

Held June 3,

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REGULAR MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, June 3, 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 Charles McQueeney
 Russell Sweetman
 Ralph Spencer
 Leonard Stubbs
 Clerk of Council Marilyn McLaughlin
 Acting City Manager Thayer Thompson
 Director of Finance William Bettcher
 Chief of Police William Randolph
 Supervisor of Parks and Recreation Timothy Shroyer
 City Engineer Karl Schab
 City Planner Robert Winterhalter

The Minutes of the Meeting of May 20, 1974 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of May 20, 1974 as distributed, be approved. Mr. Spencer seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mrs. Lake abstained.

Mr. Bill Ahern, representing the Centerville Olde Village Guild (Businessmen's Association) appeared to present to Council their plans for a festival in Centerville "Historic Independence Days" to be held on July 4, 5 and 6, 1974 in the center of town. The purpose of the event is to promote Centerville as a historic town and to promote the businessmen in Centerville. Planned are: antique displays in shops, special events, walking tour through homes, horse and buggy rides through Centerville, a flea market, antique car parade, rock concert and a color presentation of the flag on July 6 at Main and Franklin Streets. Merchants will participate through decoration, costume and special sales. The Association has applied to the Ohio Festival Association to be placed on their calendar to have a festival in Centerville every July 4. This could become a statewide known annual event. The Guild requested Council's approval of their plans and requested that Main and Franklin Streets be barricaded on July 6 during the color presentation. The event will be financed by the businessmen in Centerville. Mayor Hoy and Mr. Stubbs complimented the Olde Village Guild on this endeavor and wished them every success; Mr. Stubbs suggested that this be co-ordinated with the Arts Commission Art Show in future years. Mayor Hoy stressed the importance of full support by the City for this festival. Mr. McQueeney moved that Council support this endeavor and the City Administration do all possible to make the festival a success. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mrs. Nancy Dinneen, Chairman of the Centerville Arts Commission, presented to Council their Resolution for an Art Show "An Old-Fashioned Summer in Centerville" and a blanket concert "Concert Under the Stars" on July 14, 1974. The total cost for the day is estimated at \$1,400.00, a \$2.00 charge will be placed upon the Artists wishing to participate. Mayor Hoy wondered whether proposals within budget limitations require Council's approval; Mr. McQueeney and Mrs. Lake expressed their desire for Council's awareness of

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these events prior to arrangements being made. Mr. Spencer moved that Council approve the Resolution for an Art Show sponsored by the Centerville Arts Commission to be held on July 14, 1974. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Harry Brown, 2017 East Centerville Station Road, appeared before Council to speak against actions taken by Council in previous months; he feels more consideration must be given to the needs of the Community. Mr. Brown reviewed traffic problems, he opposed a compensation increase for Council, the amendment to the Subdivision Regulations prohibiting the removal of trees during the development of land and he asked for provisions to encourage the construction of lower priced homes in Centerville. Mr. Stubbs thanked Mr. Brown for his comments, he informed Mr. Brown that Council is concerned with the needs of the Community, Council recognizes the problems in the City of Centerville and have been moving forward to solve these problems. Mr. Stubbs pointed out the fact that during his contact with the public prior to Council approving an increase in compensation for Council he received no opposition to the issue, the increase is more in line with the requirements of the position.

During the Acting City Manager's Report, Department Heads reported the following:

Mr. Shroyer summarized his summer recreation program.

Mr. Schab advised that some slurry seal will be applied to scheduled streets. The Whipp Road improvement is progressing according to schedule. Bids will be advertised for the street resurfacing program for 1974. Other street repairs will begin soon and be completed during the summer months. The final TCC Traffic and Transportation Study for the center part of Centerville should be received before the June 17, 1974 Council Meeting.

Mr. Winterhalter advised Council that changes to the zoning map are being reviewed by the Planning Commission. He has been co-ordinating with the State Highway Department the development of land bordering the State Highways. An impact study will soon be completed for East and West Franklin Street.

Mr. Bettcher advised that the February Tax Settlement has been received: \$111,251.00 vs \$104,657.00 in 1973. He is currently working on the estimated budget for 1975 for submission to the Montgomery County Budget Commission.

