, 1978. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

WALNUT HILLS ESTATES

Mrs. Lake moved that the Preliminary Plan for Walnut Hills Estates, property located south of Centerville Station Road and west of Wilmington Pike, be set for Public Hearing on February 6, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Councilman Ralph Spencer left the Meeting at this time.

RED COACH WOODS

Mr. Levermann reviewed the Preliminary Plan for Red Coach Woods and located the property on a map, being situated north of Valley Vista Way, south of Green Tree Road and west of the Penn Central Railroad Tracks. The Plan consists of 8 acres of land, zoned Washington Township R-4 and includes 15 lots all meeting the 20,000 square foot requirement, except one for which the open space has been provided. A new Preliminary Plan has been proposed which eliminates the open ditch across the property. The Planning Commission unanimously approved the Preliminary Plan, upon approval of the drainage problem by the City Staff and subject to the Staff establishing that the reduced lots do not exceed that permitted by zoning. City Engineer Karl Schab and Mr. Robert Booher, the Developer, reviewed how the drainage ditch is proposed to be inclosed. Mr. Sweetman moved that the Preliminary Plan for Red Coach Woods be approved with the exclusion of the drainage ditch as shown on the Plan, approval of the Preliminary Plan in no way constitutes approval of the drainage ditch. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Sweetman reviewed for Council the Cable TV Turn On Ceremony which he attended. Turn On in the City of Centerville should occur on February 15, 1978.

FOTO FAIR

The Public Hearing was held concerning the Conditional Use Request filed by Foto Fair to erect a Kiosk in the parking lot for the Gold Circle Store, 261 East Alexandersville-Bellbrook Road. Mr. Levermann reviewed the Application and explained fotos of the 4 x 8 foot structure proposed to be located in the southwest corner of the parking lot, more particularly situated approximately 240 feet back from the entrance to the parking lot, 320 feet from the Gold Circle Store and 60 feet from the west end of the parking lot.

Mr. Stubbs expressed his displeasure with this type of structure being placed in the Gold Circle parking lot.

Debarah Carlston, representing Foto Fair, reviewed lighting which is provided from within the structure itself.

Held December 19, 1977 continued 19

Discussion followed concerning the construction and finishing of the kiosk.

Mr. Charles Rush, 534 Duberry Place, wondered how many of these type buildings can be placed in a parking lot and still call it a parking lot. He has seen cars parked on side streets during a sale at Gold Circle Store overflowing from the parking lot. Mayor Green pointed out the fact that if this kiosk creates a problem in the Gold Circle parking lot, then perhaps Gold Circle will make changes to rectify the problem.

Mrs. Lake moved that the Conditional Use Request filed by Foto Fair to erect a kiosk in the Gold Circle parking lot be approved as presented. Mr. Sweetman seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Stubbs voted no.

ORDINANCE NUMBER 54-77 SISTER CITY COMMITTEE

The Public Hearing was held concerning Ordinance Number 54-77. Mr. Sweetman sponsored Ordinance Number 54-77, An Ordinance To Appoint Suzanne T. Roach To The Sister City Committee 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 55-77 BOARD OF TAX APPEALS

The Public Hearing was held concerning Ordinance Number 55-77. Mr. Sweetman sponsored Ordinance Number 55-77, An Ordinance Appointing Robert Hensley And Stephen Mikula To A Term Of One Year Each On The Centerville Board of Tax Appeals, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 56-77 APPROPRIATIONS 1977

Mr. Stone sponsored Ordinance Number 56-77, An Emergency Ordinance To Amend Ordinance 71-76, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1977, 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 57-77 APPROPRIATIONS 1977

Mr. Stone moved that Ordinance Number 57-77, An Ordinance To Amend Ordinance 71-76, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1977, be set for Public Hearing on January 5, 1978. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 59-77 INCOME TAX FUNDS

Mr. Sweetman sponsored Resolution Number 59-77, A Resolution Authorizing And Directing The Allocation Of Income Tax Receipts Between The General Fund, Capital Improvements Fund, Permissive Tax Fund And The Street Construction And Maintenance Fund Of The City Of Centerville, 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 58-77 PERSONNEL

Mrs. Lake sponsored Ordinance Number 58-77, An Emergency Ordinance To Amend Ordinance 73-76 To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Held December 19, 1977 continued 19

ORDINANCE NUMBER 59-77 PERSONNEL

Mrs. Lake moved that Ordinance Number 59-77, An Ordinance To Amend Ordinance 73-76, To Establish Class Titles, Pay Grades, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on January 5, 1978. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 60-77 WASTE COLLECTION

