

Held January 20,

1975

CENTERVILLE CITY COUNCIL
SPECIAL MEETING
JANUARY 20, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, January 20, 1975 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. Mayor Paul Hoy opened the Meeting with an Invocation given by Reverend Garfield Judkins from the First Baptist Church and the Pledge of Allegiance to the Flag. Council Members and City Staff present were as follows:

Deputy Mayor J. V. Stone
Councilwoman Nora Lake
Councilmen Leonard Stubbs
Ralph Spencer
Russell Sweetman
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
City Planner Robert Winterhalter
Director of Parks and Recreation Timothy Shroyer
City Engineer Karl Schab
Director of Finance William Bettcher
Chief of Police William Randolph
Municipal Attorney Robert Farquhar
Administrative Assistant John Levermann

Mayor Hoy advised that Councilman Charles McQueeney is in Boston, Massachusetts on business. Mr. Sweetman moved that Council Excuse Councilman Charles McQueeney from this Meeting. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of December 16, 1974 had been distributed as corrected prior to this Meeting. Mr. Sweetman moved that the Minutes of the Meeting of December 16, 1974 as distributed and corrected be approved. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mr. Spencer abstained.

The Minutes of the Meeting of December 29, 1974 had been distributed as corrected prior to this Meeting. Mr. Spencer moved that the Minutes of the Meeting of December 29, 1974 as distributed and corrected be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mr. Stubbs abstained.

The Minutes of the Meeting of January 6, 1975 had been distributed prior to this Meeting. Mr. Spencer moved that the Minutes of the Meeting of January 6, 1975 as distributed, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Merit Christy, 117 East Franklin Street, appeared to indicate to Council his displeasure with the construction of brick sidewalk on East Franklin Street vs concrete sidewalk, he sees the need for concrete sidewalk. He considers this a financial hardship on himself as well as others, he is on a fixed income.

Mr. Harold Bair, 125 East Franklin Street, echoed Mr. Christy's displeasure, he asked Council to consider present times.

During his City Manager's Report, Mr. Kenning advised that he is

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working with Montgomery County to execute a cooperation Agreement for Montgomery County to qualify as an Urban County under the Housing and Community Development Act of 1974, applications for funding are being prepared by the City of Centerville to be submitted to the County before February 7, 1975; applications in the areas of recreation development, historic preservation, land acquisition, A.P. District improvements and an economic development study.

The following reports were given by Department Heads:

Mr. Winterhalter advised that the preliminary application for DART has been submitted by TCC to the Federal Government. He recommended that the City consider having a representative on the Open Space Committee for MVRPC. Mr. Winterhalter has sent objections to HUD concerning an area of Centerville being located in the Flood Plane area, said objections are being considered. Mayor Hoy requested that the City Manager review whether Centerville should have representation on the Open Space Committee, and who it should be, Council or staff.

Mr. Shroyer reported that the winter recreation program is operating well. Weather has stayed work at the parks.

Mr. Bettcher advised that the February 1, 1975 Waste Collection bills are being prepared.

Mr. Farquhar reported that an amendment to the traffic code to conform to Ohio law has been prepared. This covers the major Sections in the Municipal Code needing change.

ORDINANCE NUMBER 1-75 ANNUAL APPROPRIATIONS FOR 1974

The Public Hearing was held concerning Ordinance Number 1-75. Mr. Kenning reviewed the proposed Ordinance, it represents final year end appropriations, total appropriations being \$1,512,465.00. Mr. Spencer sponsored Ordinance Number 1-75, An Ordinance To Amend Ordinance 25-74, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1974, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 2-75 TEMPORARY APPROPRIATIONS FOR 1975

The Public Hearing was held concerning Ordinance Number 2-75. Mr. Kenning advised that this proposed Ordinance provides for the operation of the City for the first quarter of 1975 until the Annual Appropriation Ordinance is passed and effective. Mr. Spencer expressed his desire to see the 1975 Budget as soon as possible. Mr. Kenning advised that the Budget will be to Council by February 1, 1975. Mr. Stubbs sponsored Ordinance Number 2-75, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During One Quarter Of The Fiscal Year Ending March 31, 1975, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 4-75 BICENTENNIAL CELEBRATION

The Public Hearing concerning Ordinance Number 4-75 was held. Mr. Kenning explained the proposed Ordinance, it creates a nine member Commission to serve until December 31, 1977 to help the residents of Centerville to join in Bicentennial Celebrations. Mr. Spencer sponsored Ordinance Number 4-75, An Ordinance Establishing The Centerville Bicentennial Commission Of The American Revolution And Designating Powers And Duties For Said Commission, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion. As questioned by Mayor Hoy, Mr. Farquhar advised that membership requirements are outlined in the City Charter. This item will be discussed

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during the next Council Work Session.

