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CENTERVILLE CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 15, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, September 15, 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 Max Sellars from the Centerville United Methodist Church 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 Ralph Spencer

Charles McQueeney

Russell Sweetman

Leonard Stubbs

Clerk of Council Marilyn McLaughlin

City Manager Darryl Kenning

City Planner Garth Reynolds

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. Stone advised that Mayor Paul Hoy had been detained in Michigan, thus his absence from this Meeting. Mr. Spencer moved that Mayor Paul Hoy be excused from this Meeting. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of September 2, 1975 had been distributed prior to this Meeting. Mr. Spencer moved that the Minutes of the Meeting of September 2, 1975 as distributed, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. McQueeney abstained.

Mrs. McLaughlin informed Council of the following communications having been received:

1. Notice of Intent to Appeal and the Appeal filed by John Koverman, Attorney representing property owners on the north side of West Franklin Street; said Appeal filed against a Planning Commission decision rendered on August 26, 1975 relative to their Rezoning Request.

2. Notice of Intent to Appeal and an Appeal filed by Floyd Felzien against a Planning Commission decision rendered on August 26, 1975 relative to his request for a Special Use Exception for a 4.33 acre tract located in the south eastern portion of Centerville.

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

The City has received in excess of 425 street signs under the Grant Program, Ohio Department of Transportation, to replace damaged signs and make additions.

Department Heads are currently working out Budgets for 1976. A proposal should be before Council on November 3, 1975.

The 1975 street resurfacing program will soon be underway. Catch basins will be brought to grade. Residents in the areas involved are being notified of the resurfacing schedule.



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Police Officers are continuing with additional courses in Crime Prevention and Criminal Justice.

Mr. Kenning will attend the Ohio Municipal League Conference to begin in Cleveland on September 16, 1975.

As questioned by Mr. Stubbs, Mr. Kenning explained how "no turn on a red light" signs will be relocated to afford better vision at night. Turn restrictions will be reviewed to determine their effectiveness.

Mr. Stone advised Council of his correspondence with the City Manager of DeBilt Holland. DeBilt is receptive to becoming a Sister City with the City of Centerville. Mayor Hoy and Mr. Kenning have referred this matter to a local committee who will, in turn, contact Centerville's Sister City Committee. Future correspondence will result between the Mayors and City Managers of Centerville and DeBilt.

#### ORDINANCE NUMBER 73-75 ZONING ORDINANCE AMENDMENT R & R REZONING

The Public Hearing was held concerning the Rezoning Request filed by the R and R Investment Trust. The Notice of Public Hearing was read by the Clerk of Council. Planning Commission's 4-2 vote for approval was outlined by Mr. Kenning. Mr. Reynolds located the subject property on a map and explained the zoning of adjacent land; a change of 82.134 acres zoned Washington Township R-4 and Centerville B-2 and I-1 have been proposed to rezone as B-2, O-S, R-4, R-3, R-1 and I-1, property located on the west side of Wilmington Pike at the proposed extension of Clio Road. Mr. Reynolds advised that a Task Force has been established by T.C.C. to study future access points along Wilmington Pike.

Mr. Joseph Rippe, Trustee for the R and R Development Company, explained the fact that the Plan proposed meets all recommendations made by Council during previous discussions.

Mr. Sweetman sponsored Ordinance Number 73-75, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 82.134 Acres, More Or Less, From Washington Township R-4, Centerville B-2 And Centerville I-1 Classifications To Centerville B-2, O-S, R-4, R-3, R-1 And I-1 Classifications, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Rippe thanked Council for their cooperation in this matter. Mr. Sweetman expressed his appreciation to the Centerville Staff for working with Mr. Rippe to resolve the best use for the land in question.

Mr. McQueeney again stressed the necessity for Council to receive Planning Commission Minutes prior to the matter being discussed or considered by Council. Mr. Kenning assured Mr. McQueeney that Minutes will be received before the matter is considered by Council regardless whether they have been approved by the Planning Commission.

#### ORDINANCE NUMBER 72-75 PERSONNEL RULES

The Public Hearing was held concerning Ordinance Number 72-75. Mr. Kenning reviewed the proposed Ordinance; it adopts amended rules and regulations for personnel of the City of Centerville. Mr. Spencer sponsored Ordinance Number 72-75, An Ordinance Enacting Personnel Rules And Regulations For Employees Of The City Of Centerville And Repealing Ordinance 57-69, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Stone advised that Mayor Hoy has requested that the City Manager and Staff study the traffic problem on East Franklin Street near the high school, work with the School Administration and find a solution to the problem. Mr. Kenning has met with the School Superintendent to determine what can be done: the entrance and exit will be restriped into the school



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property and car pools will be encouraged. Mr. Kenning is reviewing the timing cycle at Main and Franklin Streets. East Franklin Street has been restriped to provide an additional west bound lane. School buses have been rerouted to avoid the Main and Franklin Street intersection. Additional accesses onto the school property are being reviewed. A Special Deputy will be hired by the School Administration to direct traffic at peak periods. The School Administration is agreeable to the purchase of additional hardware to control the timing cycle of the light at the School location. This entire matter will be further pursued by Mr. Kenning with School Officials to find alternatives. Mr. Stone requested an update on this problem during the next Council Meeting.

Mr. McQueeney encouraged a perimeter type access to the school property from the rear, thus placing the roadway near areas where parking is needed.

Mr. Sweetman wondered to what extent the City would have to regulate parking around the school area to remind drivers that there is a traffic problem; the school should address this problem and discourage student driving to school.

