

Held March 1, 1976

CENTERVILLE CITY COUNCIL
REGULAR MEETING
MARCH 1, 1976

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, March 1, 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 Glenn Copeland from the Normandy United Methodist 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 Charles McQueeney
Leonard Stubbs
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
Acting Municipal Attorney Jim Bernhold
Administrative Assistant John Levermann

Mr. McQueeney moved that Councilman Russell Sweetman be excused from this Meeting, he is activity participating in the Armed Services. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Minutes of the Council Meeting held February 16, 1976 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Meeting of February 16, 1976 as distributed, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Minutes of Council Work Sessions held on February 16, 1976 and February 23, 1976 had been distributed prior to this Meeting. Mr. McQueeney moved that the Minutes of the February 16, 1976 Work Session be approved, as distributed. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Stubbs moved that the Minutes of the February 23, 1976 Work Session be approved, as distributed. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mayor Green introduced Mr. Arthur Foland, President of the Centerville Kiwanis Club, and presented to the Club a Plaque of Appreciation for their contribution to the City of Centerville - CB Radio equipment to the Police Department.

Mrs. McLaughlin reported that a letter of resignation has been received from Planning Commission Member William McCrabb, resignation to be effective March 1, 1976.

Mayor Green reported on the following two Meetings he attended during the past week:

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February 23, 1976, met with Mayors from the Cities of Dayton, Kettering and Oakwood and Washington Township Trustee Walter Buchanan to discuss the courses of action which might be taken concerning the Dart line. The general concensus of opinion was at that time to approach this problem on an area-wide basis, first step being to get a County-wide RTA System. The make up of the Board has been agreed to and the voters will be asked to approve a tax levy to implement the County-wide System.

February 23, 1976, met at the Madrid Estates for a very informative and interesting Meeting outlining the operation of the project and the co-operation received during its construction.

Mr. Kenning reported the following during his City Manager's Report: Students were introduced participating in the Youth in Government Program sponsored by the Youth Board.

The amendment to the Architectural Preservation District Ordinance is currently in Planning Commission.

An audience survey will be conducted by Continental Cablevision of Miami Valley, Inc. of non-cable television homes to ascertain whether the signals of one or more television broadcast stations are sufficiently viewed in certain Communities.

The February Report of the Service Department was reviewed.

The Housing and Community Development Advisory Committee has recommended to the County Commissioners that three of Centerville's Applications be included for 1976 funding: the acquisition of the Temple Property, Development of the 35 acres and curb ramps to aid the elderly in the center business district.

Upon question of Mr. Stubbs, Mr. Kenning advised that easements are being secured for the Disaster Warning System; equipment has been ordered.

Mr. Kenning advised that a Meeting between Council and the Centerville Auxiliary Police will be scheduled during the month of March.

Mr. Stubbs encouraged a Meeting be set between Council and the School Board to discuss the current traffic problem. Mr. Kenning will pursue a date for such a Meeting.

Mr. McQueeney wondered whether the County-wide RTA and passage of a tax to support a regional authority is now the approach of area Mayors, he expressed concern with this concensus. Mayor Green clarified the fact that TCC and the County Commissioners were represented at the Meeting held concerning the Dart line on February 23. Mr. McQueeney believes that the result of this Meeting has scuttled the whole idea of Dart, he does not view this as a County-wide project. Mayor Green continued to explain why this approach was chosen.

CHEVY CHASE PARK

Planning Commission Chairman Elmer Tate reviewed their Meeting held February 24, 1976. Planning Commission approved the request of Chevy Chase Park for a variation from the approved Site Plan, to permit concrete pads for trash dumpsters to remain in their present location. Mr. Stubbs moved that Council accept the recommendation of the Planning Commission to approve the request for variance from the approved Site Plan filed by Chevy Chase Park concerning dumpster pads. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

DENNY'S RESTAURANT

Mr. Reynolds located a proposed Denny's Restaurant on Far Hills Avenue and reviewed slides of its construction. Mr. Tate reviewed Planning Commission's approval of the Site Plan. The Plan was approved with

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the exclusion of the sign size and alignment and the lighting of the parking area. Mr. Stubbs expressed displeasure with the architecture of the proposed structure, it is not compatible with buildings in the area. Mrs. Lake is concerned with the amount of continuous exterior lighting projected. Mr. McQueeney expressed the need for franchise businesses to be readily recognized by the traveling public. Mr. Stone moved that Council accept the recommendation of the Planning Commission concerning the Site Plan for Denny's Restaurant. Mr. McQueeney seconded the motion. A roll call vote resulted in three ayes in favor of the motion; Mrs. Lake and Mr. Stubbs voted no.

