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CENTERVILLE CITY COUNCIL
REGULAR MEETING
JANUARY 5, 1976

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, January 5, 1976 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Joseph Hollebeck from the Christian Reformed Church of Kettering and the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Council Members and City Staff present were as follows:

Councilwoman Nora Lake
Councilmen Charles McQueeney
J. V. Stone
Leonard Stubbs
Ralph Spencer
Russell Sweetman
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
City Planner Garth Reynolds
Service Director Richard Bishop
City Engineer Karl Schab
Director of Finance William Bettcher
Chief of Police William Randolph
Municipal Attorney Robert Farquhar
Administrative Assistant John Levermann

The Minutes of the Council Meeting of December 15, 1975 had been distributed prior to this Meeting. Mr. McQueeney moved that the Minutes of the December 15, 1975 Council Meeting as distributed, be approved. Mr. Stone seconded the motion. A roll call vote resulted in six eyes in favor of the motion; Mr. Spencer abstained.

The Minutes of the Council Meeting of December 18, 1975 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of December 18, 1975 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in five eyes in favor of the motion; Mr. Spencer and Mr. Sweetman abstained.

The Minutes of the Council Work Session held on December 18, 1975 had been distributed prior to this Meeting. Mrs. Lake moved that the Minutes of the Work Session held on December 18, 1975 as distributed, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in six eyes in favor of the motion; Mr. Spencer abstained.

DEPUTY-MAYOR

Mr. Stubbs moved the nomination of J. V. Stone as Deputy-Mayor for the next two years. Mrs. Lake seconded the nomination. Mayor Green, receiving no further nominations, declared nominations closed. A roll call vote resulted in six eyes in favor of the motion; Mr. Stone abstained.

MVRPC REPRESENTATION

Mr. Spencer moved that Membership on the various Maimi Valley Regional Planning Commission Committees remain the same as last year with the exception of on the Transportation Coordinating Committee the Alternate for Charles McQueeney be changed from Darryl Kenning to Garth Reynolds and on the Technical Advisory Committee Garth Reynolds replace Darryl Kenning. Mr. Stubbs seconded the motion. A roll call vote resulted in seven eyes in

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favor of the motion.

ORDINANCE NUMBER 1-76 CHARTER REVIEW COMMITTEE

Mayor Green reviewed the Charter requirement that a Committee of nine electors be appointed to review the Charter and make recommendations to Council, said Committee must be appointed at the first Council Meeting in January, 1976. Mr. Sweetman sponsored Ordinance Number 1-76, An Emergency Ordinance Appointing Members Of A Commission To Review The Centerville Charter And To Make Recommendations For Revision, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Spencer voted no.

ORDINANCE NUMBER 2-76 CHARTER REVIEW COMMITTEE

Mr. Sweetman moved that Ordinance Number 2-76, An Ordinance Appointing Members Of A Commission To Review The Centerville Charter And To Make Recommendations For Revision, be set for Public Hearing on January 19, 1976. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Spencer abstained.

Mayor Green administered the Oath of Office to Dr. Robert Adams, Mrs. Joy Dixon, Mr. Charles Taylor, Mr. G. Dean Brandt, Mr. Wendell Sellers, Mr. Robert Leighty, Mrs. Marian Simmons, Mr. John Davis and Mr. John Zengel, Members of the Charter Review Committee.

Mr. Kenning reported the following during his City Manager's Report: Uniform conversion will take place by the Police Department during the week. The new uniforms were modeled by two officers and explained by the Chief of Police.

Montgomery County Permissive Tax money has been received in the amount of \$1,600.00 to reimburse the City of Centerville for the installation of a school flasher at the Ida Weller School on Sheehan Road.

Dog Licenses are available at the Centerville Municipal Building.

The City is proceeding to participate with the State of Ohio, Department of Transportation in a pavement markings on roads and streets project.

Mr. Kenning briefed Council on year end statistics compiled in the Police Department, Building Inspection and in the Service Department. The amended Zoning Ordinance is under review in Planning Commission, documents should be before Council by April 1.

Mayor Green advised that soon the Centerville Police Department will monitor CB radios for emergency reasons. The equipment will be completely donated to the City of Centerville.

As questioned by Mr. Stubbs, Mr. Kenning outlined progress with the Disaster Warning System, the June 1 deadline will be met.

