

Held May 5,

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CENTERVILLE CITY COUNCIL
REGULAR MEETING
MAY 5, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, May 5, 1975 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by First Reader William Hildebrand from the First Church of Christ Scientist and the Pledge of Allegiance to the Flag with Deputy Mayor J. V. Stone presiding. Council Members and City Staff present were as follows:

Councilwoman Nora Lake
Councilmen Russell Sweetman
Leonard Stubbs
Ralph Spencer
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
City Planner Garth Reynolds
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. Stone announced that Mayor Paul Hoy and Councilman Charles McQueeney were out of State, thus their absence at this Meeting. Mr. Stone moved that Mayor Paul Hoy and Councilman Charles McQueeney be excused from this Meeting. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Minutes of the Meeting of April 21, 1975 had been distributed prior to this Meeting. Mr. Stubbs pointed out a misspelled word "condiminium" for "condominium" and the omission of "Mr. Stubbs" in the no vote concerning passage of Ordinance Number 36-75. Mr. Stubbs moved that the Minutes of the Meeting of April 21, 1975 as corrected, be approved. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mrs. McLaughlin read a Proclamation issued by Mayor Hoy designating June 8, 1975 through June 15, 1975 as Centerville Ox Roast Week in Centerville. Mr. Stone presented the Proclamation to Ox Roast Chairman Ted Baker and Lions Club President James Bowsher.

RESOLUTION NUMBER 24-75 APPRECIATION

Mr. Sweetman sponsored Resolution Number 24-75, A Resolution Of Appreciation For The Contribution Of One Hundred (100) Starts For White Pine Trees From The Centerville Gofors Club, A Division Of The National Campers And Hikers Association, To The City Of Centerville To Be Planted In The Elizabeth Hoy Park, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Kenning reported the following as he gave his City Manager's Report:

Housing starts in Centerville since January 1, 1975 total 79 as compared to a total of 72 for all other Cities in Montgomery County and 102 for the unincorporated areas of Montgomery County.

Mini-Packers have been received by the City and are being tested.

Waste Collection tonage, chipper requests and newspaper pick up are at

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an increase; the price for newspapers is holding at approximately \$8.00 per ton.

Application for Flood Insurance has been forwarded to Washington, D.C.

The articulated arm tractor/mower should be ready for service soon.

Traffic signal interconnection work on North Main Street has begun.

Income Tax collection as of Friday, May 2, 1975 had reached \$253,000.00 as compared to \$202,000.00 at the same time one year previous.

As questioned by Mr. Stubbs, Mr. Kenning advised that grass clippings will be collected separately; he will review the possible reuse of these clippings as mulch instead of placing them in the land fill.

Mr. Gary Maxton, Chairman of the Planning Commission, reviewed their Meeting held April 29, 1975. He recommended tabling the Record Plans for Section Seven and Section Eight of Rose Estates until such time as revised drawings, as requested by the Planning Commission, have been received by the City and reviewed by the City Engineer. Mr. Valdis Lapsins, Judge Engineering, explained the fact that in Section Eight no modifications were required; the design of the lake in Section Seven will be changed to satisfy needs of the Centerville-Washington Park District. Mrs. Lake moved that the Record Plans for Section Seven and Section Eight be tabled as recommended by the Planning Commission. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 42-75 WASTE COLLECTION

The Public Hearing was held concerning Ordinance Number 42-75. The proposed Ordinance was reviewed by Mr. Kenning; it changes the entire Section 957 of the Municipal Code as it relates to the Division of Waste Collection. Mr. Stubbs and Mrs. Lake stated their objection to waste removal from the front building line; Mr. Stone objects to the \$4.00 per month rate. Mr. Spencer sponsored Ordinance Number 42-75, An Ordinance Repealing Chapter 957 Of The Centerville Code And Enacting A Different Chapter 957, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 43-75 WYTHE PARISH

The Public Hearing was held concerning Ordinance Number 43-75. The proposed Ordinance vacates Wythe Parish for it's entire length: from Lyons Drive to it's termination. Mr. Spencer questioned the "good cause" as contained in Section II of the proposed legislation. Mr. Farquhar explained the fact that the Ordinance becomes effective on the 31st day after passage at which time Wythe Parish becomes a private street. Mr. Stubbs sponsored Ordinance Number 43-75, An Ordinance Vacating Wythe Parish For It's Entire Length Within The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Spencer voted no.