Mr. Tate reviewed Planning Commission's action on the following items of general interest:

State Farm Insurance Dayton Service Center - Conditional Use approved, some details to be worked out.

Centerville Mill - approved structural change to a legal non-conforming use.

Montgomery County Building and Loan Plat Number 1 - Record Plan and Street Dedication was approved.

Mrs. Lake reviewed the Meeting she attended of the MVRPC, Executive Committee for A-95 Review. She is concerned with allocations being made of the Childrens Services Levy approved by the voters a few years ago. The Lower Dam project first came through for A-95 Review with 100% funding from the Childrens Services Levy, this is a commercial venture.

Mr. Stone reported on the Legal Council Committee Meeting held February 25, 1976. Resulting from the Meeting will be a draft amending the Waste Collection Ordinance. Mr. Farquhar and Mr. Stone will review the books available from a law firm.

ORDINANCE NUMBER 9-76 BIGGER ROAD

The Public Hearing was held concerning Ordinance Number 9-76. Mr. Kenning reviewed the proposed Ordinance; it provides for the engineering to improve Bigger Road from State Route 725 to the Centerville-Kettering Corporation Line. Mr. McQueeney sponsored Ordinance Number 9-76, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Hereinafter Described Improvement, Under The Supervision Of The Director Of Transportation And Repealing Ordinance 10-75, 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 11-76 PARKS AND RECREATION BOARD

The Public Hearing was held concerning Ordinance Number 11-76. Mrs. Lake sponsored Ordinance Number 11-76, An Ordinance To Appoint Shirley Heintz To The Centerville Parks And Recreation Board And Fixing A Term Of Office, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Stone moved that the City support the Montgomery County Historical Society in the amount of \$624.00 as noted in their request of December 22, 1975, funding to be charged to account 106-209; to enable the Society to continue the provision of services as noted in their request. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mrs. Lake suggested that the local Historical Society be invited to explain to Council at some future date what they do and the services they provide to the City of Centerville.

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ORDINANCE NUMBER 12-76 PLANNING COMMISSION

Mr. Stone moved that Ordinance Number 12-76, An Ordinance To Appoint A Member To The City Planning Commission For The City Of Centerville For A Term Of Four Years, be set for Public Hearing on March 15, 1976. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 13-76 SISTER CITY COMMITTEE

Mr. Stone moved that Ordinance Number 13-76, An Ordinance To Appoint A Member To The Sister City Committee For The City Of Centerville For A Term Of Three Years, be set for Public Hearing on March 15, 1976. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 9-76 TAXES

Mr. Kenning reviewed a proposed Resolution to request an advance on the City's Property Tax Revenue; this would speed up cash flow. Mr. Stone sponsored Resolution Number 9-76, A Resolution Requesting An Advance Of Forty Five Thousand (\$45,000.00) Dollars Out Of The Current Collection Of Taxes Assessed And Collected On Behalf Of The City Of Centerville, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mrs. Lake moved that item D, A Resolution Allocating Monies Which May Be Received Through A Two (2) Mill Tax Levy To Be Voted On By The People, and item B, A Resolution For An Additional Tax Levy Outside The Ten Mill Limitation For Current Operating Expenses For A Period Of Five Years, on the agenda be tabled until another Meeting. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 14-76 STATE ROUTE 725

Mr. Kenning reviewed a proposed Ordinance to provide for the resurfacing of State Route 725, Alexandersville-Bellbrook Road within the City of Centerville. Mr. Stubbs sponsored Ordinance Number 14-76, An Emergency Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Hereinafter Described Improvement, Under The Supervision Of The Director Of Transportation, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 15-76 STATE ROUTE 725

Mr Stone moved that Ordinance Number 15-76, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio In The Matter Of The Hereinafter Described Improvement, Under The Supervision Of The Director Of Transportation, be set for Public Hearing On March 15, 1976. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

WHIPP ROAD ESTATES SECTION TWO

Mr. Kenning reviewed the City Engineer's recommendation to reduce the Performance Bond posted on Whipp Road Estates, Section Two, 25% of the original amount, from \$95,000.00 to \$23,750.00. Mr. McQueeney moved that Council accept the recommendation of the City Engineer to reduce the \$95,000.00 Performance Bond on Whipp Road Estates, Section Two to \$23,750.00. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Minutes of

Meeting

Johnson-Watson • Dayton Blank Book—D-2585

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There being no further business, the Meeting was adjourned.

Approved *Victor A. Green*
Mayor

ATTEST

Harold S. ...
Clerk of the Council