

Held

January 21

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SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, January 21, 1974 at 8:00 P.M. at the Centerville Municipal Building in the Council Chambers. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hloy presiding. Council Members and City Staff present were as follows:

Deputy-Mayor J. V. Stone

Councilwoman Nora Lake

Councilmen Leonard Stubbs

Charles McQueeney

Ralph Spencer

Russell Sweetman

Clerk of Council Marilyn McLaughlin

City Manager James Smith

Assistant Service Director Thayer Thompson

Municipal Attorney Robert Farquhar

City Engineer Karl Schab

City Planner Robert Winterhalter

Director of Finance William Bettcher

Chief of Police William Randolph

Supervisor of Parks and Recreation Timothy Shroyer

The Minutes of the Meeting of December 3, 1973 had been distributed prior to this Meeting. Mr. Sweetman moved that the Minutes of the Meeting of December 3, 1973 as distributed, be approved. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mrs. Lake abstained.

The Minutes of the Meeting of December 17, 1973 had been distributed prior to this Meeting. Mr. McQueeney moved that the Minutes of the Meeting of December 17, 1973 as distributed, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mrs. Lake abstained.

The Minutes of the Meeting of January 3, 1974 had been distributed prior to this Meeting. Mr. Sweetman moved that the Minutes of the Meeting of January 3, 1974 as distributed, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Minutes of the Meeting of January 7, 1974 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Meeting of January 7, 1974 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mr. Stubbs and Mr. Sweetman abstained.

Mr. Farquhar administered the Oath of Office to City Beautiful Commission Member Sue Spencer and to Tax Appeal Board Member Stephen Mikula.

Mr. Smith introduced Mr. Ernie Philpot, representing the Montgomery County Incinerator, who briefed Council on the history of the Incinerator, the make-up of the Incinerator Study Committee and the operations of the Incinerator today. Current investigations have indicated that a solid waste operation as in St. Louis would be the best method for Montgomery County - using solid waste as fuel. Meetings have been held with the Dayton Power and Light Company to consider the use of solid waste instead

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of coal to produce electrical energy. If economic factors can be worked out and this method is satisfactory to D.P.&L., this system could be in operation in two years. It would be constructed on the present site in conjunction with the present facility. The cost of the system to the user will be determined by the tonnage received. The present cost will not be increased until resolution is made with the Dayton Power and Light Company, it is now operating in the red; the Board of County Commissioners is subsidizing the deficit at the cost to the Citizens. As questioned by Mr. Stubbs, Mr. Philpot explained the following two factors that Council should consider before the City of Centerville would contract with the City of Franklin: 1. What rate guarantee does the City have after termination of a two year contract, if the County Incinerator has gone broke, where will Centerville go if the rate is too high, 2. People in the area will subsidize County Incinerator costs whether or not they are using the facility. Mayor Hoy advised that this item will be an agenda item for the next Council Meeting; the City Manager will provide further information to Council before the February 4, 1974 Meeting.

Phyllis Strayer, Environmental Quality Chairman for the League of Women Voters, expressed the Leagues belief that solid waste must be disposed of in the most efficient manner. If Centerville leaves the Incinerator, this could initiate a mass exodus which would jeopardize a solution to solid waste problems for the entire area, all Communities must get behind an update to keep the Dayton Area progressive. The League offered their assistance to help find a solution to the problem.

Joe Harmon, 531 Willowhurst Street, Chairman of Environmental Activities for the Dayton Chapter of the Sierra Club, appeared to encourage and endorse the recycling of Centerville's waste in the City of Franklin Incinerator.

Mr. Smith reported the following during his City Manager's Report:

1. Negotiations with the Dayton Public Service Union for Street and Waste Collection Department Employees are progressing satisfactorily, hopefully a Contract can be signed by the end of January.
2. A Meeting has been scheduled with residents on Rahn Road to discuss traffic problems and what can be done to safeguard the residents along Rahn Road.
3. A new officer has been hired for the Police Department, other prospective officers are being interviewed.
4. Further contact will be made with Professional Engineer John Cook in reference to the leakage problem in the Municipal Building.
5. Sources of Federal Funds for parks, recreation and other activities are being researched.

