

Held April 7,

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CENTERVILLE CITY COUNCIL
REGULAR MEETING
APRIL 7, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, April 7, 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 David Trout from the Normandy United Methodist 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 Ralph Spencer
Russell Sweetman
Charles McQueeney
Leonard Stubbs
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
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 recognized Girl Scout Cadet Troop 1105 in attendance for this Meeting.

The Minutes of the Meeting of March 17, 1975 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of March 17, 1975 as distributed, be approved. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. James Dicks, 141 Terrace Villa Drive, appeared to explain to Council a problem existing in the Terrace Villa Plat: storm water draining into sanitary sewers and then into basements. Mr. Kenning advised that a letter has been sent to Mr. Gene Cronk, Engineer for the Montgomery County Sanitary Department, outlining the problem and suggesting corrective actions. A letter will also be sent to residents in affected areas, outlining what has taken place thus far and how they can help to alleviate the problem.

Mr. Gary Smith, 131 Terrace Villa Drive, explained the cause of the problem: manholes being too low and overrun with surface water, he sees this as a City's problem in the public right-of-way created during the building process. As questioned by Mayor Hoy, Mr. Schab explained that currently, before Plat acceptance, manholes are raised and brought to proper grade. Mr. Sweetman pointed out the fact that a grading plan is now required for each lot to be developed in an attempt to eliminate this type of problem. Two springs are also emptying into the overrun manholes, Mr. Smith suggested directing this water to other manholes across the street. Mayor Hoy requested that the City Manager and City Engineer review the conditions of this water flow from springs and continue to work with the above referred to drainage problem.

During his City Manager's Report, Mr. Kenning reported the following:
He has been appointed Chairman on the Economic Resources Committee for MVRPC for 1975.

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Garden Plots have been plowed, 31 residents have signed for space. Weather permitting, work will begin on street base repair.

\$600.00 worth of landscaping has been donated for the Elizabeth Hoy Park by the Women's Civic Association of Centerville and Washington Township.

Department Heads reported the following:

Mr. Schab compared building permits issued by Centerville vs surrounding Communities; through March, 1975, 50 permits have been issued by Centerville, many more than other Municipalities and equaling only the City of Xenia. Including Washington Township inside the three mile jurisdiction of Centerville and the City itself, there are 42 active Plats.

Upon question of Mr. Stubbs, Mr. Levermann advised that a Meeting has been held with residents in the Concept East Plat concerning the cleaning of their drainage ditch. The Citizens have asked for suggestions from the City as to cost and method by which this ditch could be cleaned excluding their individual manpower. This matter is being reviewed by the Service Director.

Mr. Kenning advised that work at the Edenhurst Park will be coordinated and completed.

Mr. Shroyer advised that winter sport activities have been completed, summer employees are being interviewed. Mr. Stubbs suggested the organization of a contest (largest pumpkin) at the garden plots.

Mr. Bettcher outlined the spring finance meeting he attended in Columbus.

ORDINANCE NUMBER 33-75 ZONING ORDINANCE AMENDMENT

Chairman Gary Maxton reported on the Planning Commission Meeting held March 25, 1975. In consideration of an Ordinance to add and modify definitions in the Zoning Ordinance for the City of Centerville regarding "Dwelling", "Family" and "Housekeeping Unit", the vote in Planning Commission ended in a 4-1 vote for approval. This Ordinance was designed as an interim step until the entire Group Home Question has been considered. Mr. McQueeney moved that Ordinance Number 33-75, An Ordinance Amending Ordinance 15-61, The Zoning Ordinance, By Changing Definitions And Adding Definitions, be set for Public Hearing on June 2, 1975. Mr. Spencer seconded the motion. Mr. Stubbs expressed his concern with paragraph C "Housekeeping Unit", he believes the number to be limited. Mr. Stone would rather consider this matter as a complete unit. A roll call vote resulted in six ayes in favor of the motion; Mr. Stone voted no.

ORDINANCE NUMBER 34-75 ZONING ORDINANCE AMENDMENT

Mr. Maxton explained changes which the Planning Commission wishes to make to an Ordinance requiring a Bond to guarantee the replacement of landscaping which fails to grow within a development. The vote for approval in Planning Commission resulted in a 4-1 vote. Ordinance Number 34-75, An Ordinance Amending Ordinance 15-61 By Requiring An Agreement From The Applicant And The Posting Of A Performance Bond And A Bond Guaranteeing Replacement Of Landscaping Which Fails To Grow In B-3 And EC Districts, will be rewritten by the Municipal Attorney and will be before Council during a future Council Meeting.

