

Held January 19, 19 76

CENTERVILLE CITY COUNCIL
REGULAR MEETING
JANUARY 19, 1976

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, January 19, 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 Douglas Myers from the Epiphany Lutheran Church and the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Council Members and City Staff present were as follows:

Deputy Mayor J. V. Stone
Councilwoman Nora Lake
Councilmen Russell Sweetman
Leonard Stubbs
Ralph Spencer
Charles McQueeney
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
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
Administrative Assistant John Levermann

The Minutes of the Council Meeting of January 5, 1976 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the January 5, 1976 Council Meeting as distributed, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Minutes of the Council Work Sessions held January 5 and January 10, 1976 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Work Session held January 5, 1976 as distributed, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Sweetman moved that the Minutes of the January 10, 1976 Council Work Session be approved, as distributed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Oath of Office was administered to Sister City Committee Member Ernest Vines and to Parks and Recreation Board Member James Bramlage by Mayor Green.

Mrs. McLaughlin reported to Council that the following three letters of resignation were received:

Sara Gilmore from the Centerville Youth Board.
Jack Steinbrunner from the City Beautiful Commission.
Nora Lake from the Planning Commission, said resignation to be effective upon the appointment of a Centerville resident to fulfill her term.

Mayor Green reported the following during his report to Council:

On January 8, 1976 he met with Congressman Charles Whalen and Mayors of Kettering and Oakwood to discuss common problems; topics under discussion were Dart, Revenue Sharing and Dirty Water. Following this Meeting,

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Congressman Whalen examined the Chevy Chase Apartment Complex as it compares with other Apartment Developments, discussed further were possible improvements to Chevy Chase.

On January 14, 1976, Mayor Green attended the Mayors and Managers Association Meeting at which time Resource Recovery was discussed; the project is moving forward; the County Commissioners will undertake the project. Mayor Green has volunteered to sit on a Committee to review the operations and financing of the County Incinerator.

January 15, 1976, Mayor Green attended a special County Commissioners Meeting to discuss the dirty water problem. A definite proposal will be made to Municipalities after February 28 relative to breaking the problem.

Mayor Green updated Council on Doc Severinsen's Concert scheduled in Centerville on February 1, 1976. Doc Severinsen will be met at the Airport by City Officials and Members of the Centerville Arts Commission at which time he will be presented with a key to the City and a Proclamation. Ticket sales for this event are selling well.

During his City Manager's Report, Mr. Kenning reported the following: Director of Parks and Recreation John Dunathan was introduced to Council and to the public.

Approximately 1,000 dog licenses have been issued to date at the Municipal Building.

Applications have been submitted for Centerville to participate in the pavement marking programs; these programs include 100% State funding.

The first three sections of the Centerville Zoning Ordinance should be forwarded to Council soon for comments.

The Police Department has converted to their new uniforms.

The Kiwanis Club of Centerville is donating equipment to the Police Department to establish a base station to monitor CB radios.

Mr. Kenning reported on the Meeting he attended January 16, 1976 in Columbus concerning the Ohio Consortium of Cities.

270 tons of salt were spread during the last snow fall. Mr. Bishop explained difficulties with the ineffectiveness of salt in low temperatures.

As questioned by Mr. Stubbs, Mr. Kenning advised that the street lighting proposal is in active study by the City Staff.

Upon question of Mr. Stubbs, Mr. Kenning advised that the Normandy Lane speed study will follow the completion of same for North and South Main Street. Mrs. Dorothy Wygale, 531 Willowhurst Street, expressed her concern with the traffic signal system on State Route 48, light cycles should be shortened. Mr. Schab explained his search for a solution to the traffic problem existing at the entrances into McDonald's Restaurant, Hunters Savings and Loan Association and the PK Home Shopping Center.

Mr. McQueeney reminded Mayor Green to consider the fact that the City of Centerville needs additional tax money as he becomes more involved in tax proposals by other Governmental bodies. Mr. McQueeney believes that Federal money is needed for water and sewage problems. Mrs. Wygale pointed out the fact that dirty water has been evident for 16 years. Mayor Green and Mr. Kenning briefed Council and the public on the proposal prepared by Gene Cronk, Sanitary Engineer concerning water treatment and supply in the Greater Moraine Water System.

ORDINANCE NUMBER 2-76 CHARTER REVIEW COMMITTEE

The Public Hearing was held concerning Ordinance Number 2-76. Mr. Sweetman sponsored Ordinance Number 2-76, An Ordinance Appointing Members Of a Commission To Review The Centerville Charter And To Make Recommendations For Revision, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Spencer voted no.

