

Held April 15, 1974

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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, April 15, 1974 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 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
 Director of Finance William Bettcher
 Supervisor of Parks and Recreation Timothy Shroyer
 City Planner Robert Winterhalter
 Chief of Police William Randolph

The Minutes of the Meeting of April 1, 1974 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Meeting of April 1, 1974 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Tom Weller, representing the Centerville Washington Township Jaycees, explained their proposed changes to the present bike route. As questioned by Mr. Sweetman, Mr. Weller explained how the bike route passes through the Chevy Chase Apartments on a dedicated street. Mr. Weller asked for City's permission to install crosswalks across South Main Street at Bristol Drive, across East Whipp Road into the Red Coach Plat and across West Franklin Street into the high school. Mr. Stubbs suggested that this proposal be reviewed by the Police Department and Parks and Recreation Board prior to passage of the Ordinance.

Mrs. Susan Erion, representing the City Beautiful Commission, explained a drainage problem in the play area of the Elizabeth Hoy Park. Mr. Schab explained a remedy to this problem, the installation of a plastic tile for an estimated cost of \$500.00 using City labor. Mr. Smith advised that City manpower would be available for this work during the month of May. Mr. Spencer moved that this recommendation as outlined by the City Beautiful Commission and Mr. Schab be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Victor Green, 7715 Glenbrier Place and representing the Black Oak Civic Association, appeared before Council concerning the proposed development of Walnut Walk by the Black Oak Development Company including the continuation of Ambridge Road to Clyo Road. He requested that Council review the street layout with Citizens in the area to arrive at an agreeable solution prior to the Plat becoming a matter of record.

Mr. Clarke McLaughlin, 7332 West Von Dette Circle, asked for some relief for traffic exiting from the Black Oak Estates in some other way than through Von Dette Circle.

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

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1. The entire City Street Department, employees and equipment, have aided in the Xenia tornado disaster. Clothing, food items and money have been received, families are housed in various apartments throughout the City. Mr. Smith advised that a complete report will be forthcoming. Mr. Sweetman suggested that City personnel working on their own time as well as other Citizens be thanked by the Mayor and Council; these names will be included in the final report. Mayor Hoy verbally thanked all for their generous contributions.

2. Mr. Smith reviewed a problem with the heating and cooling units in the Municipal Building. Architect Robert Makarius is meeting with Dayton Power and Light Company Representatives concerning this matter. Mr. Smith will pursue a resolution to the problem.

3. The City has advertised for an Engineering Aide and a Street Inspector.

Mr. Winterhalter reported on the Planning Commission Meeting held April 9, 1974. He briefly reviewed the proposed Ordinance amending the Sub-Division Regulations and recommended that said Ordinance be set for Public Hearing before Council. Mr. Stubbs moved that Ordinance Number 26-74, An Ordinance Amending Ordinance No. 10-1958, Ordinance No. 9-1959, Ordinance 14-1959, Ordinance 15-1959, And Ordinance 12-1966, Sub-Division Regulations, Of The City Of Centerville For The City Of Centerville And The Unincorporated Area Of Washington Township Lying Within Three Miles Of The Corporation Limits Of The City Of Centerville, be set for Public Hearing on May 6, 1974. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Winterhalter reviewed the Record Plan for Southbrook Manor, Section Four. Mr. Schab explained his recommendation, a Bond of \$32,700.00 should be required to cover costs of widening Marshall Road and the installation of curb and gutter; an Inspection Fee of \$104.00 should also be required. Sidewalk will be installed along Marshall Road. As questioned by Mr. Stone, Mr. Robert Archdeacon, from the Ralph L. Woolpert Company and representing the Developer, advised that the width of Marshall Road will be uniform north from Rahn Road. Mr. Stone moved that Council approve the Record Plan for Southbrook Manor, Section Four subject to the receipt of a Performance Bond and Inspection Fee as recommended by the City Engineer. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Winterhalter reviewed the Master Plan for Black Oak Estates Six. The Planning Commission recommended by a 5-0 vote that this Master Plan be approved which includes the extension of Ambridge Road to Clyo Road. This Master Plan also includes a bikeway system.

Mrs. Betty Mantis, 7276 West Von Dette Circle, submitted to Council a petition signed by residents on Von Dette Circle, Mapleton Drive and in Black Oak Estates requesting that Ambridge Road be extended to Clyo Road and to Alexandersville-Bellbrook Road.

