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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, July 2, 1973 at 8:00 P.M. at the Centerville High School, South Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Deputy-Mayor John McIntire presiding. Councilmen present were as follows: J. V. Stone, Charles McQueeney, Leonard Stubbs, John Davis, Russell Sweetman, City Manager James Smith, City Engineer Karl Schab, Municipal Attorney Robert Farquhar, Director of Finance William Bettcher and Clerk of Council Marilyn McLaughlin.

Mr. Sweetman moved that Mayor Paul Hoy be excused from this Meeting. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of June 4, 1973 had been distributed prior to this Meeting. Mr. McQueeney moved that the Minutes of the Meeting of June 4, 1973 as distributed, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of June 18, 1973 had been distributed prior to this Meeting. Mr. Sweetman moved that the Minutes of the Meeting of June 18, 1973 as distributed, be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Smith reviewed his City Manager's Report. The Improvement of Rahn Road has been completed, a letter has been drafted to the Singer Learning Center advising them of their cost in the project.

Mr. Smith outlined the time being lost by hauling refuse to the north Incinerator. He has contacted the City of Franklin, Centerville could dump in their Incinerator for \$6.40 per ton under a one year Contract. Mr. Davis pointed out that Council should review problems at the County Incinerator before discontinuing the use of that facility. Mr. McIntire requested that the City Manager give Council a recommendation concerning this matter after a study has been made; items considered in the study should be monies spent on the construction of the Incinerators, how financed by the people, the period of time for financing and the cost of repair, maintenance and additional equipment for the County Incinerators.

Mr. Smith advised that the City has advertised for bids to purchase 2 vehicles, one for the Electrical Inspector and one for the Assistant Service Director. Specifications have been completed for traffic signalization at Loop Road and State Route 48, East Franklin Street at the new High School, and Whipp Road at Marshall Road.

Mr. Smith explained a recommendation of the City Beautiful Commission: a split rail fence around two sides of the City Park at Edenhurst and South Main Street and conversion of the fountain into a Wishing Well. Council concurred with their recommendation.

Mr. Smith advised that equipment has been received for the Hampton Road City Park.

Mr. Smith explained that the Council of Governments is consolidating with Miami Valley Regional Planning Commission,

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membership fees will be returned less expense.

Mr. Farquhar will meet with Attorneys involved in the Clareridge Manor Apartment Complex to resolve all the existing violations.

Assistant Service Director, Ted Thompson reviewed the history of the Cable TV Subcommittee over the past one and one half years. The Committee, on May 28, 1973, approved the Final Draft for "Request for Proposal for the South of Dayton Cable Communication System", copies of this Final Draft will be available to Municipalities in approximately one week. Mr. Sweetman pointed out that the time is near for Centerville to make a final decision concerning a Cable TV Franchise. Mr. Stubbs suggested getting information to Citizens of Centerville concerning Cable TV through the Newsletter and/or a Public Hearing before a decision is made by Council. Mr. McIntire advised that the Council Committee will review this suggestion and decide how to get information to the people.

Mr. Smith advised that the City of West Carrollton has agreed to another one year Contract for the collection of the Centerville Income Tax, the Contract will include a 30 day cancellation clause to permit Centerville to phase into it's own collection service.

Mr. Davis advised that a quorum of the Planning Commission was not present for a Meeting on June 26, 1973, the Meeting has been rescheduled for July 10, 1973.

The Memorandum submitted to City Council dated June 12, 1973 from the Centerville Arts Commission was discussed. Mr. Smith advised that Police patrol as requested for July 15, 1973 will be provided, barricades will be put in place by the City, clean up will be provided on July 16, 1973, waste cans will be provided and exhibitors should be encouraged to use them. Mr. Smith will negotiate for the use of the Fire House Lawn, all other items will be provided. Mr. McIntire stressed the importance of the person in charge of the Art Exhibit being in constant contact with the City Manager and the importance of the Commission's identity being made known to the Police on patrol at the Exhibit.

Mr. McQueeney sponsored Resolution Number 19-73, A Resolution Authorizing The Centerville Arts Commission To Proceed With Plans For The Development Of A Centerville Magazine Known As "Centerville Life", and moved that it be passed. Mr. Stone seconded the motion. Mr. Sweetman wondered how much the Magazine will cost. The Commission estimates it to cost approximately \$1,000.00 for 5,000 copies. Mr. McIntire stressed the importance for the Commission to keep Council apprised of the expense as the project proceeds. Issue Number One should be available on December 1, 1973. A roll call vote resulted in six ayes in favor of the motion.

The Oath of Office was administered by Mr. Farquhar to Centerville Arts Commission Members Lawrence Pikora, Nancy Dinneen, Stephen Suchy, Chet Bauch, Robert Amos and Judith Boepple.

The recommendation concerning Perimeter Signs in the Architectural Preservation District submitted to Council by the Board of Architectural Review was reviewed. The simplicity of the logo will inable the passing motorist and pedestrians to read the signs more easily, the purpose of the signs being to identify the District. Mr. Stone moved that the Centerville

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Board of Architectural Review's recommendation concerning Perimeter Signs dated June 28, 1973 be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Council concurred that the Board should use their own judgment in choosing the color scheme for the signs.

The Public Hearing was held concerning the Conditional Use filed by The Village Delicatessen, Inc. for the retail sale of beer and wine on the west side of South Main Street.

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

Municipal Attorney Robert Farquhar explained the procedure followed in a Conditional Use Request.

Attorney Richard Sutton, identified himself as representing the Applicant Arthur Bostwich.

Mr. Paul Becker, representing the First Church of Christ Scientist, stated their opposition to this Request based on potential littering and public nuisance.