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ORDINANCE NUMBER 4-76 WASTE COLLECTION

The Public Hearing was held concerning Ordinance Number 4-76. Mrs. Wygale questioned the necessity of a waste collection fee increase, she understood that the compacters, when purchased, would benefit the collection of waste to the extent that an increase would not be necessary; she also believed that the City could collect waste cheaper than private haulers. Mr. Kenning explained the efficiency of the compacters and how other City Departments have subsidized waste collection, the Department must be self sustaining. Mr. Kenning outlined rates currently being charged in surrounding Municipalities. Mr. Stone sponsored Ordinance Number 4-76, An Ordinance Amending Chapter 957 Of The Centerville Municipal Code, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Stubbs voted no.

IMPERIAL FOODTOWN APPEAL

The Public Hearing was held concerning an Appeal filed against a Planning Commission decision rendered on November 25, 1975 concerning the erection of two Top Value signs for the Imperial Foodtown at 9051 Lebanon Pike. Planning Commission by a 5-2 vote denied the request for Variance on the basis that it was not a Permitted Use.

Mr. James Hardin, from the Wilson Sign Company and representing the Applicant, explained how he interprets the definition "Identification Sign" in the Zoning Ordinance to include the type of signs addressed in this case.

Mr. Farquhar explained his opinion, that this type sign does not fall within the definitions for a sign.

Mr. McQueeney believes that City Council and the Planning Commission are being anti-business in making decisions; they are not consistent in handling businesses in this Community; the City must not participate in competition between businesses.

Mayor Green would like to review the sign Ordinance before rendering a decision on this request.

Mr. Stone moved that this matter be tabled for further study. Mrs. Lake seconded the motion. A roll call vote resulted in four nays against the motion; Mr. Stone and Mr. Green voted yes; Mr. McQueeney abstained. Mr. Sweetman moved that Council reverse the decision rendered by the Planning Commission and grant this Variance as requested. Mr. Spencer seconded the motion. A roll call vote resulted in three ayes in favor of the motion; Mr. Stubbs, Mrs. Lake and Mr. Stone voted no; Mr. McQueeney abstained.

ORDINANCE NUMBER 5-76 EAST FRANKLIN STREET

Mr. Stone moved that Ordinance Number 5-76, An Ordinance Providing For The Issuance Of \$7,500 Of Special Assessment Bonds Of The City Of Centerville, Ohio, In Anticipation Of The Collection Of Special Assessments Here-tofore Levied, For The Purpose Of Paying The Property Owners' Portion Of The Cost Of Improving Certain Parts Of East Franklin Street In The City, be set for Public Hearing on February 2, 1976. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 6-76 PREVENTION OF AHCOHOLISM

Mr. Kenning reviewed for Council a proposed Agreement between the City of Centerville and the Montgomery County Combined General Health District for the City of Centerville to contribute to the Health District 10% of the funds received for Liquor Permit Fees, this would amount to \$668.00 for 1976. Mr. Stone sponsored Resolution Number 6-76, A Resolu-

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tion Authorizing And Directing The City Of Centerville To Enter Into An Agreement With The Montgomery County Combined General Health District Concerning Establishment Of A Rehabilitation Program For The Prevention Of Alcoholism And For The Treatment And Rehabilitation Of Alcoholics And Providing For The Payment Of Fees, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Reynolds reviewed for Council proposed changes to be made to the Shakey's Pizza building on Far Hills Avenue, the changes are being made for LaRosa Pizza soon to be established.

SOUTHBROOK MANOR, SECTIONS TWO, THREE, FOUR

Mr. Schab located Sections Two, Three and Four, Southbrook Manor on a map, said areas being off the east side of Marshall Road just south of the Kettering Corporation Line.

As recommended by Mr. Kenning and Mr. Schab, Mr. Spencer moved that the \$93,000.00 Performance Bond posted on Southbrook Manor, Section Two be reduced to \$9,300.00, 10% of the original amount. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Upon recommendation of Mr. Kenning and Mr. Schab, Mr. Sweetman moved that the \$127,000.00 Performance Bond on Section Three, Southbrook Manor be reduced to \$31,750.00. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

In accordance with the recommendation of Mr. Kenning and Mr. Schab, Mr. Sweetman moved that the Performance Bond in the amount of \$32,700.00 posted on Southbrook Manor, Section Four, be reduced to \$4,000.00. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Green reminded Council of their joint workshop scheduled with the Planning Commission for Thursday, January 22, 1976 at 8:00 P.M.

There being no further business, the Meeting was adjourned.

Approved:



Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of the Council