

Held September 9 ,

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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, September 9, 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
 City Engineer Karl Schab
 Service Director Richard Bishop
 City Planner Robert Winterhalter
 Director of Finance William Bettcher
 Chief of Police William Randolph
 Municipal Attorney Robert Farquhar

The Minutes of the Meeting of August 19, 1974 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of August 19, 1974 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Victor Green, 7715 Glenbrier Drive, as President of the Black Oak Civic Association, appeared to ask Council to hold a Work Session at which Citizens could offer suggestions concerning the proposed Zoning Ordinance amendment. He feels that all zoning should correspond with Centerville zoning and he outlined suggestions he had for the Business and Architectural Preservation Districts.

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

Mr. Schab briefed Council on the improvement to North Main Street (traffic light synchronization) from Franklin Street to Whipp Road. The only physical change will be turn lanes at the intersection of North Main Street with Whipp Road. Physical changes should be completed within six to eight weeks.

Mr. Bishop advised that a mulch pile is being created on the 35 acres of municipal land for Citizens to utilize. Dead trees and shrubs surrounding the Municipal Building will be replaced. Trucks are being equipped with snow removal equipment to be ready within plenty of time.

Mr. Winterhalter reviewed his progress with Federal Funding projects for Centerville.

Mr. Bettcher advised that all funds are being applied to the new electronic accounting machine purchased for the Finance Department.

Chief Randolph reviewed the Conference he recently attended concerning traffic safety, police training, powers and duties in management and responsibilities of a Police Chief. He advised that effective July 1, 1975 a new statute will permit a right turn on a red light unless prohibited by signs erected by a Municipality. He suggested that a study be made to determine where in the City such turns should be prohibited. Mayor Hoy requested that the Acting City Manager take this suggestion into consideration and proceed with necessary legislation.

Mr. Thompson brought Council's attention to the service organization identification signs which have been erected by the Jaycees. The City

Minutes of

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Planner has been hired on a full time basis. Mr. Thompson also advised that a Public Health Nurse will be available at the Municipal Building each Friday morning on a referral basis. A Youth Center Director has been hired, the Center should be in operation around the middle of October.

Mr. McQueeney made reference to accidents occurring on Bigger Road at Carriage Trace. He reminded Mr. Thompson that the Developer did only what he was required to do concerning the improvement of Bigger Road. He suggested that the Developer bear one half the cost of widening Bigger Road; the City Manager will further pursue this suggestion.

The Public Hearing was held concerning the Rezoning Request filed by Edward and Mary Wainscott.

Mr. Winterhalter located the property on a map and reviewed adjacent zoning. The property is located at the northeast corner of Cemetery Drive with East Franklin Street; the zoning change requested is R-2 to Centerville A-P. The Planning Commission recommended denial of this Request by a 6-1 vote; the Commission feels that the area should remain residential until uses in the A-P District are reduced.

Attorney Stanley Cohen, representing the Wainscotts, gave a slide presentation depicting the age of the home currently occupying the lot in question. The home was considered an old home in 1907, it depicts Centerville, the stone used in it's construction came from the old Centerville Stone Quarry.

Mr. Kenneth Poff, 146 East Ridgeway Road, expressed his opposition to the Rezoning, he wants no more A-P zoning surrounding his property.

Mr. Herb Seiwert, 41 Woodfield Place, feels the property in question should remain residential, he believes that the A-P District should not spread eastward.

Mr. Milt Anderson, 85 Woodfield Place, echoed Mr. Seiwert's comments.

Mr. John Cole, 65 Woodfield Place, reminded Council that though the house occupying the land is old, it could be torn down; what is being considered is the land being changed to A-P zoning.

Mrs. John Eddy, 136 East Drive, fears for additional traffic on East Franklin Street, increased traffic has been generated by the new high school.

Mr. Victor Zaidel, 27 Cameron Circle, moved to Centerville because of it's fine residential character, commercialism should not creep into the residential areas.

