

Held March 17, \_\_\_\_\_ 19\_\_\_\_\_

CENTERVILLE CITY COUNCIL  
SPECIAL MEETING  
MARCH 17, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, March 17, 1975 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Donald Norvell from the First Penecostal 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 Charles McQueeney  
Russell Sweetman  
Leonard Stubbs  
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

Mr. Sweetman moved that Councilman Ralph Spencer be excused from this Meeting. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of March 3, 1975 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of March 3, 1975 as distributed, be approved. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Sweetman abstained.

Mayor Hoy recognized Junior Girl Scout Troop 1246 present at this Meeting.

During his City Manager's Report, Mr. Kenning reported the following: The East Franklin Street Special Assessment Project has been advertised for bid. Specifications have been forwarded to prospective bidders.

A Public Hearing is being held by the Interstate Commerce Commission concerning the Preliminary Con-Rail System Plan. It is recommended that the rails between Hempstead and Lytle not be included in the Con-Rail System. Mr. Kenning and Mr. McQueeney will appear during the Public Hearing to oppose abandonment of this portion of rail tracks. As suggested by Mr. Sweetman, Mr. McQueeney outlined the seriousness of the abandonment of this track. He encouraged communications by residents to I.C.C.

40 X 50 foot garden plots will be available to residents on the 35 acres Municipal land. The plots will be ready for planting by April 21, 1975. Residents to sign up at the Municipal Building.

City Staff has begun work on a five year Capital Improvements Program. The Service Department is preparing for the street restoration program.

The Environmental Impact Statement concerning I-675 is in final draft review. Following distribution of the Reports, a major telephone random sampling will be made to obtain input. Mr. McQueeney stated his concern

Held March 17, 1975 continued19

with this random sampling, he requested to see questions to be asked prior to going into the field.

Councilman Ralph Spencer entered the Meeting at this time.

#### ORDINANCE NUMBER 21-75 WASTE COLLECTION

The Public Hearing was held concerning Ordinance Number 21-75. Mr. Kenning explained the difference as proposed in the collection of waste within the City as compared with current service.

Mr. Jerry Mattingly, 175 Maple Avenue, during circulation of Petitions found that some people have no or little garbage and pay the same \$4.00 rate; he feels that the increase is unnecessary, approximately 50% of the residents he spoke with currently place their waste at the curb.

Mr. Ronald Seide, 584 East Whipp Road, stated his opposition to the waste collection fee increase and the purchase of new scooters.

Mr. Patrick Crippen, 71 Park Villa Court, does not believe scooters are necessary, he is opposed to a 25% increase in the fee to cover the purchase of scooters, he would rather remove his cans to the curb. He encouraged Council to save tax monies today.

Mrs. Cheryl DeVeney, 1313 Seminary View Drive, outlined procedure now being followed with scooters, she sees no need for the scooters, they now carry the cans from the house to the scooters and leave the cans at the curb.

Mrs. Helen Wolf, 225 Bethel Road, believes that the scooters on Bethel Road do a fine job.

Mr. James Tule, 27 Edenhurst Drive, is opposed to a fee increase to purchase scooters.

Mrs. Marvin Sease, 5145 Gelnmina Drive, wondered if another increase will be necessary to pay for the gasoline to be used by the scooters. Mr. Kenning advised that this cost will be offset by less gas usage by the large packers.

As questioned by Mr. Charles Graham, 323 Pleasant Hill Drive, Mr. Bishop advised that scooters are not used by haulers on a competitive basis.

Mr. Stubbs thanked residents for coming and stating their opinion concerning a waste collection increase. He believes basically that people are not willing to pay a \$1.00 fee increase for scooter service. Mr. Stubbs urged Council to turn down the proposed Ordinance and to reverse their decision concerning the purchase of new compactors.

Mr. McQueeney opposed the scooter purchase being linked with a fee increase. He believes that scooter service can be provided without an increase.

Mr. Stone reviewed past history of waste collection in the City. He explained how the program has not been self supporting, how it has been subsidized by the Street Department. He favors the purchase of compactors and the fee increase to put the Street Department back on the streets. He views scooter service as a cleaner and more efficient method with no additional personnel. The City could begin to pick up commercial waste to offset additional costs.

Mr. McQueeney believes that improved service will make additional cost unnecessary, he suggested a six month trial period to see how more efficient service can offset need for an increased rate. Mr. McQueeney requested that the City do a better job at the current rate.