ORDINANCE NUMBER 44-75 BUILDING CODE

The Public Hearing was held concerning Ordinance Number 44-75. Mr. Kenning reviewed the proposed Ordinance, it provides for flood protection under the Uniform Building Code. As questioned by Mr. Robert Archdeacon, representing the Ralph L. Woolpert Company, Mr. Kenning advised that flood hazard areas are designated by the Federal Government; he wonders how areas can be removed from the flood hazard zone after improvements have been made. Mr. Sweetman emphasized the need for the City to look closely at amendments as time proceeds concerning this matter. Mr. Stone sponsored Ordinance Number 44-75, An Ordinance Amending The Uniform Building Code, As Adopted By The City Of Centerville, By The Addition Of Section 312 Et Seq. Relating To Flood Protection, and moved that it be passed. Mr. Spencer

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seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 45-75 CITY BEAUTIFUL COMMISSION

The Public Hearing was held concerning Ordinance Number 45-75. Mr. Spencer sponsored Ordinance Number 45-75, An Ordinance Appointing Faye L. Duncan To The City Beautification Commission 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 five ayes in favor of the motion.

ORDINANCE NUMBER 46-75 ZONING ORDINANCE AMENDMENT

Mr. Kenning reviewed a proposed Ordinance which would require an Agreement from an Applicant to the City of Centerville to assure the installation of all landscaping provided for in a Development Plan within a reasonable length of time. This would apply to a Conditional Use in any B-3 or EC District. Mr. Spencer moved that Ordinance Number 46-75, 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, be set for Public Hearing on June 16, 1975. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 47-75 WASTE COLLECTION

Mr. Spencer moved that Ordinance Number 47-75, 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 May 19, 1975. Mr. Sweetman seconded the motion. This proposed Ordinance is the same as was before Council on a previous occasion with different time phases. Mr. Sweetman explained the fact that this provides a method to pay for the Mini-packers already purchased by the City of Centerville. As requested by Mr. Sweetman, Clerk of Council Marilyn McLaughlin read the action taken relative to the passage of Resolution Number 11-75 authorizing such purchase. A roll call vote resulted in five ayes in favor of the motion.

Mrs. McLaughlin read a letter of resignation from Arts Commission Member Nancy Dinneen, resignation to be effective after the Commission's June Meeting.

Mrs. McLaughlin advised that the following Notices have been received from the State of Ohio, Department of Liquor Control:

Application for New C-1 and C-2 Permits

King Kwik Minit Market, Inc.

6300 Far Hills Avenue

Application for New D-5 Permit

Dale R. Smith

121-23 North Main Street

As requested by Mr. Stubbs, Mr. Farquhar reviewed the provisions by which a Municipality can file an objection; standards of the State are checked by the State Liquor Control Department; residents can do very little to object to the issuance of these Liquor Permits. Mr. Stubbs pointed out the fact that Centerville is wet due to voters a few years ago, this could be reversed by the electors in Centerville in a future election. He referred the residents to Municipal Attorney Robert Farquhar for procedure.

Mrs. McLaughlin advised that a Notice of Intent to Appeal a Planning Commission decision rendered on April 29, 1975 has been filed by Attorney John Koverman in behalf of property owners on West Franklin Street. This

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concerns their request to rezone properties on ^{the north side} ~~both sides~~ of West Franklin Street to B-1.