As questioned by Mr. Sweetman, Mr. Cohen advised that the property in question is owned by the Wainscotts, however, it will be sold.

Mr. Stone sponsored Ordinance Number 72-74, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning .605 Acres, More Or Less, From Centerville R-2 Classification To Centerville A-P Classification, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in five nays against the motion; Mr. Stone and Mr. Stubbs voted yes.

Mr. Winterhalter briefed Council on the Planning Commission Meeting held August 27, 1974. He explained a proposed amendment to the Zoning Ordinance, an Ordinance to rezone 3.603 acres located on the east side of Clio Road north of Centerville Station Road from B-2 to B-1 zone classification. The change will reflect the covenants placed upon the B-2 zoning at the time it was approved. Mr. Stubbs moved that Ordinance Number 76-74, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 3.603 Acres, More Or Less, From Centerville B-2 Classification To Centerville B-1 Classification, be set for Public Hearing on November 4, 1974. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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The Public Hearing was held concerning Ordinance Number 66-74. Mr. Winterhalter reviewed the proposed Ordinance, it requires sidewalk on both sides of all streets in residential subdivisions and along collector and thoroughfare streets as shown on the Thoroughfare Plan for Centerville and Washington Township.

Mr. Jacque Sheley, Executive Director of the Home Builders Association Of Metropolitan Dayton, Inc., stated their opposition to the Ordinance as proposed. He believes that sidewalk should be required where public exposure necessitates them, an Ordinance of this nature should have standards established, standards to apply to the Community as a whole.

Mr. McQueeney stressed the need for sidewalk on both sides of all streets in new residential areas and in old areas when needed.

Mr. Victor Green, believes the City should require sidewalk when and where needed, he does not feel that this should be a blanket requirement, each case should be judged on it's own merit.

Mr. Robert Archdeacon, 150 Davis Road, sees no justification for sidewalk on both sides of all streets in Centerville, he believes the property owner should be given a choice (whether to buy on the side of the street with sidewalk or the side without sidewalk.)

Mayor Hoy pointed out the fact that perhaps sidewalk should have been required on both sides of all streets years ago, the future of the Citizens of Centerville must be considered.

Mrs. Lake stressed the need for sidewalk on both sides of streets in residential subdivisions, they are necessary for the safety of school children.

Following further discussion, Mr. Sweetman moved that Ordinance Number 66-74, An Ordinance Amending Ordinance No. 10-1958, Ordinance No. 12-1966 And Ordinance No. 26-1974, Subdivision Regulations Of The City Of Centerville And The Unincorporated Area Of Washington Township, Montgomery County, Ohio Lying Within Three Miles Of The Corporation Limits Of Centerville, be tabled for further study, the study to be received within the next 30 days, the study to be made from the time sidewalks were required on one side of the street: how streets were laid out, problems experienced, and did they get the job done? Mr. McQueeney seconded the motion, he suggested that the study also include the name of Developers who have been ducking the sidewalk requirement during the past years. A roll call vote resulted in four ayes in favor of the motion; Mr. Spencer, Mrs. Lake and Mr. Stubbs voted no.

The Public Hearing was held concerning Ordinance Number 67-74, The proposed Ordinance was reviewed by the Municipal Attorney, it provides for an increase in Council Compensation to begin with January 1, 1976.

Mr. Harry Brown, 2017 East Centerville Station Road, stated his opposition to the Ordinance as proposed, from a financial standpoint. He is opposed to a 700% increase, to an automatic increase and to an increase not contingent upon a balanced budget. He asked Council to appoint a Committee to study the needs for Council and arrive at a reasonable amount of compensation.

Mrs. Jean Feiler, 880 Fernshire Drive, stressed the need for adequate compensation for Councilmen, she feels that compensation for Council and Washington Township Trustees should be equalized, Council must provide for future Council Members.

Mr. Victor Green, believes the increase as proposed to be extreme, it should be on a gradual basis.

