

Held March 3,19 75

CENTERVILLE CITY COUNCIL
REGULAR MEETING
MARCH 3, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, March 3, 1975 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Walter Padlo representing the St. George's Episcopal Church and the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Council Members and City Staff present were as follows:

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

Mayor Hoy advised that Councilman Russell Sweetman was in Washington, D.C., thus his absence at this Meeting. Mr. Spencer moved that Councilman Russell Sweetman be excused from this Meeting. Mr. McQueeney 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 February 17, 1975 had been distributed prior to this Meeting. Mr. McQueeney moved that the Minutes of the Meeting of February 17, 1975 as distributed, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. James Dicks, 141 Terrace Villa Drive, appeared to bring Council's attention to a drainage problem: storm waters emptying into sanitary sewers and then into basements in the Terrace Villa Plat. Mr. Kenning explained how the City Administration is dealing with this problem: a letter has been sent to affected home owners explaining the problem and outlining solutions to the condition. A letter has also been sent to the Montgomery County Sanitary Department outlining the situation and suggesting temporary relief. Mayor Hoy requested that the City Manager give a status report concerning this matter in 30 days. Mr. Spencer suggested that Council consider passing a Resolution to apply pressure upon the County Commissioners to resolve this problem as well as the same problem occurring in other areas of the City.

Mr. Carl Newton, 906 Kings Row Avenue, advised Council that the Red Coach area is experiencing the same drainage problem as outlined by Mr. Dicks.

RESOLUTION NUMBER 10-75 APPRECIATION

Mr. Stubbs sponsored Resolution Number 10-75, A Resolution Expressing The Appreciation Of The City Of Centerville For The Service Of Christine Pikora As A Member Of The Centerville Youth Board, and moved that it be

Held

March 3, 1975 continued

19

passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mayor Hoy presented Mrs. Pikora with a plaque expressing the City's appreciation.

During the City Manager's Report, Mr. Kenning reported the following:

1. Barrel trash containers have been placed in the Architectural Preservation District.
2. 18 tons of cold patch have been used to patch City streets this 1975.
3. New signs are being installed at the corporation limits of Centerville.
4. The ditch paralleling Alexandersville-Bellbrook Road has been trenched.
5. Gas allocation for the Municipal Building has been increased by 3 percent.
6. 100 tons of salt were spread upon City streets during the last snow fall.
7. Debris has been removed from roadsides.

As questioned by Mr. Stubbs, Mr. Kenning advised that a City Planner should be employed within the next 30-45 days.

Department Heads reported the following:

Mr. Bishop suggested making insulation changes in the Municipal Garage. Mr. Kenning will make recommendations to Council.

Mr. Schab is currently working on problems resulting in large storm tiles during heavy rains.

Mr. Shroyer reviewed current recreation programs.

Mr. Bettcher advised that a February financial statement will be before Council soon.

Mr. Farquhar explained that changes in the traffic code previously adopted by Council are being incorporated into the Municipal Code.

MCDONALD'S CURB CUT

Mr. Gary Maxton, Chairman of the Planning Commission reported on their Meeting held February 25, 1975. He explained the Commission's 4-1 approval of a Curb Cut Application submitted by the Franchise Realty Interstate Corporation (McDonalds) for a 50 foot cut on State Route 48 just north of Hunter's Savings. The Application was approved as submitted with the addition of a partial acceleration-deceleration lane, each to be at least 10 feet wide and 40 feet long. The Planning Commission does not believe that it is necessary for this curb cut to line up with that of P K Home Shopping Center. Mr. Spencer moved that Council approve the Application for Curb Cut from the Franchise Realty Interstate Corporation as recommended by the Planning Commission. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mrs. Lake voted no.

WASHINGTON TOWNSHIP GARAGE CURB CUT

Mr. Maxton reviewed the Curb Cut Application submitted by the Washington Township Trustees to provide a 15 foot cut onto South Suburban Road from their garage facility on Clyo Road. The Planning Commission unanimously recommended approval of this Application as submitted. Mrs. Lake moved that Council approve the Application for Curb Cut from the Washington Township Trustees for their garage facility as recommended by the Planning Commission. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

WHIPP ROAD ESTATES, SECTION TWO

Mr. Maxton explained the Developer's request for a waiver of sidewalk on one side of Ironside Drive and Millbank Drive in Whipp Road Estates,

Held March 3, 1975 continued 19

Section Two. Sidewalk would correspond with sidewalk as required in the other Sections of this development. The Planning Commission approved this waiver by a 4-1 vote. Mr. Spencer moved that Council comply with the recommendation of the Planning Commission concerning waiver of sidewalk on one side of the streets in Section Two, Whipp Road Estates. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 18-75 ADOPT ELECTRICAL CODE

The Public Hearing was held concerning Ordinance Number 18-75. Mr. Kenning reviewed the proposed Ordinance, it adopts basic changes in the Electrical Code to bring Centerville into scope with other Municipalities. Mr. McQueeney sponsored Ordinance Number 18-75, An Ordinance Adopting The National Electric Code For 1975 For Use In The City Of Centerville, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mrs. McLaughlin advised that three "Notice of Intent to Appeals" have been filed against Planning Commission decisions rendered on February 25, 1975. The Notices have been filed by:

Zengel Construction Company - Plan for Forest View Estates, Section Fourteen.

Augusta H. Son - Rezoning Request for property at 131 Lyons Drive.
Franchise Realty Interstate Corporation - Variance Application for sign on State Route 48.