Mayor Hoy complimented Police Chief William Randolph on his fine monthly report for the Police Department, he requested that this report include the number of police personnel at the end of each month.

The Public Hearing concerning Ordinance Number 2-74 was held. Mr. Smith reviewed the proposed Ordinance, it balances all funds for the year 1973. Mr. McQueeney sponsored Ordinance Number 2-74, An Ordinance To Amend Ordinance 17-73, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1973, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 4-74 was held. Mr. Smith reviewed the proposed Ordinance, it appropriates funds in the various

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Departments for anticipated expenditures during the first quarter of 1974. Mr. Sweetman sponsored Ordinance Number 4-74, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During One Quarter Of The Fiscal Year Ending March 31, 1974, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 5-74 was held. Mr. Stubbs sponsored Ordinance Number 5-74, An Ordinance Appointing Suzie Holloway To The Centerville City Beautiful Commission And Establishing A Term, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing was held concerning Ordinance Number 7-74. The proposed Ordinance was reviewed by Mr. Farquhar, it adopts the Criminal Sections of the new Centerville Municipal Code which are in line with changes made by State Legislators. Mr. Stone sponsored Ordinance Number 7-74, An Ordinance To Approve, Adopt And Enact Parts Three (3) And Five (5) Of The Centerville Municipal Code; To Repeal Ordinances In Conflict Therewith; To Publish The Enactment Of New Matter, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman sponsored Resolution Number 1-74, A Resolution Expressing Appreciation To Joseph Ledbetter On Behalf Of The City Of Centerville, Ohio And Its Citizens For Faithful And Meritorious Service As A Member Of The Board Of Architectural Review 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.

As requested by Mr. Sweetman, Mr. Winterhalter explained the formation, purpose of and function of a Joint Planning Committee, it will act as a sounding and co-ordination board for joint planning between the City of Centerville, City of Bellbrook and Townships of Washington, Miami and Sugarcreek. Mayor Hoy advised that Washington Township has appointed Evelyn List, Zoning Inspector, Duane Snyder, Trustee and Gary Smith, Co-ordinator to this Committee. Mr. Stubbs moved that the City Planner and Council Representative Nora Lake be appointed to this Committee. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mayor Hoy requested that Council receive a copy of the Minutes of all Meetings held by this Committee.

Mayor Hoy read Resolution Number 2-74. Mr. Stone sponsored Resolution Number 2-74, A Resolution Endorsing A Medical Facility In South Montgomery County Area, and moved that it be passed. Mr. McQueeney seconded the motion. Mr. Sweetman stressed the fact that the City of Centerville has been instrumental in the South Montgomery County area becoming aware of the need for a Medical Facility in the area. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Schab explained his evaluation of the drainage problem in Rose Estates. All matters have been taken care of or have been agreed to by the Developer. Rose Estates will pay for all recommendations contained in the City Engineer's letter dated January 18, 1974. As questioned by Mayor Hoy, Mr. Farquhar will review legal alternatives for Council concerning drainage conditions in and around the Plat. Mr. Schab explained the present construction of the drainage ditch in Rose Estates in accordance with Council's previous requests.

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Mrs. McLaughlin read Notices from the Ohio Department of Liquor Control of Applications for C-1, C-2, D-1, D-2 and D-5 Permits by Dale R. Smith, 6206 Far Hills Avenue. Mr. Sweetman requested that the Clerk of Council write the Ohio Department of Liquor Control and request information relative to the quota of permits in each class, the number issued in each class, to whom and where in Centerville.

Mrs. McLaughlin read a letter received from Members of the Concept West Area Civic Association requesting the status of the review of Ordinance Number 80-71 (Establishing the Architectural Preservation District). Mayor Hoy advised that the Ordinance has been referred to the Board of Architectural Review, recommendations should be forthcoming to Council around the first of February. The Clerk of Council will notify the signers of this letter the present status of the review.