Chief Randolph explained a proposal received from a warning systems firm to install three siren devices to be located in strategic spots in the City of Centerville for a cost of \$46,000.00. Civil Defense Officials have indicated that one half of this amount would be paid by Federal Matching Funds. The complete package would include also four additional sirens in Washington Township. Additional proposals will be received. Mr. Stubbs stressed the importance of consideration of such a system as soon as possible.

Mr. Thompson advised that the garden plots on the 35 acres of Municipal land are being plowed, information concerning these will be placed in the newspapers. 50 tons of rubbish have been hauled to the land fill during clean up month of May by the City. A public pay phone has been installed in the east wing of the lower level of the Municipal Building.

The Public Hearing was held concerning Ordinance Number 48-74. The proposed Ordinance was reviewed by Mr. Thompson. Mr. McQueeney sponsored Ordinance Number 48-74, An Ordinance To Ratify And Approve The Acting City Manager In Executing A Written Collective Bargaining Agreement With

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The Dayton Public Service Union, Local No. 101, American Federation Of State, County, And Municipal Employees, AFL-CIO; And To Authorize Retroactive Compensation, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mr. Stubbs voted no.

The Public Hearing concerning Ordinance Number 51-74 was held. Mr. Sweetman sponsored Ordinance Number 51-74, An Ordinance Appointing Thayer D. Thompson, Acting City Manager Of The City Of Centerville For An Indeterminate Period Commencing June 1, 1974, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Thompson, after review with City Staff and the Chairman of the Centerville Youth Board, recommended the following concerning the Board's Teen Center Proposal:

1. the cost of the Director must be modified to include fringe benefits as he will be an employee of the City of Centerville.
2. the City serve as a pass through agency for this project, all costs be shared on a 50-50 basis, the City to disburse the funds.
3. the Director be an employee of the City.
4. a document of Agreement be effectuated to set guidelines to handle contingencies over the coming two years.
5. more time is needed to review the proposal.

Mr. Thompson sees advantages and disadvantages to the proposed site on East Franklin Street. As questioned by Mayor Hoy, Mr. Shroyer advised that the Park and Recreation Board have been considering such a facility in the area. Mr. Stone recognized the time and efforts spent by the Youth Board, he feels the plan should proceed as soon as possible, he recognizes some factors which need to be resolved. Mr. Thompson explained the fact that the Youth Board Budget would cover expenses for this Center (1974 portion) if split 50-50 between the City and the Township; the entire Board Budget for 1975 would be earmarked for the Teen Center. Mr. Stubbs, in consideration of the interest displayed in previous years to the Teen Center, sponsored Resolution Number 31-74, A Resolution Accepting The Proposal Of The Centerville Youth Board To Establish A Youth Center In The City Of Centerville And Authorizing The Expenditure Of Funds, and moved that it be passed. Mr. McQueeney stressed the fact that Members of Council are not opposed to a Teen Center, there are some questions which need answering:

1. the expenditure of Citizens money for something that may or may not be detriment to Centerville.
2. is a good and logical location proposed for this Center.

Mrs. Lake has some reservations the same as Mr. McQueeney, she would like to see responsibilities worked out. Mrs. Lake moved that Resolution Number 31-74 be amended to delete "all as contained in the Youth Board's recommendation to Council which is attached hereto and made a part hereof", from the first paragraph and to delete "as attached hereto" from the first line of Section One, with the understanding that the Resolution endorses the Teen Center but not the recommendations contained in the proposal. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mayor Hoy expressed his belief that a Community Center will be built on the 35 acres Municipal land within two years. Mrs. Lake advised that a development plan will be forthcoming from the Planning Commission for this 35 acres before September of this year, she suggested that Council encourage this Center as a top priority for Planning Commission's consideration. Mrs. Lake, in view of interpretations of the proposed Resolution, moved to table Resolution Number 31-74 at this time pending a legal interpretation from the Municipal Attorney or a revised and clarified

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Ordinance. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mr. Stone and Mr. Stubbs voted no. Mr. McQueeney proposed a Resolution to thank and congratulate the Youth Board for the work they have done, to note that the City Council endorses the concept they have in mind; Council agrees with most of the recommendations so contained and as soon as the City Administration can determine the pros and cons of the particular location Council will move to act positively or negatively upon the entire proposal. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mr. Stubbs voted no.

Councilman Russell Sweetman left the Meeting at this time.