Mr. Stubbs suggested that the City's financial future be determined prior to passage of this Ordinance, he is in support of the concept.

Mr. Warren Speidel, 295 Maple Avenue, stated his opposition to Ordinance Number 67-74.

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Mr. Stone sponsored Ordinance Number 67-74, An Ordinance Amending Ordinance 10-69 By Raising The Salaries Of Members Of Council Taking Office On January 1, 1976 And Thereafter, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Spencer, Mrs. Lake voted no; Mr. Stubbs abstained. Mrs. Lake expressed her disappointment in the lack of input from Citizens of Centerville relative to the amount of proposed compensation.

The Public Hearing was held concerning Ordinance Number 68-74. Mr. Stubbs sponsored Ordinance Number 68-74, An Ordinance Appointing Susan E. Wells And Donald E. Ernst To Membership On The Centerville Arts Commission And Establishing Terms, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

As recommended by the Acting City Manager, Mr. Stone moved that Section Two "1-Planning Intern, \$60.00 per week" be deleted from Ordinance Number 70-74. Mr. McQueeney seconded the motion. Mr. Farquhar advised that this deletion is a technical matter due to the hiring of the City Planner on a full time basis. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 70-74 was held. Mr. Stone sponsored Ordinance Number 70-74 as amended, An Ordinance Amending Ordinance 82-72 As Amended By Ordinances 34-74, 47-74, 57-74 And 60-74 To Establish A Table Of Organization, Personnel Classifications, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, 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.

Mayor Hoy announced the receipt of a resignation letter from Park and Recreation Board Member Ed Roberts.

Mayor Hoy made reference to the Notice of Intent to Appeal received concerning a Planning Commission decision rendered on August 27, 1974 relative to the erection of a Foto Fair building to be located on the Goldman's parking lot on Lebanon Pike.

Six letters of opposition have been received concerning the proposed Group Home at 9525 Sheehan Road.

Mr. Spencer sponsored Ordinance Number 73-74, An Emergency Ordinance Appointing Shirley Moore McGowan To Fill The Unexpired Term Of Fredrick O. Focke On The Board Of Architectural Review, 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 moved that Ordinance Number 74-74, An Ordinance Appointing Shirley Moore McGowan To Fill The Unexpired Term Of Fredrick O. Focke On The Board Of Architectural Review, be set for Public Hearing on September 23, 1974. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stone sponsored Resolution Number 55-74, A Resolution Of Appreciation For The Service Of Fredrick O. Focke As A Member Of The Board Of Architectural Review, 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. Stone moved that Ordinance Number 75-74, An Ordinance Amending Ordinance 82-72 As Amended By Ordinances 34-74, 47-74, 57-74 And 60-74 To Establish A Table Of Organization, Personnel Classifications, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on September 23, 1974. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Proposed Resolution Number 56-74, A Resolution Establishing A Special Trust Fund For Receipt Of Money Collected By Or Through The Youth Board Of The City Of Centerville And Providing For Disbursements From Said Fund, was discussed by Council. Mrs. Lake questioned whether this Special Trust Fund would be used solely for the Youth Center, the fund should be identified. Mr. Bettcher agreed that the Fund needs to be defined. Council agreed to the redrafting of the proposed Resolution.

Mr. Sweetman sponsored Resolution Number 57-74, A Resolution Appointing One Additional Delegate And Two Alternate Delegates To The Montgomery Greene County Transportation Coordinating Committee, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Bettcher explained the need for an advance of current taxes collected by the County Auditor for the City of Centerville. Mr. Stubbs sponsored Resolution Number 58-74, A Resolution Requesting An Advance Of \$45,000 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.

As the Poll of Council was taken, Mr. McQueeney moved that the often requested report from the Centerville-Washington Park District Board concerning the use of funds for Parks in their jurisdiction be forwarded to the City of Centerville. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the Meeting was adjourned.


 Mayor

ATTEST:


 Clerk of Council