

Held December 6,

19 76

CENTERVILLE COUNCIL MEETING  
REGULAR MEETING  
DECEMBER 6, 1976

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, December 6, 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 Darrel Messer from the Emmanuel Baptist Church of Centerville 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  
Ralph Spencer  
Leonard Stubbs  
Nora Lake  
Charles McQueeney  
Clerk of Council Marilyn McLaughlin  
City Manager Darryl Kenning  
City Planner Garth Reynolds  
City Engineer Karl Schab  
Service Director Richard Bishop  
Director of Parks and Recreation John Dunathan  
Chief of Police William Randolph  
Municipal Attorney Robert Farquhar  
Administrative Assistant John Levermann

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

Council Meeting:  
November 15, 1976.  
Council Work Session Meeting:  
November 15, 1976.  
November 22, 1976.

Mr. Sweetman moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Green administered the Oath of Office to City Beautiful Commission Members Virginia Krymow, Dennis Christen and Douglas Wooley.

Mrs. McLaughlin announced the receipt of a letter of resignation from Parks and Recreation Board Member James Bramlage.

Mrs. McLaughlin advised that a Notice of Intent to Appeal a decision of the Planning Commission rendered on November 30, 1976 has been received from Dr. Joseph Woods. The Planning Commission denied the request for variance concerning his sign on Loop Road.

Mr. Kenning reported the following during his City Manager's Report:  
The CETA (Continuing Education Training Act) Program will continue through September, 1977 for the City of Centerville.

Mr. Kenning has been reappointed to the Advisory Committee on Housing and Community Development Funding to the Montgomery County Commissioners.

The Calcium Chloride equipment has been received and installed.

Upon question of Mr. McQueeney, Mayor Green reviewed a suggested Resolution received from the Montgomery County Commissioners to create and establish procedures for a Solid Waste Advisory Committee. Mr. McQueeney

Held

December 6, 1976 continued

19

stated his opposition to an advisory committee making decisions for the County Commissioners. Council concurred with Mr. McQueeney's opposition.

#### BLACK OAK ESTATES FIVE SECTION FOUR

Mr. Reynolds reviewed the Planning Commission Meeting held November 30, 1976. The revised Record Plan for Black Oak Estates Five, Section Four was unanimously approved. Mr. Reynolds located the subject property on a map, being situated east of Bigger Road, north of Centerville Station Road and west of the Montgomery-Greene County Line. The stub street as previously included on the Record Plan has been curved to the west and the stub eliminated. Mr. Schab recommended that a \$112,000.00 Performance Bond and a \$636.00 Inspection Fee be required. Mr. Sweetman moved that Council approve the revised Record Plan for Black Oak Estates Five, Section Four, subject to receipt of a Performance Bond in the amount of \$112,000.00, a Subdividers Agreement and an Inspection Fee of \$636.00. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### WHISPERING HILLS PRELIMINARY PLAN

Mr. Reynolds reviewed the Preliminary Plan for Whispering Hills, a 47 lot development located south of East Whipp Road, east of State Route 48 and north of Alexandersville-Bellbrook Road. The Planning Commission unanimously approved this Preliminary Plan subject to the rezoning of the property to R-1 and subject to the approval of the Fire Department; the Rezoning Application is in process. The railroad tracks run through the development but no crossing will be requested. The project consists of two travel loops: one large loop will conform to Centerville Street Standards, the small loop will not. The small loop was approved by the Planning Commission as submitted in consideration of the narrow length of the development. Mr. Sweetman indicated his opposition to the fact that the small loop will not meet City Standards. Mr. Al Wahby, representing PEP (Professional Engineers and Planners), explained why the project has been designed as such, they have attempted to make maximum use of the land involved. Mayor Green suggested that this item be discussed further during the next Council Work Session Meeting. Mr. Spencer moved that Council defer action on this Preliminary Plan until after the December 13, 1976 Work Session at which time the Plan will be reviewed in detail. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ORDINANCE NUMBER 62-76 SUBDIVISION REGULATIONS

