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CENTERVILLE CITY COUNCIL
SPECIAL MEETING
FEBRUARY 17, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, February 17, 1975 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. Mayor Hoy opened the Meeting with 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 Russell Sweetman
Leonard Stubbs
Charles McQueeney
Ralph Spencer
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
Service Director Richard Bishop
Director of Parks and Recreation Timothy Shroyer
City Engineer Karl Schab
Director of Finance William Bettcher
Chief of Police William Randolph
Administrative Assistant John Levermann

The Minutes of the Meeting of February 3, 1975 had been distributed prior to this Meeting. Mr. McQueeney moved that the Minutes of the Meeting of February 3, 1975 as distributed, be approved. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion: Mr. Stone abstained.

During his City Manager's Report, Mr. Kenning reported on the Meeting he and Mr. Farquhar attended before the Public Utilities Commission of Ohio concerning the Dayton Power and Light Company's Interim Plan. They offered testimony why Cities should not be considered commercial establishments; additional information will be filed during the following weeks.

Additional information has been received from the Dayton Power and Light Company concerning the City's gas usage: sixty six percent of the reduced allocation is being used in the Municipal Building, twenty four percent over the reduced allocation is being used in the garage facility; alternatives are being reviewed.

The disaster warning system is now in the final design requirement stage, bid specifications are being prepared.

During the Community Development Advisory Committee Meeting and included in their recommendation to the Montgomery County Commissioners will be the study and phase one development of the 35 acres Municipal land for first year funding under the Housing and Community Development Act of 1974.

The Montgomery County Treasurer has informed the City of Centerville that the time limit for paying real estate taxes has been extended, thus causing a delay in the receipt of the City's share of property tax.

The City's Newsletter should be mailed within the next ten days. Department Heads reported the following:

Mr. Schab advised that cable will soon be installed along the west side of State Route 48, a phase in the Traffic Light Interconnection Program. Project completion date has been established as July 1, 1975.

Mr. Bishop explained a current street base study being made, a detailed report and recommendation will be before Council during the current week on a priority basis.

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Upon question by Mr. Stubbs, Mr. Kenning advised that garden plotting on the 35 acres Municipal land will be done if this is the desire of residents. Mr. McQueeney wondered whether services should be duplicated, Washington Township is offering this program, people living in Centerville are residents of the Township. Mayor Hoy requested that this matter be reviewed with Washington Township.

Mr. Bettcher advised that Income Tax receipts are at approximately \$75,000.00 as opposed to \$48,000.00 one year ago to date.

Mr. Sweetman complimented the Police Department for their traffic congestion relief program on Sunday morning at Main and Franklin Streets.

ZONING ORDINANCE AMENDMENT R & R REZONING

The Public Hearing was held concerning the Rezoning Request filed by the R & R Investment Trust.

The subject property was located on a map by the City Manager, said property being situated on the west side of Wilmington Pike just south of proposed I-675 and surrounding the property owned by the Catholic Church. Requested is a change of approximately 82.134 acres from Washington Township R-4 and Centerville B-1, B-2 and I-1 to Centerville B-2, OS, R-4, R-3 and R-1 classifications. The vote in Planning Commission resulted in 5-1 in favor of the Rezoning.

Mr. Joseph Rippe, owner of the property, explained their request and outlined potential use for the land. The development would include a 6.6 acre park located in the south western corner of the property; proposed also are apartments (24 units), doubles, office space and some business uses.

As questioned by Mr. Sweetman, Mr. Paul Rodenbeck advised that the park area is wooded and level ground. Discussion followed concerning whether this park area has been reviewed by the Centerville Parks and Recreation Board and for whom the deed is being held in escrow. Mayor Hoy emphasized the need for coordination between the Parks and Recreation Board and the Developer concerning the proposed park.

Mrs. Lake expressed her concern with access to the industrial land to the north and west.

Mayor Hoy has concern for this residential development's nearness to proposed I-675 and the industrial land to the north.

As questioned by Mr. Gene Wefler, 6239 Wilmington Pike, Mr. Rippe advised that behind his property proposed is Office Service zoning.

Mr. Paul Moody, owner of property to the west of the subject land, emphasized the need for the completion of extended Clyo Road, it is necessary for their land development; he is ready to proceed with the construction of Clyo Road, perhaps on an assessment basis.