Mr. Sweetman is concerned with where to store the new compactors while not in use, he wants to see them out of the weather. He would like to see the City begin commercial pick up. He believes commercial pick up would offset the need for additional costs to the homeowners.

Mr. Stone sees this equipment under cover this summer.

Held

March 17, 1975 continued

19

Mr. Stone sponsored Ordinance Number 21-75, An Ordinance Repealing Chapter 957 Of The Centerville Code And Enacting A Different Chapter 957, and moved that it be adopted. Mr. McQueeney seconded the motion. As questioned by Mr. Stubbs, Mr. Kenning advised that with curb service without compactors the City would end the current year with an ending balance of from \$8,000 to \$11,000, being again that amount short of what is needed for carry over into 1976. A roll call vote resulted in four nays against the motion; Mr. Stone, Mr. Spencer and Mayor Hoy voted yes.

Mr. Stubbs moved that Council delay purchase of the compactors for a period of time to be designated by Council at some later date. Mr. Stone seconded the motion. Mr. Farquhar advised that the previous decision to purchase the compactors can only be reversed by a Council Member voting in favor of the decision. Mayor Hoy declared this motion out of order as Mr. Stubbs had voted against passage of Resolution Number 11-75.

#### ORDINANCE NUMBER 2-75 ANNUAL APPROPRIATIONS FOR 1975

The Public Hearing was held concerning Ordinance Number 20-75. Mr. Kenning reviewed projected receipts and expenditures in various funds.

Mr. John Myers, 298 Pleasant Hill Drive, made reference to the Center Sector Thoroughfare Plan for Centerville as prepared by the Transportation Coordinating Committee. He outlined recommendations contained in the Report concerning parking and street extensions. Priority number 5 as listed in the Report is to extend Johanna Drive, although it will not alleviate traffic to a major extent. Mr. Myers objected to spending \$45,000.00 on priority item number 5 which will not alleviate a traffic problem in the center of town.

Mr. Albert Renner, 26 Cameron Circle, presented his arguments against the extension of Johanna Drive; he does not want tax dollars spent to make a roadway on school property which has been acquired through tax dollars. He suggested that said tax dollars be expended on revamping the intersection at Main and Franklin Streets or on other areas of the City.

Mr. Robert Marker, 30 South Johanna Drive, outlined potential bad effects in the neighborhood if Johanna Drive is extended: drag racing, danger to children and litter.

Mr. Charles Graham, 323 Pleasant Hill Drive, stated his objection to continuing a street (Johanna Drive) through playground of the school. The school property is already below state recommendations, the proposed street would utilize one acre of land. The Black Oak Civic Association is also opposed to the proposed extension of Johanna Drive.

Mrs. Helen Pohl, 120 North Johanna Drive, sees a danger to children at the school. Traffic transporting children to and from school and traffic to the industrial district will pass over this roadway during the school's lunch period.

Mr. Herbert Siewert, 41 Woodfield Place, is concerned with the safety of children both walking and at the school should Johanna Drive be extended.

Mr. Thomas Tiernan, 121 Woodfield Place, believes that tax dollars should not be expended to provide thoroughfares through residential developments. He brought attention to the opposition expressed by the Centerville City School Board, the School Administration and PTO Associations. Opposition to the extension of Johanna Drive comes from the people living in the entire area. Mr. Tiernan submitted to Council Petitions signed by Centerville citizens in the Zengel Plat, Whispwood Estates, Concept Plat, Glencroft and Washington Park and by Tower Heights School children opposing the extension of Johanna Drive.

Mr. A. P. Evans, 222 Laurel Oak Drive, is concerned with the safety of children walking to school, there are no sidewalks in the Pleasant Hill Plat and the extension of Johanna Drive would carry through traffic into

Held March 17, 1975 continued

19

the entire Plat.

Mr. Victor Zaidel, 27 Cameron Circle, expressed his concern with all the local improvements as proposed by T.C.C. He believes residents should have what they desire - a traffic free residential area.

Mr. Jerry Mattingly, 175 Maple Avenue, endorsed the extension of Johanna Drive, he presented to Council Petitions supporting the connection of Pleasant Hill Drive and Johanna Drive, he sees the logic in the proposal with proper traffic controls, Maple Avenue is presently receiving all the traffic.

Mr. James Greenlee, 365 Zengel Court, reminded Council to be concerned with the entire Community. The extension would merely provide another access not a thoroughfare, there would be a definite need for traffic controls.

