

Held December 2, 1974

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CENTERVILLE CITY COUNCIL
REGULAR MEETING
DECEMBER 2, 1974

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, December 2, 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 Russell Sweetman
Ralph Spencer
Leonard Stubbs
Charles McQueeney
Clerk of Council Marilyn McLaughlin
Acting City Manager and Chief of Police William Randolph
City Engineer Karl Schab
City Planner Robert Winterhalter
Director of Finance William Bettcher
Administrative Assistant John Levermann
Municipal Attorney Robert Farquhar

The Minutes of the Meeting of November 18, 1974 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of November 18, 1974 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mayor Hoy abstained.

YOUTH BOARD APPOINTMENT

The Oath of Office was administered to Centerville Youth Board Member Richard J. Ernst by Mr. Farquhar.

ROSE ESTATES, SECTION THREE

Mr. William Gregory, 311 Roselake Drive, appeared to bring Council's attention to problems being experienced because of non-dedication of Rose Estates, Section Three; during the recent snow storm he received only delayed snow removal. Mr. Schab explained why this Section has not been accepted: there are some improvements to be made to the bridge and some concrete roadway needs replacing. Mr. Schab explained that snow will be removed from undedicated streets when the Section is 50-60 percent occupied. Mayor Hoy requested that a report be forthcoming during the next Council Meeting concerning the date the Plat was approved, the amount of the Performance Bond required and the date and amount the Bond was reduced. He also suggested that a policy be reviewed and a recommendation be forthcoming to Council concerning the dedication of streets in new subdivisions to avoid the problems as outlined by Mr. Gregory: law enforcement on streets, street maintenance, etc.

Mayor Hoy recognized Webelos, their Leaders and Assistants in the audience.

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

Mr. Schab reviewed the problem with the Ohio Bell Telephone Company manhole located at the intersection of Main and Franklin Streets; the obstruction will exist for another three to four weeks. Whipp Road widening is proceeding as scheduled.

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Mr. Randolph, in behalf of Mr. Shroyer, announced the Youth Center Open House to be held Sunday, December 8, 1974 from noon until 2:00 P.M., he invited all Citizens to attend.

Mr. Winterhalter explained progress being made concerning the widening of Whipp Road and Bigger Road. Bigger Road will be a four lane highway with a center turn lane, it is now only in the design stage, it will be constructed possibly in the late 70's.

Mr. Bettcher advised that a November financial report should be forthcoming this week.

Mr. Randolph advised that the City's application for a Siren Warning System has been approved in the amount of \$77,288.50: \$38,644.25 Federal Share, \$38,644.25 to be assumed by Centerville and Washington Township. This System will be installed prior to the tornado season, installed on street light poles.

ORDINANCE NUMBER 87-74 SUBDIVISION REGULATIONS

The Public Hearing was held concerning Ordinance Number 87-74. Mr. Farquhar explained the proposed Ordinance; it requires sidewalk on both sides of all streets in new subdivisions but includes a waiver of this provision to be granted by the Planning Commission upon proper application by the Developer and consideration for public safety. Such Planning Commission action would be subject to appeal to City Council.

Mr. Louis Lunne, 80 Woodfield Place, questioned the study made by the City Administration. Mr. Winterhalter explained his report and evidenced the need for sidewalk on both sides of all streets and the waiver provision in certain instances. Mayor Hoy pointed out the fact that this Ordinance effects only new subdivisions, it is an amendment to the Subdivision Regulations.

Mr. Jacque Sheley, 181 Pleasant Hill Drive, believes the Ordinance to be well written, it provides good power for the Planning Commission.

Mr. Sweetman sponsored Ordinance Number 87-74, An Ordinance To Amend Codified Ordinance No. 1123.01 (b) Relating To Sidewalk Requirements, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy left the Meeting at this time, Deputy Mayor J. V. Stone presided.

