

Held January 3

1972

REGULAR MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, January 3, 1972 at the Centerville Municipal Building, at 8:00 P.M. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Councilmen present were as follows: Russell Sweetman, Charles McQueeney, J. V. Stone, Leonard Stubbs, John Davis, John McIntire, City Manager James Smith, Municipal Attorney Robert Farquhar, City Engineer Carl Lewis, and Clerk of Council Marilyn McLaughlin.

Mr. Farquhar administered the Oath of Office to Councilmen elect Russell Sweetman, Leonard Stubbs and Charles McQueeney.

Mr. Glen Aidt, President of the Centerville-Washington Township Jaycees, appeared before Council to ask Mayor Hoy to proclaim January 16 through 22 as Jaycee week in Centerville. He requested the Mayor's and City Manager's approval of a bike way as soon as possible after it has been submitted for the Centerville area.

Mr. Bernard Schramm, President of the Village South Civic Association, presented to Council a chronology of events concerning the Village South Drainage Problem, he reviewed various newspaper clippings. He also presented to Council a demand on behalf of the Civic Association requesting the following four actions be taken no later than March 1, 1972:

1. Buffer Strip - A permanent solution be worked out to prevent further desecration of this natural area.
2. Drainage - Determine whether present drainage plan is adequate for future development in area and it be immediately complied with in all details.
3. City Debts - Immediate, positive action be taken to collect those debts due from damage to the City storm system.
4. Criminal Proceedings - The City to proceed with prosecution of violations of the Building Code by the J. S. Davis Company and others.

Mr. Smith reviewed the condition of the drainage ditch behind Voss Chevrolet prior to and after the recent heavy rain fall. The Construction Company had been advised to clean the ditch running east and west behind the building. They will receive another notice to clean the ditch on January 4, 1972 and if the notice is not complied within 5 days a stop order will be issued.

Mr. Richard Currence, 351 Whittington Drive, presented to Council pictures revealing the water drainage and damage on his property in the rear yard.

Mr. John Stoffer, 241 South Village Drive, explained the mud and silt flowing upon his property from the ditch continuing down the hill.

Mr. Kenneth Hahn, 311 South Village Drive, questioned what steps have been taken to follow up on Countryside Nursery's recommendation concerning the buffer strip. Mr. Smith pointed out that Countryside was not hired by the City of Centerville.

Mr. Sweetman moved that the City institute an action for damages and an action to injoin the precipitating of mud on City property, the streets and the storm sewer system by the J. S. Davis Company and the M. & S. Construction Company and move the stop work order back to a 48 hour period from this evening and hand deliver this notice on January 4, 1972. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Farquhar advised that this suite can be instituted within a week.

Mr. Dale Flaherty, 6410 Colchester Court, wondered whether the damages in the suite will include the engineering cost of the Ralph L. Woolpert Company for the preparation of the drainage plan. Mr. Farquhar explained why this cost cannot be included since this took place at a time when the City was without an Engineer.

RECORD OF PROCEEDINGS

Minutes of

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held January 3, 1972 continued

19

Mayor Hoy advised that Council will take each of the four requested actions outlined by the Civic Association into review and will take some action on each of them within the next few weeks. This matter will be pursued until satisfaction is reached by the City and Village South residents.

Mr. Thomas Miller, 254 Bellingham Drive, expressed resident's in Concept concern relative to the proposed 236 housing development proposed to be constructed on the east side of State Route 48 north of the Kroger Store. Mr. Smith explained that this land is zoned EC permitting apartments, the Preliminary Plan being approved in 1968. When all requirements for construction are met the Zoning Certificate will be issued. Mr. McIntire pointed out that this Zoning was established in 1961 and the Zoning is not a function of the present Council. Mr. Sweetman explained that construction must be according to building code regulations. Mr. Miller suggested that Council rezone this land to prevent the construction of apartments. Mr. McIntire explained how a citizen can put to a vote of the people any Ordinance by his own initiative.

Mr. Bernard Schramm suggested that Council exercise citizen's feelings and rezone all land presently zoned for apartments.

The Public Hearing was held concerning Ordinance Number 93-71. Mr. Farquhar reviewed the proposed Ordinance, An Ordinance Authorizing And Directing The City Manager To Enter Into An Agreement With Eugene R. Romer On Behalf Of The City Of Centerville To Provide Animal Warden Services To Said City And Accepting The Terms Of Said Agreement. Mr. Romer requested that the monthly fee of \$90.00 be changed to \$100.00. Because this was a substantial change in the Ordinance, Council concurred to postpone passage of this Ordinance and consider it's revision at the next Council Meeting.