Mr. Donald Himes, 181 North Johanna Drive, listed ten reasons why Johanna Drive should not be extended: safety of children, School Board's opposition, other possible accesses have not been considered, space which would be utilized by the street, would eliminate summer park area, limit bicyclers, North Johanna Drive was never designed to carry heavy traffic, traffic to the area would lack control, there are no street lights and there are no sidewalks on North Johanna Drive.

Mr. Robert Holzworth, 206 Maple Avenue, sees the need for another cut through street in the Pleasant Hill Plat, Maple Avenue residents are entitled to some relief.

Mr. McQueeney reviewed the turn of events which took place regarding this subject matter. Centerville City Manager Darryl Kenning contacted School Superintendent Donald Overly and asked that the possible extension of Johanna Drive be reviewed with the School Board to obtain their views and concerns on the proposal. The School Board at this point held a Public Hearing and unanimously rejected the City's request. Mr. McQueeney reminded the residents that the safety of the children is an urgent matter whether the street is cut through or not, he urged that Council immediately consider the use of police personnel to be on duty in school zones during school hours. The City should also consider the installation of improved sidewalks in this area. It is the responsibility of Council to provide needed accesses in areas of the City but the City must get it's house in order first and enforce laws for public safety.

Mr. Sweetman outlined Council's response to safety a few years ago when the traffic light on Franklin Street at Johanna Drive was installed. Mr. Sweetman believes that the North Johanna Drive extension should have been better engineered, a complete plan should have been submitted to the people before consideration of the project. He reminded the residents that this project's being listed in the Capital Improvements does not mean that it will proceed.

Mr. Stubbs wants to consider all points made during this Public Hearing. He sees the Budget as very basic, operating tightly.

Mr. Stone sponsored 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, and moved that it be passed. Mr. Spencer seconded the motion. Mrs. Lake emphasized the fact that passage of this Appropriation Ordinance does not approve the extension of North Johanna Drive; many other actions would be necessary before the project could proceed. A roll call vote resulted in seven ayes in favor of the motion.

#### RESOLUTION NUMBER 13-75 APPRECIATION

Resolution Number 13-75 was read by the Clerk of Council; a Resolution of Appreciation to Thomas Stolz, owner and President of the Countryside Nursery and Landscaping for his contributions to the City of Centerville. Mr. Stubbs sponsored Resolution Number 13-75, A Resolution Of Appreciation, and moved that it be passed. Mr. Sweetman seconded the motion. A roll

Held

March 17, 1975 continued

19

call vote resulted in seven ayes in favor of the motion. Mayor Hoy presented to Mr. Stolz a plaque in appreciation for his contribution to the City.

#### CANDLEWYCK SOUTH

Mr. Levermann reported on the Planning Commission Meeting held March 11, 1975. He reviewed the Record Plan for Candlewyck South, a subdivision consisting of ten 30,000 square foot lots at the present dead end of Mapleton Drive. The Planning Commission recommended approval of this Record Plan by a 4-0 vote as submitted having no sidewalk on the south side of Mapleton Drive and contingent upon said sidewalk being constructed at the time the area to the south is developed. Mr. Schab recommended that a \$67,000.00 Performance Bond and an Inspection Fee of \$238.00 be required.

Deputy Mayor J. V. Stone left the Meeting at this time.

Mrs. Lake moved that Council accept the recommendation of the Planning Commission concerning the Record Plan for Candlewyck South and approve it subject to receipt of a Performance Bond in the amount of \$67,000.00 and an Inspection Fee of \$238.00. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Sweetman abstained.

#### ORDINANCE NUMBER 22-75 BOARD OF ARCHITECTURAL REVIEW

The Public Hearing was held concerning Ordinance Number 22-75. Mr. Sweetman sponsored 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, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 24-75 EAST FRANKLIN STREET

The Public Hearing was held concerning Ordinance Number 24-75. Mr. Kenning reviewed the proposed Ordinance, with it's passage the City can proceed with the special assessment improvement to East Franklin Street. As questioned by Mr. Jerry Mattingly, Mr. Kenning explained that residents along the improvement will be assessed for sidewalk up to \$16.00 per lineal foot. Mr. Spencer sponsored 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 Catch Basins, And Other Improvements Incidental To Such Construction And Installation, 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 25-75 EAST FRANKLIN STREET

The Public Hearing was held concerning Ordinance Number 25-75. Mr. Spencer sponsored Ordinance Number 25-75, An Ordinance Providing For The Issuance Of Not To Exceed \$19,392 Of Notes Of The City Of Centerville, 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

Held March 17, 1975 continued 19

In The City, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 26-75 CITY PROPERTY