Mr. Thompson relayed to Council information relative to the Rezoning Request filed by Mid-American Building Corporation from Municipal Attorney Robert Farquhar. Covenants as discussed during the Public Hearing have not been received by the City.

Mr. Peter Jerardi, Attorney for the Applicant, reviewed their Request and outlined events occurring during the Public Hearing, he explained how no conflict of interest existed throughout this Request procedure. Mr. Jerardi withdrew the Application for Rezoning filed by Mid-American Building Corporation and advised that the land will be developed within the requirements of the present zoning classification. Mrs. Lake pointed out the fact that this Rezoning did not receive approval from Planning Commission (vote for approval was 4-1) thus displays no pressure placed upon the Planning Commission.

Mayor Hoy left the Meeting at this time, Councilman Russell Sweetman returned.

Mr. Thompson briefed Council on necessary repairs being made to complete the construction of the Municipal Building: electrical repairs should be made before the end of this week, the seepage problem will be rectified by the end of July, 1974.

Councilman Ralph Spencer left the Meeting at this time.

Mr. Sweetman expressed his concern with Architect Robert Makarius' lack of interest in the completion of the Municipal Building, he wants action now or Council will take action.

Mayor Hoy returned to the Meeting at this time.

Mr. Thompson advised that improvements recommended for the Elizabeth Hoy Park by the City Beautiful Commission can be paid for from the Commission's Budget. Mr. Stubbs moved that Council approve the recommendations of the City Beautiful Commission concerning improvements to the Elizabeth Hoy Park. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mrs. Lake reviewed items from Committees of MVRPC placed in Council packets. Passage of a Resolution prohibiting the sale of non-returnable bottles will be encouraged soon by MVRPC.

Mr. McQueeney announced a Meeting to be held on June 14, 1974 in reference to Light Rail Transit, to ascertain what is involved in the formula.

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Mrs. McLaughlin read a Notice of Intent to Appeal a decision made by the Planning Commission on May 28, 1974 to deny a Variance Application to permit the erection of a free standing sign for Goldman's Inc.

Mrs. McLaughlin read a letter received from the Washington Township Public Library asking for Federal Revenue Sharing Funds during the year 1974. Mr. Stubbs feels that some interest should be shown in this matter, he requested that the Acting City Manager receive more information concerning their current budget. Mayor Hoy suggested that information be received concerning their budget for the past five years.

Mrs. McLaughlin also read a letter received from the Ralph L. Woolpert Company requesting that City Council change the name of Carriage Square Drive to Carriage Trace Boulevard. As this is a dedicated street, Mayor Hoy requested that necessary legislation be prepared by the Municipal Attorney.

Mr. Sweetman sponsored Resolution Number 32-74, A Resolution Amending Resolutions 7-73 And 8-73 By Substituting The Name Of Thayer D. Thompson, Acting City Manager, For The Name Of James R. Smith, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Stone moved that Ordinance Number 52-74, An Ordinance Appointing Two Members To The City Beautiful Commission And Establishing Terms, be set for Public Hearing on June 17, 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:

Mr. Stubbs expressed his concern with problems in the Waste Collection Department, Street Department employees being utilized for Waste Collection; he suggested that this matter be discussed in the next Council Work Session. Mayor Hoy stressed the importance of salaries being paid out of proper funds. Mr. Thompson will, before the June 24, 1974 Council Work Session, have a recommendation to Council concerning operations in the Waste Collection Department, adequate rate, and the cost to the Street Department for the collection of waste.

As requested by Mrs. Lake, Mr. Bettcher will present to Council figures (receipts and disbursements) for Board and Commission activities.

Mrs. Lake advised that a representative from Paramedic in Washington Township would like to discuss with Council their program, perhaps this could be considered as a Council Work Session item.

Mrs. Lake suggested that a joint Meeting be held between the Fire Chief, City Council and the Board of Architectural Review to co-ordinate safety in the AP District in consideration of old buildings. As suggested by Mayor Hoy, Mr. Thompson will invite the Fire Chief to a Meeting to give a report to Council.

Mr. McQueeney made reference to a letter received from Marian Simmons concerning the Recycling Center. Copies will be made available for Council and the Acting City Manager.

There being no further business, the Meeting was adjourned.

Approved:


 Mayor

ATTEST:


 Clerk of Council