Mr. Stone moved that the Rezoning Request filed by the R & R Investment Trust be tabled until the park question is investigated by the City Staff. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Sweetman requested that this matter be resolved with haste. Mrs. Lake requested that the access road running through this property be investigated to determine where it should continue.

RESOLUTION NUMBER 6-75 APPRECIATION TO FREDERICK LEFEVRE

Mayor Hoy read Resolution Number 6-75, A Resolution of Appreciation to Frederick LeFevre for remodeling to his body shop on East Franklin Street. Mr. Stubbs sponsored Resolution Number 6-75, A Resolution Of Appreciation, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 10-75 BIGGER ROAD

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The Public Hearing was held concerning Ordinance Number 10-75. The proposed Ordinance was reviewed by City Manager Darryl Kenning; it provides for the design study for Bigger Road to be widened to four lanes. One sentence under Section Two has been added to the previous Ordinance "The City may periodically invoice the State of Ohio for Preliminary Engineering costs incurred, of which 70% would be eligible for reimbursement. Mr. McQueeney sponsored Ordinance Number 10-75, 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 moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 11-75 ARTS COMMISSION APPROPRIATION

The Public Hearing was held concerning Ordinance Number 11-75. Mr. Kenning stressed the fact that passage of the proposed Ordinance merely guarantees any deficit in the Cincinnati Symphony Orchestra presentation. Mr. Spencer sponsored Ordinance Number 11-75, An Ordinance Amending Ordinance No. 2-75 By Raising The Appropriation For The Fine Arts Fund By \$7,500.00, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 12-75 35 ACRE BOND ISSUANCE

The Public Hearing was held concerning Ordinance Number 12-75. Mr. Kenning explained the fact that the proposed Ordinance provides for the sale of bonds for acquisition of 35 acres of land by the City of Centerville. Mr. Sweetman sponsored Ordinance Number 12-75, An Ordinance Providing For The Issuance Of \$175,000 Of Park And Recreational Real Estate Acquisition Bonds Of The City Of Centerville, Ohio, For The Purpose Of Paying Part Of The Cost Of Acquiring Real Estate In The City For Park And Recreational Uses, Including Necessary Expenses Incidental To Such Acquisition And Interest For One Year On An Anticipatory Note Heretofore Issued, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 13-75 EAST FRANKLIN STREET

The Public Hearing was held concerning Ordinance Number 13-75. This proposed Ordinance provides for the issuance of Special Assessment Bonds for the improvement to East Franklin Street, that portion completed in front of the high school. Mr. Stone sponsored Ordinance Number 13-75, An Ordinance Providing For The Issuance Of \$36,303.15 Of East Franklin Street Special Assessment Bonds Of The City Of Centerville, Ohio, In Anticipation Of The Collection Of Special Assessments Heretofore Levied, For The Purpose Of Paying Part Of The Cost Of Improving East Franklin Street In The City, Including The Widening Thereof And Installation Of Curbs, Gutters, Storm Sewers And Sidewalks. and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 15-75 MUNICIPAL CODE

The Public Hearing concerning Ordinance Number 15-75 was held. Mr. Kenning reviewed the proposed Ordinance, it makes changes to Part Three of the Municipal Code to conform to recent changes in Ohio law. Mr. Sweetman sponsored Ordinance Number 15-75, An Ordinance Amending Part Three - Traffic Code Of The Centerville Municipal Code, 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 17-75 MUNICIPAL CODE

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The Public Hearing concerning Ordinance Number 17-75 was held. This Ordinance as proposed includes additional changes to the Municipal Code. Mr. Stone sponsored Ordinance Number 17-75, An Ordinance Amending Part Three - Traffic Code Of The Centerville Municipal Code, 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. Stone reported on the Crime and Delinquency Committee Meeting he and Police Chief William Randolph attended. During this Meeting he took great pride in the fact that Centerville is the only City in Montgomery County which has submitted requests for allocation of funds. As requested by Mr. Sweetman, Police Chief Randolph explained the four requests and one joint request which have been submitted.

Mr. Sweetman reported that soon a Meeting will be held between the Franchisee and the Franchisors concerning Cable TV in the southern Communities.

Clerk of Council Marilyn McLaughlin read a resignation letter received from Christine Pikora as a Member of the Centerville Youth Board.