Mr. R. C. Herman, 7605 Rolling Oak Drive, requested approval of this Plan, it is unique.

Mr. Victor Green feels that the solution to this traffic problem is the continuation of Bigger Road, he proposed cul-de-sacing Ambridge Road at the Park from both directions. This proposal did not receive the recommendation of the City Planner or City Engineer.

Mr. Roland McSherry, 1443 Ambridge Road, endorsed Mr. Green's suggestion.

Mr. Robert Archdeacon advised that it has always been the Developer's concept that Bigger Road be the collector street through the Plat but that other accesses be provided. Mrs. Lake moved that Council approve the

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Master Plan as shown for Black Oak Estates Six. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Winterhalter explained the Preliminary Plan for Section One of Black Oak Estates Six. The Planning Commission recommended approval of this Plan by a 5-0 vote, it includes 24 foot dedicated streets, parking bays will be located along the roadway with sidewalk connecting them to driveways, and bikeways are provided. Planned are 30 units on 17 acres of land. Mr. McQueeney felt that the continuation of Ambridge Road should have a width of 28 feet. Mr. Archdeacon advised that because of topography and set backs, increasing the width of streets to 28 feet would change the entire concept employed in this Plan. Mr. Stone moved that this Preliminary Plan for Black Oak Estates Six, Section One be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Winterhalter located Section Seven of South Point on a map, it is located in Washington Township within the three mile jurisdiction of Centerville. Mr. Schab recommended that a Performance Bond in the amount of \$108,000.00 and an Inspection Fee of \$481.70 be required. Mr. McQueeney moved that Council accept the recommendation of the City Engineer relative to the Performance Bond and Inspection Fee for South Point, Section Seven. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Meadows Professional Center in Washington Township off Garnet Road was reviewed by Mr. Winterhalter. Mr. Schab recommended that a Performance Bond in the amount of \$30,500.00 and an Inspection Fee of \$130.00 be required. Mrs. Lake moved that Council accept the City Engineer's recommendation concerning Meadows Professional Center. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mr. Stubbs was not present for this item on the agenda.

The Public Hearing was held concerning the Rezoning Request filed by Haverstick Builders, Inc. for the property located at the northeast corner of Centerville Station Road and Clio Road.

The Notice of Public Hearing was read by the Clerk of Council.

City Planner Robert Winterhalter located the subject property on a map and explained the requested change.

Mr. Stone sponsored Ordinance Number 13-74, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 32.1 Acres, More Or Less, From Centerville R3, R2 And R1 Classifications To Centerville R4, R3, R2 And O-S Classifications, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 16-74 was held.

The Notice of Public Hearing was read by the Clerk of Council.

Mr. Farquhar reviewed the proposed Ordinance, it changes the required number of affirmative votes of Council from five to a simple majority of Council Membership in the case of Appeals to Council.

As suggested by Mr. Winterhalter, the second sentence in paragraph two under Section One was changed to read "A simple majority of the Council Membership shall affirm, reverse or modify the decision appealed from m." Mr. McQueeney sponsored Ordinance Number 16-74, An Ordinance Amending Section 30H Of Ordinance 15-61 As Amended By Ordinance 25-69 By Changing The Number Of Required Affirmative Votes From Five To A Simple Majority Of The Council Membership In The Case Of Appeals To Council, 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. Stubbs voted no.

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The Public Hearing was held concerning Ordinance Number 23-74. Mr. Spencer sponsored Ordinance Number 23-74, An Ordinance Appointing William McCrabb III To The Centerville Planning Commission For The Unexpired Term Of William F. Murphy, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in four ayes in favor of the motion, Mr. Stubbs, Mr. Stone and Mrs. Lake voted no.

Mr. Stone moved that Ordinance Number 27-74, An Ordinance Amending Ordinance 33-72 By Revising The Bike Route Through The City Of Centerville, Ohio, be set for Public Hearing on May 6, 1974. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. McQueeney sponsored Resolution Number 15-74, A Resolution Authorizing And Directing The City Manager To Enter Into A Contractual Agreement With The Montgomery County Combined General Health District For The Period Of One Year Commencing January 1, 1974, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Police Chief William Randolph explained Civil Defense activities to a Community when in need. He explained equipment which is available through federal monies. Police Radio Transmission and Phone Calls were played back for Council's benefit recorded while the Zenia tornado passed over Centerville on April 3, 1974. Civil Defense is reviewing warning equipment for recommendation to Municipalities. Mayor Hoy requested that Chief Randolph keep Council advised on said equipment.