As requested by Mr. Sweetman, Mr. Smith located the use as being approximately 150 feet from the Church. The Planning Commission found the Application to be in order, meeting the zoning classification and requirements and thus recommended approval of the Request.

Mr. Stubbs was concerned with the establishment's nearness to the High School with open lunches.

Mr. Davis moved that a Zoning Permit be granted for this Use to the Village Delicatessen, Inc. Mr. McQueeney seconded the motion. As questioned by Mr. McQueeney, Mr. Farquhar reviewed the considerations which Council has concerning this type of Request. A roll call vote resulted in six nays against the motion.

The Public Hearing was held concerning Ordinance Number 27-73. The Notice of Public Hearing was read by the Clerk of Council.

Mr. Farquhar reviewed the proposed Ordinance, it provides more flexibility in the time period for the Planning Commission to take action on a Zoning Ordinance Amendment.

Mr. Davis sponsored Ordinance Number 27-73, An Ordinance Amending Section 24 Of Ordinance 15-61 Relating To Public Hearings On Proposed Amendments And Times Within Which To Take Action, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mrs. McLaughlin advised that a Notice has been received from the Ohio Department of Liquor Control of an Application by the Bonded Supply Company, 9001 Lebanon Pike, for a C1 and C2 Permit, Permits to sell 3.2 and 6% beer and wine. Mr. Farquhar reviewed the two grounds upon which the City can object: suitability of location and reputability of the applicant. Mr. Davis and Mr. Sweetman questioned the sale of beer and wine along with the sale of gasoline. Mr. Farquhar pointed out that this type of Use does require Council's approval of a Conditional Use which will follow this Application. The Company's policy was questioned by Council, there appeared to be no grounds for objection to this Application but the Company will be investigated.

Mrs. McLaughlin advised that an Appeal has been received

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from Warehouse Beer Systems Company, Inc. concerning the Planning Commission Decision rendered May 29, 1973 concerning their Conditional Use Request. A Public Hearing has been set for July 16, 1973.

A letter was read by Clerk of Council Marilyn McLaughlin addressed to Mayor and City Council from Washington Township Board of Trustees President Walter A. Buchanan. The letter outlined monies available for City projects from Washington Township Revenue Sharing monies and .7 Mill monies. The Board proposed three ways to improve liaison among local officials: a joint meeting during the week of July 23, 1973, joint meetings at least every four months, and the establishment of a Liaison Group of four persons one from each the Township, the City, School District and Park District. Mr. Stubbs expressed his appreciation for the Township's response to the City's request for information and their encouragement for joint meetings. Mr. Davis concurred with Mr. Stubbs and suggested that the City Manager make recommendations to Council as to how the extra monies can be utilized. Mr. McIntire advised that this letter will be discussed in a Council Work Session on July 9, 1973.

Mr. Smith reviewed the four bids received for uniforms for employees of the Street and Waste Collection Departments. He recommended accepting the bid of Dayton Industrial Laundry, bid price being \$2,918.40. Mr. Davis sponsored Resolution Number 20-73. A Resolution Accepting The Bid Of Dayton Industrial Laundry For The Lease Of Uniforms For The Street And Waste Collection Departments 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. Sweetman seconded the motion. Mr. Stone expressed his opposition to supplying uniforms without assurance that they will be worn and appreciated, Mr. Sweetman concurred. Mr. Smith assured Council that the uniforms will be worn. A roll call vote resulted in six ayes in favor of the motion.

Director of Finance William Bettcher advised that he has prepared a preliminary 1974 Budget, the gross figure being approximately \$925,000.00. Mr. Stone moved that the 1974 Preliminary Budget for the City of Centerville be set for Public Hearing on July 16, 1973. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

As recommended by Mr. Farquhar, Council concurred delaying the rejection of the bids on the East Franklin Street Improvement at the new High School.

Mr. Schab explained the reason for a change in the amount of the Performance Bond on Pelbrook Farm, Section Three. He recommended a change from \$65,000.00 to \$90,000.00. Mr. Sweetman moved that the Performance Bond on Pelbrook Farm, Section Three, be changed from \$65,000.00 to \$90,000.00 subject to the receipt of a letter from the City Engineer explaining in detail his recommendation. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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

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Mr. Stubbs suggested that Mr. Thompson consider arranging a family picnic for all City employees, Council concurred.

Mr. Davis advised that the Miami Valley Regional Planning Commission has offered one of their Members to discuss with Council the Housing Dispersal Plan. Mr. McIntire suggested that such invitation be extended to MVRPC for the Council Work Session on July 9, 1973.

Mr. Sweetman wondered whether the parking of miscellaneous vehicles upon Commercial Parking Lots, parking on perhaps a rented space, could be a violation. Mr. Farquhar advised that, depending upon the particular case, it could be a violation to the Zoning Ordinance.

Mr. Sweetman questioned the storage of wrecked and damaged vehicles and the screening of same. Mr. Smith will give a full report on this matter at the next Council Work Session.

Mr. Sweetman asked for some consideration to the cleaning of the north side in front of residences on East Franklin Street at the construction of the new High School.

Mr. Sweetman requested that the Ordinance requiring a "Mud Run Off" area and the parking of trucks on construction sites be placed on the agenda for the Work Session, close to the top, on July 9, 1973. He requested that traffic control signs be enforced. He also requested that signs be removed immediately after an event has taken place, and he opposed so many lead in real estate signs for one sale.

Mr. Stone pointed out a potential traffic hazard existing on south bound North Main Street, two lanes emerge into one. Mr. Smith will provide additional directional signs at this location.

Mr. Stubbs pointed out another traffic problem on south bound North Main Street for left turn traffic into the Bill Knapps Restaurant.

There being no further business, the Meeting was adjourned.



Mayor

ATTEST:



Clerk of Council