

Held April 19, 19 76

CENTERVILLE CITY COUNCIL  
REGULAR MEETING  
APRIL 19, 1976

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, April 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 Wayne Wade from the First Church of the Nazarene 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  
Ralph Spencer  
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  
Municipal Attorney Robert Farquhar  
Administrative Assistant John Levermann

The Minutes of the following Meetings had been distributed prior to this Meeting:

Regular Council Meeting  
April 5, 1976  
Council Work Session  
April 5, 1976  
April 12, 1976

Mr. Stubbs advised that he was present for the April 5, 1976 Council Work Session; the Minutes were corrected to reflect this. Mr. McQueeney moved that the Minutes of the foregoing Meetings be approved, as distributed and corrected. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mrs. McLaughlin advised of the following correspondence:

1. Letter of resignation from Arts Commission Member Steven Simon.
2. Appeal filed by the Standard Oil Company against a decision rendered by the Board of Architectural Review on March 16, 1976 to deny a sign permit for the Service Station located at Main and Bradstreet.

Mayor Green made reference to the following correspondence be received during the past week.

1. Letter received from the City of Fairborn outlining their point of view concerning Dayton's proposal "hold-harmless concept" in their move to annex the Wright-Patterson Air Force Base.
2. Letter received from Miami Valley Regional Transit Authority requesting contact with Centerville representatives to obtain input into a County-wide transit system. They would like to receive this input before plans become final concerning routes, schedules, stops, etc.
3. Letter received from G. J. Bracknell, Secretary and Treasurer of the Washington Township Citizens Committee, inviting Mayor Green along with

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the City Manager and Director of Finance to attend their Meeting scheduled for April 22, 1976 at 7:30 P.M. in the Centerville Service Building.

4. Letter received from the City of Kettering along with a Resolution they passed in opposition to the annexation of the Wright-Patterson Air Force Base to either the City of Dayton or the City of Fairborn. They encouraged the same action be taken by the City of Centerville. Mr. Stubbs suggested that this item be placed on the next Council Work Session agenda.

5. Letter received from the Office of Community Services of the Dayton-Miami Valley Consortium concerning their proposal to design a program to help eliminate Citizen alienation from Government procedures. The Office solicited Council's support of the proposal. The City Manager will advise the Office of Community Services that due to the fact that this letter was received April 19, 1976, support was requested for April 20, 1976, the City did not have adequate time to review the proposal, this could be reviewed at a later date if so desired.

Mayor Green reviewed a presentation made at the Montgomery County Mayors and Managers Association Meeting concerning the funding request for the Criminal Justice Center.

Mayor Green issued a proclamation designating May 1, 1976 as Law Day U.S.A.

Mayor Green announced that the Council Public Health and Safety Committee will review safety programs for Citizen involvement and in neighborhoods and will review the function of the Auxiliary Police.

Mr. Kenning reviewed the following during his City Manager's report:

The revision to the Zoning Ordinance is well underway; portions are being reviewed in Planning Commission.

Summer recreation staff have been selected, the program will commence in June.

96 garden plots have been provided for City residents; a garden clinic was offered at the City Building by Mr. Ray Hill.

Womans volleyball leagues have been organized.

Campfire Girls have offered their assistance in the Elizabeth Hoy Park on a year-round basis.

Mr. Kenning reviewed the monthly activity report of the Centerville Police Department.

Weed killer has been applied to the green strips paralleling highways; trees will be cared for on a regular basis. Mr. Sweetman encouraged the replacement of trees being in good comparison with others in the same area; he requested a report revealing percentage of payment for damages the City is receiving on these trees.

All polls for the installation of the disaster warning system are in place, the system should be ready for implimentation June 1, 1976.

#### ORDINANCE NUMBER 26-76 WASTE COLLECTION

The Public Hearing was held concerning Ordinance Number 26-76. Mr. Kenning reviewed the proposed Ordinance; it provides for waste collection fee exemptions for senior citizens upon request and entitles the City of Centerville to receive reimbursement for County disposal fees paid by the City for owners of property not using the City waste collection service. Mr. Stubbs suggested that Centerville recommend to the County Commissioners the consideration of a similar exemption from their monthly \$1.00 fee charged residences. Mayor Green suggested that a discount be considered by the Commissioners for Centerville's relieving them of individual billings. Mr. Spencer sponsored Ordinance Number 26-76, An Ordinance Amending Chapter 957, Refuse Collection, Of The Centerville Municipal Code By Providing Certain Hardship Exemptions For Senior Citizens And Providing For Reimbursement To The City For The County Disposal Fee From Owners Of

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Property Subject To Said Fee And Not Presently Serviced By Centerville Refuse Collection, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Stubbs requested a report be given in six months including percentage of exemptions given under provisions of this Ordinance.