The Public Hearing concerning Ordinance Number 90-71, was held. Mr. Smith reviewed the various funds and explained differences. Mr. Davis sponsored Ordinance Number 90-71, An Ordinance To Amend Ordinance 52-71 To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1971, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Smith reviewed Resolution Number 1-72. He advised that the delivery should be made within four to six weeks. Mr. McIntire sponsored Resolution Number 1-72, A Resolution Accepting The Bid Of International Harvester Company To Supply The City of Centerville, Ohio With One Three Quarter Ton Capacity Pick-Up Truck, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Smith reviewed Resolution Number 2-72, this would accept the bid from Stenger's Ford for one 1972 model patrol car which will correspond colorwise with the present cruisers. Mr. Sweetman sponsored Resolution Number 2-72, A Resolution Accepting The Bid Of Stenger's Ford, Inc. To Supply The City of Centerville, Ohio With A Police Patrol Vehicle, 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 read the following Mayor's Report for the month of December 1971:

Mayor's Court	
Fines and Forfeitures	\$ 1,278.00
Costs	420.00
Total	\$ 1,698.00

Held

January 3, 1972 continued

19

Zoning Permits:

- 9 One family residences
- 1 Addition to residence
- 3 T. V. Flowers
- 7 Signs
- 1 Commercial Building
- 1 Addition to Commercial

Mr. Davis moved that the Mayor's Report as read, be accepted. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mayor Hoy abstained.

Mayor Hoy advised that his recommendation concerning reorganization of Council Committees will be forthcoming at the next Council Meeting.

City Manager James Smith advised that the grant of easement to the City of Centerville for the crossing of Rahn Road appears to be in order. Mr. McIntire moved that the City purchase that portion of railroad right of way as defined in the Deed by Penn Central and is in accordance with the Contract which has been adopted by Ordinance. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stubbs suggested that Council consider some action concerning the parking problem on Virginia Avenue. Mr. Smith explained his meeting with Carl Adams, Principal of the High School, at which time Mr. Adams explained how all vacant school land is currently being used, leaving no room for school parking facilities. Mr. Smith will pursue prohibiting parking for a distance of approximately five feet from each side of all driveways on Virginia Avenue. Mr. Stone suggested that such information be published in the School newspaper.

Mr. Stone sponsored Resolution Number 3-72, A Resolution Of Appreciation For John A. Zengel, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman sponsored Resolution Number 4-72, A Resolution Of Appreciation For Victor A. Green, 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. Farquhar reviewed proposed Ordinance Number 1-72. Mr. McIntire sponsored Ordinance Number 1-72, An Emergency Ordinance Appointing The City Manager As The Administrative Official Charged With Administering And Enforcing The Building Code, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. McIntire moved that Ordinance Number 2-72, An Ordinance Appointing The City Manager As The Administrative Official Charged With Administering And Enforcing The Building Code, be set for Public Hearing on January 17, 1972. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

City Manager James Smith reviewed proposed Ordinance Number 3-72, he explained the appropriations in the various funds for the first three months of 1972. Mr. Sweetman sponsored Ordinance Number 3-72, An Emergency Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During One Quarter Of The Fiscal Year Ending March 31, 1972, and moved that it be passed. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RECORD OF PROCEEDINGS

351

Minutes of

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held

January 3, 1972 continued

19

Mr. Davis moved that Ordinance Number 4-72, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During One Quarter Of The Fiscal Year Ending March 31, 1972, be set for Public Hearing on January 17, 1972. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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

Mr. Sweetman passed on a citizen's suggestion concerning the erosion problem on Loop Road, that being to create a compost pile from Christmas Trees being piled at the slope of the hill.

Mr. McIntire introduced Mr. Jeff Nye, an employee of Ohio Bell Telephone Company, who covers local and governmental affairs.

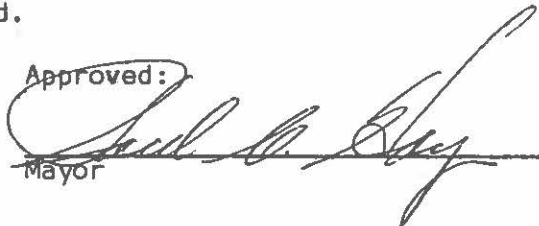
Mr. Stubbs wondered when the suggestions made at a prior Council Work Session will be considered. Mr. Stone advised, hopefully in the 1972 Budget.

Mr. McIntire suggested that a finding be made as to what can be done and what can't be done to clean the drainage ditch in Village South.

Mr. Stubbs wondered if Council should endorse Mr. Charles Simm's letter in support of a study being made as to whether public transit should be Dart or Bus. Mr. McIntire would like to see what Mr. Simms says officially before consideration is given to Mr. Stubb's suggestion. Mayor Hoy suggested inviting Mr. Simms and Mr. Jensen to discuss this matter at the next Council Meeting. Mr. Smith will extend such an invitation.

The Meeting was then adjourned.

Approved:


Mayor

ATTEST:


Clerk of Council