

Held December 15, 19 75

CENTERVILLE CITY COUNCIL
REGULAR MEETING
DECEMBER 15, 1975

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, December 15, 1975 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with 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
City Planner Garth Reynolds
Service Director Richard Bishop
Municipal Attorney Robert Farquhar
Administrative Assistant John Levermann

Mayor Hoy advised that Councilman Ralph Spencer's absence from this Meeting was due to a death in his family. Mr. McQueeney moved that Mr. Spencer be excused from this Meeting. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Council Meeting of December 1, 1975 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of December 1, 1975 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mayor Hoy abstained.

The Minutes of Council Work Sessions held on November 24, 1975, December 1, 1975 and December 8, 1975 had been distributed prior to this Meeting. These Minutes were approved as follows:

November 24, motion by Mr. McQueeney, second by Mr. Sweetman, roll call vote: six in favor.

December 1, motion by Mr. Sweetman, second by Mr. Stubbs, roll call vote: four in favor; Mayor Hoy and Mr. Stone abstained.

December 8, motion by Mr. Sweetman, second by Mrs. Lake, roll call vote: three in favor; Mayor Hoy, Mr. Stone and Mr. McQueeney abstained.

Mrs. McLaughlin reported to Council that a Notice of Intent to Appeal and an Appeal concerning a Planning Commission decision rendered on November 25, 1975 had been filed by Ned Haverstick, however, the Appeal was received on December 15, 1975 and should have been filed no later than December 10, 1975.

Mrs. McLaughlin also reported that a Notice of Intent to Appeal and an Appeal has been filed by Wilson Sign Company concerning Planning Commission's decision rendered on November 25, 1975 concerning the erection of two Top Value signs at the Imperial Foodtown; a Public Hearing has been set for January 19, 1976.

Mr. Kenning reported the following during his City Manager's report: Traffic counts have been made at Franklin and Main Streets and on Clio Road. Increases are noted from 1973 counts.

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Additional sign erection has been completed on Alexandersville-Bellbrook Road.

Mr. Kenning reviewed the police report for November, 1975. Mr. Sweetman suggested that a method be developed to tag vehicles belonging to residents of Centerville; this could be an aid to the Police Department in consideration of yard jobs, vandalism, etc. Mr. Sweetman asked for a report concerning this matter as soon as possible.

As questioned by Mr. Sweetman, Mr. Kenning advised that additional signs have been erected on Centerville Station Road at the curve, a guard rail is being considered. Mr. Sweetman encouraged the erection of a guard rail.

Mr. Kenning advised that catch basins are being cleaned throughout Centerville.

Upon question of Mr. Stubbs, Mr. Kenning will present to Council a light survey after the 1976 Budget is complete.

Mrs. Susan Erion, representing the Centerville Women's Civic Club, presented to Council a picture of the Magisg Home, painted by a Club Member to be hung in the Municipal Building. Mayor Hoy expressed the City's appreciation to the Centerville Women's Civic Club.

ORDINANCE NUMBER 90-75 PARKS AND RECREATION BOARD

The Public Hearing was held concerning Ordinance Number 90-75. Mr. Stubbs sponsored Ordinance Number 90-75, An Ordinance Appointing James R. Bramlage To The Parks And Recreation Board Of The City Of Centerville, Ohio For The Unexpired Term Of Barbara Ann Heglund, 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 91-75 SISTER CITY COMMITTEE

The Public Hearing was held concerning Ordinance Number 91-75. Mr. McQueeney sponsored Ordinance Number 91-75, An Ordinance To Appoint A Member To The Sister City Committee For The City Of Centerville For A Term Of Three Years, 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 92-75 BOARD OF TAX APPEALS

The Public Hearing was held concerning Ordinance Number 92-75. Mr. Stone sponsored Ordinance Number 92-75, An Ordinance Appointing Robert Hensley, Dale Rodman And Stephen Mikula To A Term Of One Year Each On The Centerville Board Of Tax Appeals, 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 84-75 ZONING ORDINANCE AMENDMENT REZONING

Mr. Reynolds located the property on a map which has been included in the Rezoning Request filed by George Mitchell for property owners on West Franklin Street.

Mr. Farquhar reviewed the Deed Restrictions as prepared by the Applicant; included are common drives and road widening in accordance with the Plan previously submitted to Council.

Mr. Sweetman expressed his concern with a possible drainage problem, the movement of water when the area is developed. Mr. John Koverman, Attorney representing the Applicants, advised that a drainage plan was prepared by John Judge Engineering, this plan was reviewed with Mr. Schab and with the Planning Commission.

Councilman Ralph Spencer entered the Meeting at this time.

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After consultation with Mr. Schab, Mr. Kenning advised that Mr. Schab sees the drainage plan as satisfactory; French drains as proposed will preclude any serious problems from occurring.

Mr. McQueeney reiterated his opposition to extending the Architectural Preservation District.

Mrs. Lake is opposed to extending the AP District before the present AP Ordinance is amended.

Mr. Stubbs sponsored Ordinance Number 84-75, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 4.350 Acres, More Or Less, And Also Lots 22 And 23 In Gorman's Sub-division, From Centerville R-1 Classification To Centerville Architectural Preservation Classification, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. McQueeney and Mrs. Lake voted no.

Mr. Kenning explained the fact that the two Notices received from the Ohio Department of Liquor Control: one for a D3, D2 and D1 Permit and one for a D1 Permit are for the same property, being 121 and 133 North Main Street. Council took no action concerning these Permits. Mr. Farquhar explained the fact that these Permits are issued for a particular property and to a particular person, and, in general, are not transferable.

ORDINANCE NUMBER 93-75 INCOME TAX

Mr. Kenning reviewed proposed changes to the Income Tax Ordinance; changes being in Exceptions, Operating Loss Carry Forward, Collection at Source, Declarations and deletes the expiration date of the Ordinance. Mr. Spencer sponsored Ordinance Number 93-75, An Emergency Ordinance Amending Title 9, Chapter 191 Of The Centerville Municipal Code Relative To Income Tax, 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 94-75 INCOME TAX

Mrs. Lake moved that Ordinance Number 94-75, An Ordinance Amending Title 9, Chapter 191 Of The Centerville Municipal Code Relative To Income Tax, be set for Public Hearing on January 5, 1976. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

THOMAS PAINE SETTLEMENT SECTION ONE

Mr. Reynolds explained the Springmont Company's request for reduction in a utility easement from 10 to 8 feet in width in Section One, Thomas Paine Settlement. This request has been approved by the Planning Commission. The Dayton Power and Light Company and the Ohio Bell Telephone Company have agreed to the reduction. Due to lack of clarification as to what easement would be reduced, Mr. Spencer moved to table this request until adequate information is received from the City Staff for Council to render a reasonable decision. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Kenning will prepare adequate information.

There being no further business, the Meeting was adjourned.

Approved:



Mayor

ATTEST:



Clerk of the Council