ORDINANCE NUMBER 19-75 ANNUAL APPROPRIATIONS FOR 1975

Proposed Ordinance Number 19-75 was reviewed by Mr. Kenning, all appropriations are based upon the 1975 Budget, the Ordinance has been prepared in emergency form to be effective upon the expiration of the first quarter appropriation Ordinance. Mr. Spencer sponsored Ordinance Number 19-75, An Emergency Ordinance To Amend Ordinance 2-75, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1975, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 20-75 ANNUAL APPROPRIATIONS FOR 1975

Mr. Spencer moved that Ordinance Number 20-75, An Ordinance To Amend Ordinance 2-75, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1975, be set for Public Hearing on March 17, 1975. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 21-75 REFUSE COLLECTION

Mr. Kenning reviewed proposed Ordinance Number 21-75, it provides a new rate structure for the collection of waste within the City of Centerville. Mr. Stone moved that Ordinance Number 21-75, An Ordinance Repealing Chapter 957 Of The Centerville Code And Enacting A Different Chapter 957, be set for Public Hearing on March 17, 1975. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 22-75 BOARD OF ARCHITECTURAL REVIEW

Mr. Stubbs moved that Ordinance Number 22-75, An Ordinance To Appoint Members To The Board Of Architectural Review Of The City Of Centerville As Established By Ordinance 80-71 And To Establish Terms For Said Appointees,

Held _____ March 3, 1975 continued _____ 19 _____

be set for Public Hearing on March 17, 1975. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 11-75 WASTE COLLECTION SCOOTERS

Mr. Kenning reviewed the one bid received from the United Container Company to supply the City of Centerville with 4 Refuse Collection Compactor Units for a total bid price of \$36,800.00. Mr. McQueeney sponsored Resolution Number 11-75, A Resolution Accepting The Bid Of United Container Company To Provide Four Hagie Tidy-Bug II Refuse Collection Compactor Units For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Spencer seconded the motion. Mr. Stubbs expressed his belief that the purchase of these scooters is tied in with an increased rate for waste collection. He submitted to Council, Petitions signed by 47 Citizens of Centerville opposing a \$1.00 per month rate increase for Municipal waste removal. The Petitions endorsed \$4.00 per month curb service, deleting the \$40,000.00 cost for scooters. Mr. Stubbs outlined additional costs which the City would experience in the operation and maintenance of the four scooters. As questioned by Mrs. Lake, Mr. Kenning advised that for curbside service, the scooters would not be needed. Mr. McQueeney expressed his intent for all services within the City to be maintained, he believes that regardless of rate, the scooters are necessary. Mr. Stubbs moved that this Resolution Number 11-75 be tabled until the Public Hearing has been held on the Ordinance changing the per month rate for waste removal. Mrs. Lake seconded the motion. A roll call vote resulted in a tie vote: Mr. McQueeney, Mr. Spencer, Mayor Hoy voting no; Mr. Stubbs, Mrs. Lake, Mr. Stone voting yes. A roll call vote on the previous motion resulted in four ayes in favor of the motion; Mr. Stubbs and Mrs. Lake voted no.

ORDINANCE NUMBER 23-75 EAST FRANKLIN STREET

Mr. Kenning reviewed proposed Ordinance Number 23-75, an Ordinance allowing the City to proceed with the improvement to East Franklin Street. Mr. Stone sponsored Ordinance Number 23-75, An Emergency Ordinance Determining To Proceed With The Improvement Of East Franklin Street In The City Of Centerville, Ohio, From A Point Approximately 75 Feet East Of East Drive To A Point 180 Feet East Of Cemetery Drive, 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 Declaring An Emergency, 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 24-75 EAST FRANKLIN STREET

Mr. McQueeney moved that Ordinance Number 24-75, An Ordinance Determining To Proceed With The Improvement Of East Franklin Street In The City Of Centerville, Ohio, From A Point Approximately 75 Feet East Of East Drive To A Point 180 Feet East Of Cemetery Drive, 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

Held March 3, 1975 continued 19

Catch Basins, And Other Improvements Incidental To Such Construction And Installation, be set for Public Hearing on March 17, 1975. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 25-75 EAST FRANKLIN STREET

Mr. Spencer moved that Ordinance Number 25-75, An Ordinance Providing For The Issuance Of Not To Exceed \$19,392 Of Notes Of The City Of Center-ville, Ohio, In Anticipation Of The Issuance Of Bonds And The Levy And Collection Of Special Assessments, For The Purpose Of Paying The Property Owners' Portion Of The Cost Of Improving A Certain Portion Of East Franklin Street In The City, be set for Public Hearing on March 17, 1975. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 12-75 EAST FRANKLIN STREET

Mr. Stubbs sponsored Resolution Number 12-75, Resolution Requesting Director Of Finance To Certify Maximum Maturity Of Bonds, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 26-75 DISPOSAL OF CITY PROPERTY

Mr. Kenning reviewed proposed Ordinance Number 26-75, it provides for the sale of City property. Mr. Stone moved that Ordinance Number 26-75, An Ordinance To Establish Chapter 169, Disposal Of City Property, For The Municipal Code, be set for Public Hearing on March 17, 1975. Mr. McQueeney seconded the motion. As questioned by Mrs. Lake, Mr. Kenning explained that this Ordinance would permit the sale of old stop signs, etc. as is currently being done in other Municipalities. A roll call vote resulted in six ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved:



Mayor

ATTEST:



Clerk of the Council