The Public Hearing was held concerning Ordinance Number 62-76. Mr. Sweetman sponsored Ordinance Number 62-76, An Ordinance Amending Ordinance 10-1958 Relating To Fees To Be Charged Under The Subdivision Regulations 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 63-76 ZONING ORDINANCE AMENDMENT PUD

Mr. Sweetman moved that Ordinance that Ordinance Number 63-76, An Ordinance Amending Ordinance No. 15-61, The Zoning Ordinance, By The Addition Of Section 36 - Conditional Use - Residential Planned Unit Development, be set for Public Hearing on January 17, 1976. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stubbs, considering the recommendation made by Mr. Kenning that no changes be made to existing signage relative to "no right turn on red lights", questioned the difficulty which would be encountered if moving restrictions were based upon the time of day in school areas. Mrs. Lake

Held

December 6, 1976 continued

19

encouraged the use of school crossing guards in these areas if said signs were erected. Mayor Green suggested that this matter be discussed during a joint Meeting with the Centerville City School Board of Education.

Mr. Sweetman announced the Public Hearing to be held concerning Cable TV rate increase scheduled for Wednesday, December 15, 1976 at 7:30 P.M. in the Miamisburg Civic Center. He encouraged all interested citizens to attend this Meeting.

Mr. Kenning announced that an application for funding of a Police and Fire Training Center will go into the hopper for Federal Funds. This will be further discussed during a Council Work Session.

Councilman Charles McQueeney left the Meeting at this time.

#### BLACK OAK FOREST SECTION ONE

A recommendation made by Mr. Schab, to reduce the original Performance Bond for street construction and the drainage system for Black Oak Forest, Section One, was discussed by Council. Mayor Green expressed concern with roadway conditions in the subdivision: amount of traffic, winter weather and muddy conditions. This matter will be further discussed during the Council Work Session scheduled for Monday, December 13, 1976.

#### RESOLUTION NUMBER 52-76 INCOME TAX APPROPRIATIONS

Mr. Kenning reviewed a proposed Resolution to reallocate Income Tax receipts for the year 1976. Mr. Stubbs sponsored Resolution Number 52-76, 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, The Federal Revenue Sharing Fund Of The City Of Centerville, And The Special Assessment Improvement Fund And Amending Resolution 3-76, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### RESOLUTION NUMBER 53-76 ANTIRECESSION FISCAL ASSISTANCE FUND

Proposed Resolution Number 53-76 was reviewed by Mr. Kenning. Mr. Stone sponsored Resolution Number 53-76, A Resolution Establishing An Antirecession Fiscal Assistance Fund And Authorizing And Directing The Director Of Finance To Take All Necessary Steps To Establish Said Fund In Providing For Payments Into And Out Of Said Fund, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### RESOLUTION NUMBER 54-76 APPRECIATION

Mr. Stubbs sponsored Resolution Number 54-76, A Resolution Of Appreciation For The Services Of Sylvia Ernst As A Member Of The Youth Board Of The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 64-76 BOARD OF TAX APPEALS

Mr. Sweetman moved that Ordinance Number 64-76, An Ordinance Appointing Robert Hensley, Stephen Mikula And Dale Rodman To A Term Of One Year Each On The Centerville Board Of Tax Appeals, be set for Public Hearing on December 20, 1976. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

~~DATE OF NEXT BOARD MEETING~~

Held \_\_\_\_\_ December 6, 1976 continued \_\_\_\_\_ 19 \_\_\_\_\_

Mr. Sweetman moved that Council authorize the City Manager to enter into a Contract with KZF Environmental Design Consultants, Inc. in accordance with the recommendation of the Parks and Recreation Board to develop a Master Plan for the Benjamin Archer Park. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Green thanked the Centerville Kiwanis Club for donating two Christmas Trees for Municipal facilities.

There being no further business, the Meeting was adjourned.

Approved *Victor Green*  
Mayor

ATTEST:

*Wendy J. Laughlin*  
Clerk of Council