ORDINANCE NUMBER 89-74 ELECTRIC LIGHT

The Public Hearing was held concerning Ordinance Number 89-74. The proposed Ordinance was reviewed by Mr. Farquhar; it provides electric light on public lands and established the cost for same. Mr. Sweetman sponsored Ordinance Number 89-74, An Ordinance Fixing The Price Which The Dayton Power And Light Company, Its Successors And Assigns, May Charge For Electric Light Furnished To The Public Grounds, Streets, Lanes, Alleys And Avenues In The City Of Centerville, State Of Ohio, For A Period Of Three (3) Years, Commencing On The 29th Day Of December, 1974, And Determining The Manner In Which Said Lighting May Be Furnished, Provided And Paid For, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mrs. Lake reported on the MVRPC Meetings she and Mr. McQueeney attended on November 27, 1974.

Mr. Stone reported on the Mayor and Manager's Meeting he attended in behalf of Mayor Hoy.

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Mrs. McLaughlin reviewed recommendations made by Mayor Hoy for the Supervisory Council on Crime and Delinquency. He recommended that Deputy Mayor J. V. Stone and Police Chief William Randolph be representatives for the County Commissioners and that Deputy Mayor J. V. Stone be a representative for the Miami Valley Review Committee. Mrs. Lake moved the endorsement of the foregoing recommendations. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mr. Stone abstained.

ROSE ESTATES, SECTION SIX BOND REDUCTION

Mr. Schab explained his recommendation for Bond reduction on Rose Estates, Section Six. Concrete streets are constructed, catch basins and sidewalk remain to be installed. He recommended that the original Bond of \$94,000.00 be reduced to \$28,000.00. Mr. Sweetman moved that the Performance Bond on Rose Estates, Section Six be reduced from \$94,000.00 to \$28,000.00 as recommended by the City Engineer. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 90-74 EMPLOYEE COMPENSATION

Mr. McQueeney sponsored Ordinance Number 90-74, An Emergency Ordinance Amending Ordinance 60-74 By Eliminating The Post Of Acting City Manager From Section 3A And By Adding The Post Of City Manager To Said Section And Designating A Salary, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 91-74 EMPLOYEE COMPENSATION

Mr. Sweetman moved that Ordinance Number 91-74, An Ordinance Amending Ordinance 60-74 By Eliminating The Post Of Acting City Manager From Section 3A And By Adding The Post Of City Manager To Said Section And Designating A Salary, be set for Public Hearing on December 16, 1974. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 92-74 WASTE COLLECTION

Mr. McQueeney stated his opposition to proposed Ordinance Number 92-74, An Ordinance To Amend Codified Ordinance No. 957.03 Relating To Fees For Residential Refuse Collection. Mr. McQueeney feels there are questions unanswered relative to actual costs in the Waste Collection Department. He is opposed to considering this Ordinance at this time while Centerville is between City Managers and City Administration. He suggested that the new City Manager review all costs for this service and be given the opportunity to look into the problem. He believes the figures previously submitted to Council are not accurate.

Mr. Stubbs moved that Ordinance Number 92-74 be set for Public Hearing on December 16, 1974. Mr. Stone seconded the motion. As questioned by Mr. Stubbs, Mr. Randolph advised that one bid has been received on new equipment proposed for waste pick up. Mrs. Lake felt that a Public Hearing on December 16, 1974 is too early, she believes the public should hear a staff report on the subject. A roll call vote on the motion resulted in four nays against the motion, Mr. Stubbs and Mr. Stone voted yes. Mr. Stubbs pointed out the fact that during the Public Hearing the public views would be heard. As questioned by Mr. Stubbs, Mr. Bettcher explained the procedure for the next billing for waste collection. Mr. McQueeney reviewed costs in waste collection since 1971, some costs which he believes should not be included in the total figure. He believes a Public Hearing should not be held concerning an increase in rate when figures received have been garbled to boost the total cost for the collection service. Mr. Stone advised that this matter will be discussed during the next Council Work Session.