Upon question by Mr. Stubbs, Mr. Kenning advised that the Notice received from the Penn Central Transportation Company of their intention to terminate rail service on the Lytle Industrial Track effective February 27, 1976 is general procedure. Users will probably act before the deadline to keep the line in operation.

Mr. Elmer Tate, Chairman of the Planning Commission reviewed their Meeting held December 30, 1975. He requested that a joint Meeting be held between the Planning Commission and City Council in order for the Planning Commission to get an overall view of Council's expectations. Mr. Green requested that such a Meeting be co-ordinated by the City Manager within the next thirty days. Mr. Green announced the vacancy to exist on the Planning Commission and solicited applicants.

ORDINANCE NUMBER 94-75 INCOME TAX

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The Public Hearing was held concerning Ordinance Number 94-75. As requested by Mr. James Singer, 1408 Ambridge Road, Mr. Kenning summarized amendments made by the proposed Ordinance. Mr. McQueeney sponsored Ordinance Number 94-75, An Ordinance Amending Title 9, Chapter 191 Of The Centerville Municipal Code Relative To Income Tax, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 96-75 ANNUAL APPROPRIATIONS 1975

The Public Hearing was held concerning Ordinance Number 96-75. Mr. Kenning reviewed the proposed Ordinance, it amends present appropriations to include actual expenditures. Mr. Stubbs sponsored Ordinance Number 96-75, An Ordinance To Amend Ordinance 20-75, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1975, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 100-75 PERSONNEL

The Public Hearing was held concerning Ordinance Number 100-75. Mr. Kenning outlined additional benefits proposed in the Ordinance along with a 3.5 wage adjustment. Mr. Spencer sponsored Ordinance Number 100-75, An Ordinance Amending Ordinance 32-75 And Establishing Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

CAPITAL IMPROVEMENT PROGRAM

Mr. Kenning reviewed the five year proposed Capital Improvement Program for 1976-1980. The Program has been recommended by the Council Finance and Long Range Planning Committee, it is a program not a budget. Mr. Spencer moved that Council adopt the Capital Improvement Program as proposed for 1976-1980. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

BUDGET 1976

Mr. Kenning reviewed the proposed Budget for 1976, anticipated receipts and expenditures. The Budget includes contingencies, items subject to Council's approval.

As questioned by Mr. Singer, Mr. Kenning advised that 1975 expenditures were within receipts.

As requested by Mr. Sweetman, Mr. Bettcher explained the reason for an increase in Workmen's Compensation.

Mr. McQueeney expressed his concern that Centerville is not receiving all motor vehicle tax monies due the City. Mr. Bettcher advised that perhaps 1974, 1975 registers can be audited in 1976. Mr. McQueeney requested that the City Staff continue to attempt to receive all license monies due the City. Mr. Sweetman echoed the same concern.

Mr. McQueeney views projected Income Tax receipts conservative.

Mayor Green sees income figures in the Budget conservative, he anticipates additional receipts in 1976.

Mr. Stubbs pointed out the fact that some increases reflected in the Budget are out of the hands of the local government, they are mandated by State and Federal Programs.

Mr. Stubbs expressed his concern with percentage increases being made in line account 224-Travel and Transportation. He proposed figures in this line item remain the same as 1975, with increases contingent upon additional funding. Mr. Stubbs moved that line item 224 in accounts: Council,

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Mayor, City Manager, Finance Department, Income Tax, Engineering Department, Inspection Department, Planning Department, Department of Safety, Waste Department, Parks and Recreation, Youth Center and Street Construction and Maintenance, all increases over the 1975 Budget in these line accounts be contingent upon additional funding. Mr. McQueeney seconded the motion. Mr. McQueeney emphasized the great dividends received through attendance at Meetings and Conferences for which this line item covers. Mr. Kenning outlined benefits and the necessity for attendance at these affairs. A roll call vote resulted in six nays against the motion; Mr. Stubbs voted yes. Mr. McQueeney moved that Council approve the Budget as prepared for 1976 as amended to delete line item 224 under account: Sister City. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 98-75 ANNUAL APPROPRIATIONS 1976

The Public Hearing was held concerning Ordinance Number 98-75. Mr. Kenning reviewed the proposed Ordinance, it reflects figures as included in the Budget and includes contingency items. Mr. McQueeney sponsored Ordinance Number 98-75, 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, 1976, and moved that it be passed. Mr. Stone seconded the motion. Mr. McQueeney moved that Ordinance Number 98-75 be amended to delete line item 224 under Sister City in the amount of \$1,000.00. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. A roll call vote on the main motion resulted in seven ayes in favor of the motion.