Also read by Mrs. McLaughlin was an invitation written by James C. Georgakas, as President of the Centerville Olde Village Guild, for Council to attend an open discussion entitled "The National Register And You", to be held on Wednesday, February 26, 1975 at 7:30 P.M. at the Walton House.

YOUTH BOARD PROPOSAL SPRING FLING

Mrs. Nancy Pogue, Member of the Centerville Youth Board explained to Council their proposal for a "Spring Fling". Said events would take place between March 24 through March 29, during spring vacation. Mr. Spencer moved that Council approve the "Spring Fling" as recommended by the Youth Board for the spring of 1975. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Stubbs emphasized the coordination between the youth in Centerville and the youth in Washington Township.

COUNCIL COMMITTEE APPOINTMENT

Mayor Hoy appointed as Chairman Councilman McQueeney, as Members Councilman Spencer and Councilman Sweetman and as Members ex-officio City Manager Darryl Kenning and himself to a Committee to review the Rules of Council. Mr. Stone moved that Council endorse said appointments. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 18-75 ELECTRIC CODE

Mr. Spencer moved that Ordinance Number 18-75, An Ordinance Adopting The National Electric Code For 1975 For Use In The City Of Centerville, be set for Public Hearing on March 3, 1975. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Sweetman requested that the City Manager make sure that this Code is not presently being enforced, he requested a report on enforcement policies during the next Council Meeting.

SEELEY PLAT, SECTION ONE

Mr. Schab located Section One of the Seeley Plat on a map, it includes only a very small area located within the City limits of Centerville. Mr. Schab recommended that the Performance Bond of \$500.00 posted for this Section be released. Mr. Stubbs moved that the recommendation of the City

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Staff be accepted and the Performance Bond in the amount of \$500.00 be released on the Seeley Plat, Section One. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 7-75 APPOINTMENTS TO CDAC

Mr. Sweetman sponsored Resolution Number 7-75, A Resolution Naming A Delegate, Alternate Delegate And An Agent For The City Of Centerville To The Community Development Advisory Committee, 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 8-75 APPOINTMENTS TO MVRPC

Mr. Sweetman sponsored Resolution Number 8-75, A Resolution Recommending Various Appointments To The Subcommittees Of The Miami Valley Regional Planning 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.

RESOLUTION NUMBER 9-75 APPOINTMENTS TO TCC

Mr. McQueeney sponsored Resolution Number 9-75, A Resolution Naming John Levermann As Centerville's Alternate Delegate To The Transportation Coordinating Committee In The Place Of Robert Winterhalter, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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

Upon question by Mr. Stubbs, Mr. Kenning advised that he is reviewing the changes in the Municipal Code being furnished by the Drane Company.

During discussion of acceptance of the Municipal Building, Mr. Sweetman moved that final negotiations as far as the acceptance of the Municipal Building are completed no later than 1 March, 1975. Mr. McQueeney seconded the motion. Mr. Stone felt that the burden is being placed upon the wrong man. Mr. Sweetman wants to put pressure upon all people involved. A roll call vote resulted in three ayes in favor of the motion; Mr. Stubbs, Mr. Spencer, Mr. Stone and Mrs. Lake voted no. Mayor Hoy requested that the City Manager review the file and make a recommendation to Council as to a reasonable date for negotiations to be completed, and this be done at the next Council Meeting. As questioned by Mr. Sweetman, Mr. Kenning advised that the drainage problem into the elevator shaft has not been rectified.

Mr. McQueeney made reference to a document dated January 1975 issued by the MVRPC entitled Solid Waste in which MVRPC accepts the challenge of solid waste. A solid waste inventory and a statement of goals and policies will be completed by July 1, 1975. For this reason he suggests that the Montgomery County Commissioners wait until July 1, 1975 to place a solid waste cost on the billing system for each household in Montgomery County.

Mr. Sweetman requested that the Fire Chief Randall Staley and the Washington Township Trustee involved in the purchase of new fire equipment and the Peremedic Program present to Council a briefing on the new Program. Mr. Kenning advised that Chief Staley has agreed to come before Council on March 10, 1975 to present an Annual Report and explain new programs.

There being no further business, the Meeting was adjourned.

Approved:

ATTEST:

Mayor

Clerk of the Council