Mr. Maxton reviewed Planning Commission's approval of a Preliminary Plan to erect a Church for the Latter Day Saints on East Whipp Road; right-of-way details are being worked out with the City.

ORDINANCE NUMBER 27-75 PERSONNEL APPEALS BOARD

The Public Hearing was held concerning Ordinance Number 27-75. Mr. Stone sponsored Ordinance Number 27-75, An Ordinance Appointing Emert A.

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Browning To The Personnel Appeals Board Of The City Of Centerville And Establishing A Term Of Office, 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 28-75 YOUTH BOARD

The Public Hearing was held concerning Ordinance Number 28-75. Mr. Sweetman sponsored Ordinance Number 28-75, An Ordinance Appointing Sylvia Ernst To The Youth Board Of The City Of Centerville And Establishing A Term Of Office, 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 29-75 YOUTH BOARD

The Public Hearing was held concerning Ordinance Number 29-75. Mr. Stubbs sponsored Ordinance Number 29-75, An Ordinance Appointing Bernard Samples To The Youth Board Of The City Of Centerville And Establishing A Term Of Office, 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 30-75 ARTS COMMISSION

The Public Hearing concerning Ordinance Number 30-75 was held. Mr. Sweetman sponsored 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, 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 31-75 ARTS COMMISSION

The Public Hearing was held concerning Ordinance Number 31-75. Mr. McQueeney sponsored 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, 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 32-75 PERSONNEL

The Public Hearing was held concerning Ordinance Number 32-75. The proposed Ordinance was reviewed by the City Manager; it sets pay grades, a merit salary and wage plan and provides additional fringe benefits. The Ordinance is consistent with the 1975 Budget and is retroactive to January 1, 1975. Mr. Spencer sponsored 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, 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 35-75 PERSONNEL

Mr. Spencer sponsored Ordinance Number 35-75, An Emergency 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, and moved that it be passed. Mr. McQueeney seconded the motion. Mayor Hoy explained that this emergency Ordinance is identical to Ordinance Number 32-75 but will become effective immediately upon its passage. A roll call vote resulted in seven ayes in favor of the motion.

CHEVY CHASE APARTMENT COMPLEX

Mr. Kenning reviewed the request of Chevy Chase Park for an extension of their Subdivider's Agreement covering the construction of public streets. Mr. Scott Haynes representing Housing Associates, Inc., explained the

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reasons for their request, they are requesting an extension until July 20, 1975. Mr. Schab estimates remaining work to be completed to be approximately 30 days work. Mr. Kenning recommended granting an extension for not more than 60 days. Mrs. Lake moved that the request for an extension of the Subdivider's Agreement on Chevy Chase Park be granted for a period of 60 days. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. The 60 day period continues from the expiration date of March 20, 1975.

RESOLUTION NUMBER 15-75 EAST FRANKLIN STREET IMPROVEMENT

Mr. Kenning reviewed the following three bids he received for the improvements to be made along East Franklin Street:

Rutledge and Son	\$25,595.90
Finke Construction Company	43,488.20
Carey Paving	47,477.60

He recommended accepting the bid of Rutledge and Son in the amount of \$25,595.90. As questioned by Mr. Sweetman, Mr. Schab explained the fact that his estimate was figured high, however, he believes the recommended bid includes some very low figures, he sees a need for more co-ordination between the City and the bidder if the Rutledge bid is accepted. Mr. Kenning advised that Rutledge and Son has performed work for the City of Miamisburg, City of Oakwood and the City of Dayton, the work was performed satisfactory. Mr. Farquhar advised that the bidder will be Bonded for the amount of the bid, upon default, the City can go to the Bonding Company for the bid price; the bidder would be personally liable for any additional costs. Mr. Kenning estimated it to cost the City approximately \$2,000.00 in supervision to oversee this construction. Mr. Sweetman expressed his concern with accepting this bid of Rutledge and Son; he fears that the street will be torn up for a longer period of time than necessary. Mr. Kenning advised that the work, in accordance with the bid, will be completed within 35 working days. Mr. McQueeney expressed his pleasure in seeing Contractors bid at lower rates, he hopes that this will encourage low bids in the future. Mr. Stone sponsored Resolution Number 15-75, A Resolution Accepting The Bid Of Rutledge and Son To Install Curb And Sidewalk On Both Sides Of East Franklin Street In The City Of Centerville, Ohio, And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. He is also happy to see a small Contractor bid and perform the work. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Spencer and Mr. Sweetman voted no.