RESOLUTION NUMBER 3-75 HEALTH CONTRACT FOR 1975

Proposed Resolution Number 3-75 was reviewed by the City Manager. The cost of the 1975 Contract amounts to \$18,785.00 plus the amount of reimbursement received from the State Treasurer; an increase of \$2,474.00 over the 1974 Contract. The Health Services rendered under the Contract would be those which are required by law. Mr. Sweetman reminded Centerville Citizens that services are available to them free of charge, a Public Health Nurse is available to them Friday mornings at the Municipal Building as well as visitation in the home. As questioned by Mrs. Lake, Mr. Bettcher advised that the reimbursement from the State amounts to approximately \$1,370.00 per year. Mr. Kenning explained the formation and purpose of the Combined General Health District; it is through this method that Municipalities can obtain better, more complete health services at a rate less than it would cost for each Municipality to have their own Health Department. Mr. Sweetman stressed the importance of service information getting to the Citizens of Centerville. Mayor Hoy expressed his dissatisfaction with the proposed Contract, it does not outline services which are available to the City and its residents. He requested that the staff investigate the available services and get this information to the Citizens. Mrs. Lake sponsored Resolution Number 3-75, A Resolution Authorizing The City Manager To Enter Into A Contract With The Montgomery County Combined General Health District For Health Services For The Year 1975, 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. Sweetman moved that the Clerk of Council write the Montgomery County Health Director and ask specifically for a breakdown of all services, in writing, rendered by his Department to the Citizens of Centerville which would be included in the \$18,785.00 and the Ohio State health reimbursement and do this with haste so that the City Manager may be able to answer questions which might come forth from Citizens and to put this information, once received, into the Newsletter published by the City of Centerville on a quarterly basis. Mayor Hoy seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 4-75 EAST FRANKLIN STREET IMPROVEMENT

Proposed Resolution Number 4-75 was reviewed by City Manager Darryl Kenning, it is the same as the previous Resolution for the same purpose but also spells out the dollar limitations per property owner. Property owners will be assessed a maximum of \$16.00 per lineal foot where sidewalk and curb are installed. This maximum figure only includes the cost of concrete sidewalk, it does not include the additional cost for brick sidewalk or any other incidental costs; these costs will be borne by the City of Centerville. Mr. Farquhar advised that this is the first step in the assessment process, assessments to be paid in ten annual installments.

Attorney Oscar Scharrer, representing Henry Hosket and others, believes that improvements other than sidewalk and curb are not in accordance with State Statute. Do to the fact that improvements were made on East Franklin Street eight years ago and at that time supposedly done right, he believes that the City can only proceed with the installation of sidewalk and curb, the City must pay for a repeat in improvements. Mr. Schab explained how the City is embarking upon a new project, this is not a duplication. As questioned by Mayor Hoy, Mr. Farquhar advised that the proposed improvements conform to the recommendation of the previous Equalization Board. Mr. Scharrer is not opposed to the Resolution if the City pays for all improvements.

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Mr. Harold Bair, 125 East Franklin Street, pointed out the fact that he is currently paying an assessment on his property, he does not want to pay two assessments on the same property at the same time.

Mr. Spencer wondered whether the City is acting prudently to require brick sidewalk vs concrete sidewalk. Mr. Farquhar advised that the Ordinance establishing the A. P. District requires that any reconstruction or construction of sidewalk must be brick.

Mrs. Lake clarified the fact that the assessment to property owners only includes sidewalk, curb and gutter. Mrs. Lake wondered if perhaps the boundaries of the A. P. District should be changed to end equally on both sides of the street. Mr. Merit Christy, 117 East Franklin Street, believes that the District should be evened. Mr. Jack Murphy, 107 East Franklin Street, would rather be in the A. P. District and have brick sidewalks, he is willing to pay his share. Mr. Bair believes that the business zoning makes the property more saleable, however, he cannot afford two assessments. Mayor Hoy explained the fact that the purpose of the A. P. District is to help businessmen in the center of town improve their property and to make the old part of town more competable and successful; City Council has strived through programs to benefit the majority of the residents of Centerville.