Mr. Sweetman sponsored Ordinance Number 60-77, An Emergency Ordinance Amending Chapter 957 Of The Municipal Code Relating To Changes In Service And Rates, and moved that it be passed. Mrs. Lake seconded the motion. Upon question of Mr. Stubbs, Mr. Bettcher advised that total revenue in the Waste Collection Fund to date is approximately \$280,000.00, he estimates a carryover of from \$3,000 to \$5,000 for the year. The rate increase is necessary to defray the cost of new equipment and other operational needs. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 61-77 WASTE COLLECTION

Mr. Sweetman moved that Ordinance Number 61-77, An Ordinance Amending Chapter 957 Of The Municipal Code Relating To Changes In Services And Rates, be set for Public Hearing on January 5, 1978. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 62-77 APPROPRIATIONS 1978

Mr. Stone sponsored Ordinance Number 62-77, An Emergency Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1978, 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 63-77 APPROPRIATIONS 1978

Mrs. Lake moved that Ordinance Number 63-77, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1978, be set for Public Hearing on January 5, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 60-77 CLYO ROAD

Mr. Kenning reviewed the following bids received for the widening and traffic signal installation at the intersection of Clyo Road and Alexandersville-Bellbrook Road:

| | |
|----------------------------|-------------|
| Signal installation | |
| Wagner Smith Company | \$11,607.96 |
| Helldoerfer-Castellini | 13,575.00 |
| Road widening | |
| Finke Construction Company | 34,989.00 |
| B. G. Danis Company | 36,074.40 |
| Butler Asphalt Company | 37,073.77 |

The low bids received are within reasonable amount of the project estimate. This is a Permissive Tax Project and the monies have been budgeted. Mr. Kenning and Mr. Schab recommended that Council accept the bid received from Wagner Smith for the signal installation and from Finke Construction for the road widening. Mrs. Lake sponsored Resolution Number 60-77, A Resolution Accepting The Bid Of The Wagner-Smith Company To Supply Traffic Signal Installation At Clyo Road And Alexandersville-Bellbrook Road 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. Stubbs seconded the motion. Upon question of Mr. Stubbs, Mr. Kenning explained how advance

Held _____ December 19, 1977 continued _____ 19 _____

warning signals will be installed at the same time as the traffic signals are put in place. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 61-77 CLYO ROAD

Mrs. Lake sponsored Resolution Number 61-77, A Resolution Accepting The Bid Of The Finke Construction Company To Supply Widening At Clyo Road And Alexandersville-Bellbrook Road 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. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 62-77 INSURANCE

Mr. Kenning reviewed the one bid received from Swartzel Affiliated Insurance Service in the amount of \$68,070.00 for a period of three year for a package insurance policy. Swartzel is the City's present supplier and the package includes all insurance except for police liability and health. It is comparable with the City's present insurance except for police liability. Police liability is no longer available from the City's present carrier. Mr. Bill McKenzie, representing Swartzel Affiliated Insurance Service, advised that Police Professional Liability Insurance will probably cost approximately \$5,000 for the City of Centerville. Mr. Kenning and Mr. Bettcher recommended that Council accept the one bid received from Swartzel in the amount of \$68,070.00. Discussion followed concerning the cost of Insurance and the fact that police liability is not included in a package plan. Mr. Sweetman suggested that the Six Cities Cable Council pursue package insurance coverage. Mrs. Lake suggested that this be pursued through the Ohio Municipal League and the National League of Cities. Mr. Sweetman sponsored Resolution Number 62-77, A Resolution Accepting The Bid Of Swartzel Affiliated Insurance Service To Supply Package Insurance 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. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ROSE ESTATES SECTION FIVE

Mr. Kenning reviewed the recommendation of the City Engineer to release the Performance Bond posted on Rose Estates, Section Five in the amount of \$100,000.00 subject to the receipt of a Maintenance Bond in the amount of \$5,000.00 to be in effect for one year beginning with the date of submittal to the Clerk of Council. All improvements are in place and corrections made. Mr. Stone moved that the Performance Bond on Rose Estates, Section Five be released, subject to the receipt of a Maintenance Bond in the amount of \$5,000.00. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

TCC APPOINTMENTS

Mrs. Lake moved that Mayor Victor Green and Councilmember Elect Jeffrey Siler be appointed as Centerville's Representatives on the Transportation Coordinating Committee for the year 1978. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

MONTGOMERY COUNTY YOUTH COUNCIL, SOUTHEAST

Mrs. Lake moved that the following two persons be appointed as Centerville's Representatives on the Montgomery County Youth Council, Southeast:

Centerville's Juvenile Officer Janet McClellan
South Montgomery Youth Services, Centerville's Counselor Marianne Dasilva

Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DALTON LEGAL BLANK CO. (1011)

Held December 19, 1977 continued 19

There being no further business, the Meeting was adjourned.

Approved: *Victor P. Ghee*
Mayor of the City of Centerville,
Ohio

ATTEST:

Maude S. McLaughlin
Clerk of the Council