Chief of Police William Randolph reviewed the Gun Control Proposal prepared by the Miami Valley Regional Planning Commission. He sees nothing wrong with banning saturday night special guns not including sport or hunting weapons, he feels registration of firearms is an unenforceable law. He believes that laws governing the use of firearms must be on the National level. Mr. Stubbs feels that Council should recognize the problem in our area, some interest in gun control should be expressed. Mr. McQueeney believes that the problem is not availability of weapons but the conviction of criminals, enforcement of the present law is essential. Mr. Sweetman moved that Council not support this Gun Control Proposal as written. Mr. Spencer seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mr. Stubbs and Mr. Stone voted no. Mayor Hoy suggested that MVRPC's involvement in this subject matter be researched.

City Manager James Smith recommended accepting the bid of A and S Asphalt Corporation to improve East Whipp Road in the vicinity of the railroad tracks. Mr. Sweetman sponsored Resolutbn Number 16-74, A Resolution Accepting The Bid Of A & S Asphalt Corporation To Improve East Whipp Road In The Vicinity Of The Penn Central Railroad Crossing For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, 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. Smith explained the necessity for Resolution Number 17-74, tax revenue is late, monies are needed now. Mr. Stone sponsored Resolution Number 17-74, A Resolution Requesting An Advance Of \$40,000.00 Of The Current Collection Of Taxes Assessed And Collected On Behalf Of The City Of Centerville, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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Mr. Sweetman sponsored Ordinance Number 28-74, An Emergency Ordinance Appointing Howard Kreider Jr. And Fayne Kuker To Membership On The Board Of Architectural Review For Terms Of Three Years Each Commencing April 17, 1974, 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. Stubbs sponsored Ordinance Number 29-74, An Emergency Ordinance Appointing Nancy Pogue To The Centerville Youth Board For A Three Year Term Ending March 22, 1977, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Smith briefly reviewed Ordinance Number 31-74. Mr. Sweetman sponsored Ordinance Number 31-74, An Emergency Ordinance Enacted By The Council Of The City Of Centerville, Montgomery County, Ohio In The Matter Of The Hereinafter Described Improvement Under The Supervision Of The Director Of Transportation Of The State Of 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.

Mr. McQueeney moved that Ordinance Number 32-74, An Ordinance Amending Ordinance No. 77-72 And 87-73 By Adding Additional Employees Of The City And Setting Bond Amounts, be set for Public Hearing on May 6, 1974. Mr. Stone 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:

Mr. McQueeney reported on a Meeting held by the Sister City Committee. He requested that an Ordinance be drafted to change membership on this Committee from five to seven. Mayor Hoy requested that this Ordinance be prepared for the next Council Meeting.

Mr. McQueeney stressed the necessity for Council to face street problems, he commended Council for their position on the Master Plan for Black Oak Estates Six.

Mr. Stone suggested that colonial directional signs be devised to direct people to the Municipal Building.

Mr. Sweetman defined a street visibility problem on Bigger Road just off Centerville Station Road.

Mr. Sweetman suggested that Council again discuss the continuation of Bigger Road. Mayor Hoy requested that the City Staff develop a program for such, purchase of right-of-way should be included in Capital Improvements, should be bonded or should be on assessment basis. Mr. Sweetman requested that this report be forthcoming in 30 days.

Mrs. Lake suggested that the City look into grade changes for State Route 725 and Clio Road. Mayor Hoy wondered why the Staff does not come forth with recommendations concerning improvements to Clio Road. He requested that the City Engineer and City Planner consult with the State Highway Department to ascertain future plans for SR725.

Mr. Stubbs wondered whether Centerville should be a part of the task force studying waste incineration. Mayor Hoy suggested getting a feel for this Committee and then the item be considered by Council.

As questioned by Mr. Sweetman, Mr. Schab advised that East Franklin Street Improvements should be ready for the next Council Meeting.

There being no further business, the Meeting was adjourned.

ATTEST:


Mayor


Clerk of Council