THOMAS PAINE SETTLEMENT SECTION ONE

Mr. Reynolds reviewed the request of the Springmont Company for a reduction in a Utility Easement from 10 to 8 feet in Thomas Paine Settlement, Section One. The request has been made because presently a structure protrudes 2 feet into the 10 foot Easement. The request has been approved by the Utility Companies. Mr. Sweetman moved that this request for a reduction in a Utility Easement from 10 to 8 feet in the Thomas Paine Settlement, Section One, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stubbs suggested that Mr. Kenning respond to newspaper letters to the editor concerning the opening of Judson Road, to perhaps outline what the City has done to alleviate traffic problems. He encouraged the City Manager to review the survey being taken by the School Administration in the area of the new high school. Mr. Stubbs also suggested that the City consider writing a letter to residents in the school area to outline what the City anticipates traffic wise if Judson Road is opened.

Mrs. Lake requested that soon Council in a Work Session consider regulations for Group Homes.

RESOLUTION NUMBER 1-76 APPRECIATION

Mayor Green read a Resolution of Appreciation to Paul C. Hoy for his ten years as Mayor of the City of Centerville. Mr. McQueeney sponsored Resolution Number 1-76, A Resolution Of Appreciation, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 2-76 APPRECIATION

Mayor Green read a Resolution of Appreciation to Elizabeth and the entire Hoy family for their support to Mayor Paul Hoy during his ten years in office. Mr. Spencer sponsored Resolution Number 2-76, A Resolution Of

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Appreciation, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 3-76 INCOME TAX

Mr. Kenning reviewed a Resolution to allocate Income Tax receipts to various funds. Mr. Spencer sponsored Resolution Number 3-76, A Resolution Authorizing And Directing The Allocation Of Income Tax Receipts Between The General Fund, Capital Improvements Fund, Permissive Tax Fund, Street Construction And Maintenance Fund and The Federal Revenue Sharing Fund Of The City Of Centerville, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 4-76 HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974

Mr. Kenning reviewed proposed Resolution Number 4-76, it authorizes an Agreement with the Board of County Commissioners of Montgomery County relating to Centerville's participation in projects under the Housing and Community Development Act of 1974. Mr. Stone sponsored Resolution Number 4-76, A Resolution Authorizing And Directing The City Manager To Enter Into An Agreement With The Board Of County Commissioners Of Montgomery County, Ohio Concerning The Participation Of The City Of Centerville With Montgomery County, Ohio In Projects Under The Housing And Community Development Act Of 1974, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 5-76 PAVEMENT MARKINGS

Mr. Kenning reviewed proposed Resolution Number 5-76. Mr. McQueeney sponsored Resolution Number 5-76, Resolution Of Council Proposing To Cooperate With The Director Of Transportation In Pavement Marking Program, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 3-76 WASTE COLLECTION

Mr. Kenning reviewed a proposed Emergency Ordinance to increase the rate for Waste Collection from \$4.00 to \$5.50 per month. This is the first rate increase in five years. Mr. Kenning reviewed increase in costs which makes this increase necessary. He reviewed rates presently being charged in surrounding Municipalities.

Mr. Sweetman pointed out the fact that the fee charged by Montgomery County is included in this rate increase.

Mr. Stubbs opposed this Ordinance for three reasons:

1. He opposed the purchase of mini packers, he believes residents would rather pay less and have curb service.
2. He objects to being tied with Montgomery County.
3. He believes that Centerville has displayed a lack of creativity in dealing with increased costs of Waste Collection.

Mr. Stone sponsored Ordinance Number 3-76, An Emergency Ordinance Amending Chapter 957 Of The Centerville Municipal Code, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Stubbs voted no.

ORDINANCE NUMBER 4-76 WASTE COLLECTION

Mr. Stone moved that Ordinance Number 4-76, An Ordinance Amending Chapter 957 Of The Centerville Municipal Code, be set for Public Hearing on January 19, 1976. Mr. Spencer 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: 

Mayor of the City of Centerville, Ohio

ATTEST:

Clerk of the Council