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RESOLUTION NUMBER 69-74 YOUTH CENTER LEASE ADDENDUM

Mr. Farquhar reviewed proposed Resolution Number 69-74; it provides for the elimination of the possibility of a subrogation recovery by an insurer. Mr. Stone sponsored Resolution Number 69-74, A Resolution Authorizing And Directing The Acting City Manager To Execute An Addendum To The Lease Previously Executed On Behalf Of The City Of Centerville With Robert B. Ferguson And Ralph G. Woodley For A Center To Be Established In The City Of Centerville For The Use Of Centerville And Washington Township, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 70-74 SALT

Mr. Sweetman sponsored Resolution Number 70-74, A Resolution Ratifying The Action Of The Acting City Manager In Accepting The Bid Of Cargill Salt Company Of Cincinnati, Ohio, To Provide Salt To The City Of Centerville, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 71-74 CERTIFYING TAX RATES

Mr. Sweetman sponsored Resolution Number 71-74, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, and moved that it be passed. Mr. Spencer 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:
Upon question by Mr. Stubbs, Mr. Randolph advised that the traffic light study is underway.

Mr. Stubbs wondered about the permissive right turn on red lights, a law recently enacted. Mr. Randolph advised that this law does not become effective until sometime in 1975. Mr. Farquhar has contacted the Drane Company for modification to the Centerville Municipal Code. The Staff is reviewing necessary changes to Centerville's traffic regulations.

As questioned by Mr. Stubbs, Mr. Randolph anticipates no Council action concerning traffic/children safety as a result of the school's new policy on busing children; new traffic changes will be promogated by the City Manager where deemed necessary in co-ordination with the school officials.

Mr. Stubbs suggested that, beginning in 1975, Council consider a policy of inviting Clergy to open the Council Meetings with a word of prayer. The Clerk of Council could schedule the Clergy on a rotating basis, so as to have all Centerville Churches represented. He moved that beginning in January, 1975, Council invite members of Centerville Clergy to open the Meetings with prayer and the Clerk so schedule these Clergy as to invite all the Clergy throughout the year on a rotating basis. Mr. Stone seconded the motion. Mrs. Lake questioned the appropriateness of asking the Clergy if they wish to do this; she suggested the Clerk write a memo to the Churches in Centerville to ascertain their desires. Mr. Sweetman expressed his concern with all denominations not being represented and the logistics involved. Mr. McQueeney feels there are logistics which must be considered. A roll call vote on the motion resulted in four nays against the motion, Mr. Stone and Mr. Stubbs voted yes. Mrs. Lake moved that the Clerk take inventory of existing denominations and Churches within Centerville corporate limits and within Washington Township and then if a denomination is missing inquire of three or four persons of that denomination if they would be interested in participating and/or to contact the Ministerial Association in the Centerville area to ascertain whether they would be interested in participating. Mr. Sweetman seconded the motion.

Minutes of

Meeting

Johnson-Watson • Dayton Blank Book--D-2585

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A roll call vote resulted in six ayes in favor of the motion.

Mr. Sweetman complimented the Street Department and the Police Department for their outstanding performance during the recent snow fall.

Mr. Sweetman expressed his displeasure with a supervisor being paid for his work on the Municipal Building, while the City is withholding money from one of his subordinates: the General Contractor; this money was paid the supervisor against the wishes of Council in consideration of a leakage problem in the lower level. Mr. Sweetman requested information as to Centerville's next course of action to get a remedy to the problem. This will be an agenda item for the December 9, 1974 Council Work Session.

Mr. Spencer stated his dissatisfaction with the report received from the Centerville-Washington Park District; he wants to see source of income by source, he wants to know what became of the revenue in specific terms, he would also like to know how the money was spent, was it spent as proposed when they asked for additional tax money, he wants also to see their specific annual report as required by the Ohio Revised Code. Mr. Spencer would like to receive this information prior to Mr. Taylor's presentation to Council. Mrs. Lake suggested that all persons be present to partake in discussion when the presentation is given by the Centerville-Washington Park District.

There being no further business, the Meeting was adjourned.

Approved:


Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of the Council