RESOLUTION NUMBER 25-75 TAX ADVANCE

Mr. Sweetman sponsored Resolution Number 25-75, A Resolution Requesting An Advance Of Forty Five Thousand (\$45,000.00) Dollars Out Of The Current Collection Of Taxes Assessed And Collected On Behalf Of The City of Centerville, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 48-75 BICENTENNIAL COMMISSION

Mr. Stubbs sponsored Ordinance Number 48-75, An Emergency Ordinance Appointing Virginia A. Siler As A Member On The Bicentennial Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 49-75 BICENTENNIAL COMMISSION

Mr. Stubbs moved that Ordinance Number 49-75, An Ordinance Appointing Virginia A. Siler As A Member On The Bicentennial Commission Of The City Of Centerville, Ohio, be set for Public Hearing on May 19, 1975. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 50-75 BICENTENNIAL COMMISSION

Mr. Spencer sponsored Ordinance Number 50-75, An Emergency Ordinance Appointing Robert H. Leighty As A Member On The Bicentennial Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 51-75 BICENTENNIAL COMMISSION

Mr. Spencer moved that Ordinance Number 51-75, An Ordinance Appointing Robert H. Leighty As A Member On The Bicentennial Commission Of The City Of Centerville, Ohio, be set for Public Hearing on May 19, 1975. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 52-75 BUILDING CODE AMENDMENT

Mr. Spencer moved that Ordinance Number 52-75, An Ordinance Amending The Unified Building Code For Montgomery County And The Ohio Building Code As They Relate To Energy Conservation, be set for Public Hearing on May 19, 1975. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Stubbs suggested that builders and developers review this Ordinance as proposed to offer input during the Public Hearing. As questioned by Mr. Sweetman, Mr. Farquhar advised that the Ordinance would update the entire Community, it basically applies to new residential units and modifications.

RESOLUTION NUMBER 26-75 YOUTH SERVICES BUREAU

Mr. Kenning reviewed the establishment of a Youth Services Bureau in south Montgomery County. This is a five year partial Federal funded program, with the cost to Centerville being approximately \$650.00 for the first year. The program will provide youth and families with competent counseling services. The Memorandum of Understanding must be signed by Centerville to make the services available to it's residents. Mr. Stubbs sponsored Resolution Number 26-75, A Resolution authorizing And Directing The City Manager To Execute A "Memorandum Of Understanding" To Provide For The

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Establishment Of A South Montgomery Youth Services Bureau, To Authorize The Participation Of The City Of Centerville In The Program Of Said Bureau And To Authorize And Direct The Director Of Finance To Make Such Expenditures On Behalf Of The City Of Centerville As Are Called For In Said Memorandum Of Understanding, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Kenning reviewed the two bids received for the purchase of four police vehicles for the City of Centerville. The bid from Southside Chrysler-Plymouth, Inc. was received incomplete leaving the bid received from Borchers Ford being the only bid to be considered for a total bid price of \$18,365.64 for four full size units less trade in. Mr. Kenning recommended accepting this bid; the City has been satisfied with the performance and service on Ford products. Mr. Sweetman objected to the low trade-in offered by Borchers Bord: \$517.00 per unit for a total of \$2,068.00, he suggested that the City rebid these vehicles. As questioned by Mr. Stubbs, Police Chief Randolph indicated some mechanical problems in a delay to purchase the equipment. Mr. Sweetman moved that Council reject these bids and go to bid again, through the process one more time. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

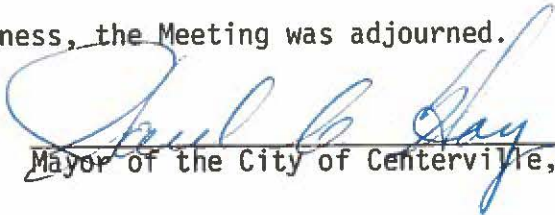
As the poll of Council was taken, the following comments were received:

As questioned by Mr. Stubbs, Mr. Kenning advised that the request for Revenue Sharing Funds by the Centerville-Washington Park District will be considered in the 1976 Budget.

Upon question of Mr. Stubbs, Mr. Levermann explained a letter which he sent to Mr. Riley Overley in the Concept East Plat indicating a price for the cleaning of their ditch, no response has been received to date.

Mr. Stone requested that Cable TV be an agenda item for the next Council Work Session.

There being no further business, the Meeting was adjourned.


 Mayor of the City of Centerville, Ohio

ATTEST:


 Clerk of the Council