#### ORDINANCE NUMBER 27-76 PERSONNEL

The Public Hearing was held concerning Ordinance Number 27-76; said Ordinance provides for a temporary playground supervisor. Mr. Spencer sponsored Ordinance Number 27-76, An Ordinance Amending Ordinance 100-75 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. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### RESOLUTION NUMBER 16-76 BICENTENNIAL COMMISSION

Mayor Green reported that Council has concurred to appropriate \$715.00 for use by the Centerville/Washington Township Bicentennial Commission in connection with Bicentennial celebrations. Mr. Sweetman sponsored Resolution Number 16-76, A Resolution Appropriating Funds For Use By The Centerville/Washington Township Bicentennial Commission, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### CHEVY CHASE

The Appeal previously filed by Chevy Chase Park and deferred by Council was reviewed by Mr. Kenning. This was a request for variance to the site plan which required gates to be installed on the fences around trash dumpsters in the Chevy Chase Park Apartment Complex.

Mr. Scott Haynes, representing Chevy Chase, explained why they wish to eliminate the expense of placing and maintaining gates on the fences around trash dumpsters, these would create a potential debris problem. Upon question of Mr. Sweetman, Mr. Schab advised that presently all fences are erect, he encouraged permanent type erection to minimize maintenance in the future. Mr. Sweetman requested that the City pursue a Housing Code to cope with future potential problems. Mr. Haynes indicated his concurrence to paint trash dumpsters to make trash areas less conspicuous. Upon request of Mr. McQueeney, Mr. Kenning reviewed his position on this matter: he sees the gates aggravating the problem with emptying the dumpsters, he suggested painting the dumpsters and maintaining the fences properly to keep them erect. Mr. Stubbs moved that the Appeal filed by Chevy Chase to not require gates on enclosures around the dumpsters be granted. Mr. Spencer seconded the motion. Mr. McQueeney suggested amending the motion to include "approval conditioned upon the fence being continually maintained in the future to the satisfaction of the City of Centerville and, if a problem develops, Council can revoke the variance." Mr. Stubbs and Mr. Spencer amended their motion to include Mr. McQueeney's suggestion. A roll call vote resulted in seven ayes in favor of the motion.

#### RESOLUTION NUMBER 17-76 APPRECIATION

Mr. Sweetman sponsored Resolution Number 17-76, A Resolution Of Appreciation For The Services Of Sue Spencer As A Member Of The City Beautiful Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ORDINANCE NUMBER 28-76 CITY BEAUTIFUL COMMISSION

Mr. Sweetman moved that Ordinance Number 28-76, An Ordinance Appointing Carol M. Farquhar And Charles S. White To The City Beautiful Commission Of

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The City Of Centerville And Establishing Terms Of Office, be set for Public Hearing on May 3, 1976. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 29-76 PLANNING COMMISSION

Mr. Sweetman moved that Ordinance Number 29-76, An Ordinance Appointing Michael V. Thill To The City Planning Commission Of The City Of Centerville And Establishing A Term Of Office, be set for Public Hearing on May 3, 1976. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 18-76 MAIMI VALLEY DISASTER SERVICES

Mr. Stone sponsored Resolution Number 18-76, A Resolution Authorizing The City Of Centerville To Participate In The Programs Provided By Miami Valley Disaster Services Authority And To Contribute The Sum Of \$258.32 To Said Authority In Consideration Of Its Services To 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 19-76 APPROPRIATIONS

Mayor Green advised that Council has concurred that \$500.00 be appropriated from the contingency fund as Centerville's proportionate share to be used in connection with the City's participation in the prosecution of objections filed against the rate increase proposed by the Dayton Power and Light Company. Mr. McQueeney sponsored Resolution Number 19-76, A Resolution Authorizing The Expenditure Of Money From The Contingency Fund To Pay For Litigation Involving The Application Of The Dayton Power And Light Company For Authority To Modify And Increase Its Rates For Electrical Service To All Consumers In The City Of Centerville, Ohio, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 30-76 TRAFFIC CODE

Mr. Kenning reviewed proposed changes to the speed limit posted along North Main Street in the City of Centerville. Mr. Stone moved that Ordinance Number 30-76, An Ordinance To Establish Prima Facie Lawful Speed Limits On Northbound State Route 48 In The City Of Centerville, Ohio, be set for Public Hearing on May 3, 1976. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Green reviewed the proposed make-up of a Committee to review Montgomery Countys Resource Recovery Program: three representatives recommended by the Mayors and Managers Association, three representatives recommended by the Township Trustees Association and three representatives recommended by the County Commissioners; the representatives of the Commissioners to be the Montgomery County Commissioners themselves. It was recommended that this Committee be organized for a six month period during which time the County Commissioners should develop the make-up of a more representative Committee. This Committee, as explained during the Mayors and Managers Association Meeting, will advise on rates and operation of the program. Mr. McQueeney stressed the need for the County Commissioners to begin to act as County Commissioners and not hide behind cover-up Boards.

There being no further business, the Meeting was adjourned.

Approved: *Victor Green*  
Mayor

ATTEST: *Marilyn J. Laughlin*  
Clerk of Council