RESOLUTION NUMBER 16-75 WASTE COLLECTION

Proposed Resolution Number 16-75 was reviewed by the Director of Finance; it is in anticipation of issuing bonds and notes to purchase waste collection equipment in the amount of \$70,000.00. Mr. McQueeney sponsored Resolution Number 16-75, Resolution Requesting Director Of Finance To Certify Maximum Maturity Of Bonds And Notes, 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 voted no.

ORDINANCE NUMBER 36-75 WASTE COLLECTION

Mr. Sweetman moved that Ordinance Number 36-75, An Ordinance Providing For The Issuance Of \$70,000 Of Notes Of The City Of Centerville, Ohio, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Cost Of Certain Solid Waste Collection Equipment, be set for Public Hearing on April 21, 1975. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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CURB CUT MIKE HAYDE

Mr. Schab reviewed the Application of Mr. Mike Hayde for a 24 foot curb cut to be located off East Drive at 88 East Franklin Street. The curb cut would enter East Drive across from the curb cut serving the Leather Horseman. Mr. Spencer moved that the curb cut request of Mr. Mike Hayde, Application for the property at 88 East Franklin Street be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 37-75 PLANNING COMMISSION

Mr. Stubbs sponsored Ordinance Number 37-75, An Emergency Ordinance Appointing George J. Schottmiller To The Centerville Planning Commission For The Unexpired Term Of John Myers, 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 38-75 PLANNING COMMISSION

Mr. Stone moved that Ordinance Number 38-75, An Ordinance Appointing George J. Schottmiller To The Centerville Planning Commission For The Unexpired Term Of John Myers, be set for Public Hearing on April 21, 1975. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 39-75 BICENTENNIAL COMMISSION

Mayor Hoy announced that proposed Ordinance Number 39-75 appoints Fred R. Ricketts, Roger C. Snyder and Shirley McColloch to the Bicentennial Commission. Mr. Stubbs sponsored Ordinance Number 39-75, An Emergency Ordinance Appointing Members Of The Bicentennial Commission Of The City Of Centerville, Ohio, 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 40-75 BICENTENNIAL COMMISSION

Mr. Stubbs moved that Ordinance Number 40-75, An Ordinance Appointing Members To The Bicentennial Commission Of The City Of Centerville, Ohio, be set for Public Hearing on April 21, 1975. 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:

As questioned and suggested by Mr. Stubbs, Mr. Kenning will review a proposed Ordinance to provide for a Farmers Market within the City.

Mr. Stubbs wondered if some Ordinances perhaps could be better enforced: signs, etc. As requested by Mayor Hoy, Mr. Kenning will outline for Council his update of legal signs in the City.

Mr. Stubbs suggested that the Ordinance regulating waste collection be again discussed by Council during a Work Session.

Mr. Stubbs suggested that Council look at Architectural Preservation District boundaries and at the Zoning Ordinance Amendment. Mayor Hoy is hopeful that the Zoning Ordinance can be brought to completion during the month of April.

As questioned by Mr. Sweetman, Mr. Kenning reported that final completion of the City Building he hopes will be finalized within the following three weeks.

Mr. McQueeney requested that "restricted parking" be considered for one side of Black Oak Drive just east of it's intersection with Clyo Road. Mr. Kenning will review this proposal. The stop sign needs replaced at Black Oak Drive and Raintree Road.

Minutes of

Meeting

Johnson-Watson • Dayton Blank Book—D-2585

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Mr. Stone, in consideration of discussions concerning the extension of Wythe Parish and in the best interest of the City, moved that the Municipal Attorney prepare an Ordinance which will vacate the existing Wythe Parish. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Spencer voted no.

There being no further business, the Meeting was adjourned.

Approved:



Mayor

ATTEST:



Clerk of the Council