Mr. Stubbs encouraged an additional access onto the school property from Judson Road, parking and driving restrictions, and questioned the status of the extension of North Johanna Drive. Mr. Kenning will address the North Johanna Drive extension for Council at the Work Session to be held September 29, 1975.

#### PELBROOK FARMS SECTION TWO

Mr. Kenning reviewed Mr. Schab's recommendation to release the \$74,800.00 Performance Bond posted for Pelbrook Farms, Section Two; said Performance Bond covered street construction and the drainage system. Mr. Reynolds located the subject property on a map. Mr. McQueeney moved that the \$74,800.00 Performance Bond on Pelbrook Farms, Section Two be released subject to the receipt of a Maintenance Bond in the amount of \$3,740.00. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### PELBROOK FARMS SECTION THREE

Mr. Kenning read the City Engineer's recommendation to release the \$85,200.00 Performance Bond posted for street construction and storm sewer installation in Section Three of Pelbrook Farms. The property in question was located on a map by Mr. Reynolds. Mr. Sweetman moved that the \$85,200.00 Performance Bond on Pelbrook Farms, Section Three be released subject to the receipt of a Maintenance Bond in the amount of \$4,260.00. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 74-75 TRUCK ROUTES

Mr. Kenning reviewed proposed Ordinance Number 74-75; the Ordinance designates certain streets within the City of Centerville as truck routes and requires trucks to use said routes as possible. Mr. Stubbs moved that Ordinance Number 74-75, An Ordinance Amending Chapter 339 Of The Centerville Municipal Code Relating To Truck Routes, be set for Public Hearing on October 6, 1975. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 75-75 UNION CONTRACT

Proposed Ordinance Number 75-75 was reviewed by Mr. Kenning; it amends the Agreement previously signed with the Dayton Public Service Union to provide for the position of "Auxiliary Refuse Equipment Operator", to add a job description for said position and to adjust compensation for the new classification. Mr. Sweetman moved that Ordinance Number 75-75, An



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Ordinance Authorizing And Directing The City Manager To Enter Into An Agreement With Local 101 Of The Dayton Public Service Union Amending The Previous Agreement Between The Parties Dated May 10, 1974 With Regard To The Change Of A Job Classification, Addition Of Job Description And Wage Adjustment, be set for Public Hearing on October 6, 1975. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. voted no. Mr. Stubbs objected to the fact that this was not a consideration when the scooter program was initiated.

Mr. Kenning explained that Resolution Numbers 50-75, 51-75, 52-75, 53-75 and 54-75 have been recommended by the State Examiner during his recent examination.

#### RESOLUTION NUMBER 50-75 POLICE LEVY FUND

Mr. Spencer sponsored Resolution Number 50-75, A Resolution Establishing A Police Levy Fund And Authorizing And Directing The Director Of Finance To Take All Necessary Steps To Establish Said Fund Providing For Payments Into And Out Of Said Fund, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### RESOLUTION NUMBER 51-75 COUNTY PERMISSIVE LICENSE TAX FUND

Mr. Sweetman sponsored Resolution Number 51-75, A Resolution Establishing A County Permissive License Tax Fund And Authorizing And Directing The Director Of Finance To Take All Necessary Steps To Establish Said Fund And Providing For Payments Into And Out Of Said Fund, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### RESOLUTION NUMBER 52-75 SPECIAL ASSESSMENT IMPROVEMENT FUND

Mr. McQueeney sponsored Resolution Number 52-75, A Resolution Establishing A Special Assessment Improvement Fund And Authorizing And Directing The Director Of Finance To Take All Necessary Steps To Establish Said Fund And Providing For Payments Into And Out Of Said Fund, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### RESOLUTION NUMBER 53-75 SPECIAL ASSESSMENT BOND RETIREMENT FUND

Mr. Stubbs sponsored Resolution Number 53-75, A Resolution Establishing A Special Assessment Bond Retirement Fund And Authorizing And Directing The Director Of Finance To Take All Necessary Steps To Establish Said Fund And Providing For Payments Into And Out Of Said Fund, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### RESOLUTION NUMBER 54-75 INVESTMENT EARNINGS

Mr. Sweetman sponsored Resolution Number 54-75, A Resolution Authorizing And Directing The Director Of Finance To Allocate Any Interest Earned On Investments To The Fund From Which Said Interest Was Earned, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### RESOLUTION NUMBER 55-75 INCOME TAX

Mr. Kenning explained proposed Resolution Number 55-75. Mr. Stubbs pointed out the fact that Income Tax monies are split: 25% into Capital Improvements and 75% into the General Fund; such allocations are committed during Budget. Mr. Stone clarified the fact that this split is current, it could be a different percentage in 1976. Mr. Sweetman sponsored Resolution

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Number 55-75, A Resolution Authorizing And Directing The Allocation Of Income Tax Receipts Between The Capital Improvements Fund And The General Fund Of The City Of Centerville, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

## RESOLUTION NUMBER 56-75 CONSORTIUM OF CITIES

Mr. Kenning reviewed a proposed Resolution for Centerville to join the Consortium of Cities, Centerville's proportionate share will be .01 per registered voter in the City of Centerville. Mr. Sweetman sponsored Resolution Number 56-75, A Resolution Authorizing The Centerville Representatives To The Miami Valley Cable Television Council To Vote In Favor Of Said Council's Joining The Consortium Of Cities And Authorizing The City Of Centerville To Pay Its Proportionate Share Of The Cost Of Membership, and moved that it be passed. Mr. Spencer 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 the Council