The Public Hearing concerning Ordinance Number 26-75 was held. The proposed Ordinance was reviewed by the City Manager, it allows the City to dispose of surplus property valued under \$1,000.00 without advertising for bids and sets forth the procedure to follow. As questioned by Mr. Robert Muzechuk, 9535 Sheehan Road, Mr. Kenning advised that items for sale will be advertised. Mr. McQueeney sponsored Ordinance Number 26-75, An Ordinance To Establish Chapter 169, Disposal Of City Property, For The Municipal Code, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### POLICY MEMO 75-2 PARK LAND DEDICATION

Mayor Hoy read Council Policy Memo Number 75-2, a policy of the City of Centerville that all park land donations and acquisitions within the corporate limits of the City of Centerville be acquired by, donated to, or dedicated to the City of Centerville. Mr. Stubbs moved that Policy Memo Number 75-2 be adopted. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### CABLE TV

Mr. Sweetman advised that a Meeting was held concerning Cable TV on Friday, March 15, 1975, he has requested that a copy of the Minutes of said Meeting be forwarded to him. Mr. Sweetman has also requested that future Meetings be held to the convenience of elected officials.

Mrs. McLaughlin advised that a Notice has been received from the Ohio Department of Liquor Control of an Application for a C-1 and a C-2 Permit submitted by Samuel C. Donese, DBA Sams Pizza Cottage, 863 East Franklin Street. Mr. McQueeney requested that this information be directed to the Centerville City School Board and Superintendent to receive their comments as soon as possible.

#### AUGUSTA H. SON REZONING REQUEST

Mrs. McLaughlin advised that an Appeal has been filed by Augusta H. Son against a Planning Commission decision rendered on February 25, 1975, A Public Hearing has been set for April 21, 1975 before Council.

#### FOREST VIEW ESTATES SECTION FOURTEEN

Mrs. McLaughlin advised also that an Appeal has been received from the Zengel Construction Company concerning the decision of the Planning Commission rendered on February 25, 1975 to reject the Preliminary Plan for Forest View Estates, Section Fourteen. A Public Hearing has been set for this Appeal to be heard before Council on April 21, 1975.

#### ORDINANCE NUMBER 27-75 PERSONNEL APPEALS BOARD

Mr. Sweetman moved that Ordinance Number 27-75, An Ordinance Appointing Emert A. Browning To The Personnel Appeals Board Of The City of Centerville And Establishing A Term Of Office, be set for Public Hearing on April 7, 1975. Mrs. Lake Seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 28-75 YOUTH BOARD

Mr. McQueeney moved that Ordinance Number 28-75, An Ordinance Appointing Sylvia Ernst To The Youth Board Of The City Of Centerville And Establishing A Term Of Office, be set for Public Hearing on April 7, 1975.

Held

March 17, 1975 continued

19

Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 29-75 YOUTH BOARD

Mr. Sweetman moved that Ordinance Number 29-75, An Ordinance Appointing Bernard Samples To The Youth Board Of The City Of Centerville And Establishing A Term Of Office, be set for Public Hearing on April 7, 1975. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 30-75 ARTS COMMISSION

Mr. Stubbs moved that Ordinance Number 30-75, An Ordinance Appointing Mary K. Zimmermann To The Arts Commission Of The City Of Centerville And Establishing A Term Of Office, be set for Public Hearing on April 7, 1975. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 31-75 ARTS COMMISSION

Mr. McQueeney moved that Ordinance Number 31-75, An Ordinance Appointing Sharon L. Skelton To The Arts Commission Of The City Of Centerville And Establishing A Term Of Office, be set for Public Hearing on April 7, 1975. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 32-75 PERSONNEL

Mr. Stubbs moved that Ordinance Number 32-75, An Ordinance Amending Ordinances 37-74, 60-74, 70-74, 75-74, And 91-74 To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on April 7, 1975. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

PLEASANT HILL PLAT SECTION SIXTEEN

As recommended by the City Engineer, Mr. Sweetman moved that the Performance Bond on Pleasant Hill Plat, Section Sixteen be released. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 14-75 EXPRESSING SORROW

Mayor Hoy read proposed Resolution Number 14-75. Mr. Sweetman sponsored Resolution Number 14-75, A Resolution Expressing The Sorrow Of The Council Of The City Of Centerville On The Death Of Rollin Snyder And Directing The Clerk To Convey The Condolences Of The Council To The Family Of Rollin Snyder, and moved that it be passed. Mrs. Lake seconded the motion. 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 Council