As requested by Mr. Stubbs and Mrs. Lake, Mr. Schab outlined costs to each individual property owner. He advised that the additional cost for brick sidewalk vs concrete sidewalk is \$2.50 per lineal feet or a total additional cost of \$1,250.00, said amount to be paid by City of Centerville.

As requested by Mayor Hoy, Mr. Farquhar will ascertain whether this assessment can continue over a 20 year period. Mr. Stone favors the ten year period in consideration of increased interest rates over a longer period of time.

Mayor Hoy reminded the property owners that the \$16.00 per lineal foot figure is maximum, the job could be bid less. The concrete sidewalk will be installed as cheaply as possible. Mr. Christy and Mr. Scharrer agreed to pay their share of the project provided their share includes only the cost for concrete sidewalk installed as cheaply as possible.

Mr. Stone sponsored Resolution Number 4-75, A Resolution Declaring It Necessary To Improve East Franklin Street From A Point Approximately 75 Feet East Of East Drive To A Point 180 Feet East Of Cemetery Drive In The City Of Centerville, Ohio, By Construction Of Brick Sidewalk Four Feet Wide On The North Side Of Said Street For Approximately 530 Linear Feet, Construction Of Concrete Sidewalk Four Feet Wide On The South Side Of Said Street For Approximately 490 Linear Feet, Construction Of Concrete Curb On Both Sides Of Said Street For Approximately 1,300 Linear Feet, Installation Of 130 Linear Feet Of Fifteen-Inch Concrete Pipe And Two Catch Basins, And Other Improvements Incidental To Such Construction And Installation, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mayor Hoy thanked the East Franklin Street property owners for their comments.

Mrs. Lake expressed her appreciation to Mr. Kenning for his interest and response in attending the Community Development Advisory Committee Meeting.

ORDINANCE NUMBER 7-75 ALTERNATE TO TCC

Mr. Stone moved that Ordinance Number 7-75, An Ordinance Appointing Darryl Kenning, City Manager, As Alternate Delegate To The Transportation Coordinating Committee In Place Of Thayer Thompson, be set for Public Hearing on February 3, 1975. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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ORDINANCE NUMBER 8-75 BOARD OF TAX APPEALS

Mr. Sweetman sponsored Ordinance Number 8-75, An Emergency Ordinance Appointing Robert Hensley, Stephen Mikula And Dale Rodman To A Term Of Three Years Each On The Centerville Board Of Tax Appeals, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mrs. Lake requested that when openings occur on Boards and Commissions, such be advertised to receive new applicants for Council's consideration.

ORDINANCE NUMBER 9-75 BOARD OF TAX APPEALS

Mr. Sweetman moved that Ordinance Number 9-75, An Ordinance Appointing Robert Hensley, Stephen Mikula And Dale Rodman To A Term Of Three Years Each On The Centerville Board Of Tax Appeals, be set for Public Hearing on February 3, 1975. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mrs. Lake moved that no further appointment be made to the Youth Board until revisions to establishing Ordinances are reviewed and/or made. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

As the poll of Council was taken, the following comments were received:

Mr. Spencer moved that the City Manager be authorized and directed to execute a Contract with the Cincinnati Symphony Orchestra for the presentation of a musical program as proposed by the Centerville Arts Commission and that an Ordinance appropriating \$7,500.00 for said program be prepared for the next Council Meeting. Mr. Stone seconded the motion. Mrs. Lake clarified the fact that this is to be considered a guarantee. A roll call vote resulted in six ayes in favor of the motion. Mayor Hoy requested that the City Manager and staff offer their assistance to the Arts Commission in presenting this program.

Mr. Sweetman reminded the public that the Arts Commission is bringing the Four Freshmen to Centerville on Sunday, January 26, 1975.

As questioned by Mr. Stubbs, Police Chief Randolph advised that he is currently viewing films and reviewing a possible safety program to be used in the schools by the Centerville Police Department, such a program should be completed soon.

Mr. Stubbs commented on the Council-Manager Retreat held the weekend of January 18 and 19, 1975, he hopes to see progress in 1975.

There being no further business, the Meeting was adjourned.

Approved:


 Mayor of the City of Centerville,
 Ohio

ATTEST:


 Clerk of the Council