Mr. Farquhar reviewed the turn of events and the status of the Performance Bond on Village South, Section Sixteen; \$1,500.00 covers work yet to be done. As recommended by Mr. Farquhar, Mr. Stone moved that Council release the \$46,000.00 Performance Bond on Village South, Section Sixteen and allow the City of Centerville to hold \$5,167.00 cash which would then be paid out to Dino Construction Company once all the work is acceptable to the City at which time the Plat would be accepted and the Maintenance Bond of \$2,300.00 would go into effect. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Schab explained the status of South Suburban Commercial Area, Section Two; Southview Homes, Inc. has requested an extension of the Performance Bond for six months. Mr. Sweetman moved that the Performance Bond on South Suburban Commercial Area, Section Two, be extended for a period of six months. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman moved that Ordinance Number 8-74, An Ordinance Appointing Dale A. Rodman And Robert P. Hensley To The Centerville Board Of Tax Appeals And Establishing Terms Of Office, be set for Public Hearing on February 4, 1974. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

As requested by Mayor Hoy, Mr. Smith will inventory the chairs in the Community Room to ascertain if the number is adequate. A tracer has been placed on the stove to find its location, it should arrive soon.

Mayor Hoy withdrew from the remainder of this Meeting, Deputy-Mayor J. V. Stone presided.

Proposed Ordinance Number 9-74 was reviewed by Mr. Farquhar. Mr. McQueeney moved that Ordinance Number 9-74, An Ordinance Fixing The Rate Which The Dayton Power And Light Company, Its Successors And Assigns, May Charge For Furnishing Electric Energy To The City Of Centerville, State Of Ohio, For The Operation Of Traffic Signals For A Period Of Ten (10) Years, Commencing On The 5th Day Of March, 1974, And Determining The Manner In Which Said Electricity May Be Furnished, Provided And Paid For, be set for Public Hearing on February 4, 1974. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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

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Mr. Stubbs questioned the status of a Meeting with Village South residents relative to a drainage district. Mr. Schab advised that he is presently compiling the list of people to invite; there is a question on boundaries. He will be ready with a presentation for the next Council Meeting.

Mr. Stubbs wondered what is currently being done to slow vandalism in Plats. Chief of Police William Randolph advised that in the future more will be done through the use of the Auxiliary Police. On duty officers have been stationing themselves on patrol in trouble spots fifteen minutes out of each hour.

As questioned by Mr. Stubbs, Mr. Smith advised that a recreation program for the summer months will be developed after the appointments are made to the Parks and Recreation Board. If appointments are made by the first of February, the program can be compiled by the first of March.

Mr. Stubbs encouraged selling found bicycles soon, as spring is approaching.

Mr. Sweetman encouraged action on the collection of newspaper separate from other waste in the City of Centerville and the education of residents for same. He moved that the City of Centerville pick up waste paper on instructions of the City Manager which will be published in the newsletter: how this will be handled, and the waste paper be sold by the City of Centerville to a buying agency and hauled to the agency by the City and the service to commence by February 15, 1974. Mr. McQueeney seconded the motion. Mr. McQueeney suggested that the time limit be extended in order to sell the system to the people, public relation pieces should be mailed to the homes. Mr. Sweetman amended his motion to extend the time for commencement of service to March 15, 1974, Mr. McQueeney agreed with the amendment. Mr. Stubbs would like to see a recommendation from the City Manager concerning the disposal of this waste paper. A roll call vote resulted in five ayes in favor of the motion, Mr. Stone voted no. Mr. Sweetman pointed out the fact that this action is not to compete with the Recycling Center, he feels that they are not able to handle the load at this time.

Mr. Sweetman complimented the Centerville Arts Commission on the very fine job completed on "A Lucky Strike Extra" and encouraged them to move further in their endeavors.

Mr. Stone suggested that a Resolution be prepared welcoming Bellbrook as a new sister City and congratulating them on their endeavor.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:


 Clerk of Council