

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held

April 20,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session, Monday, April 20, 1970 at 7:30 P.M. at the Municipal Building, with Mayor Paul Hoy presiding. Councilmen present were as follows: Harold Wells, John Davis, Victor Green, City Manager John Griffin, City Engineer Frank Williams, Municipal Attorney Robert Farquhar, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of April 6, 1970 had been distributed prior to this Meeting. Mr. Wells moved that the Minutes of the Meeting of April 6, 1970 as distributed, be approved. Mr. Green seconded the motion. A roll call vote resulted in three ayes in favor of the motion. Mr. Davis abstained.

Councilmen J.V. Stone and John Zengel entered the Meeting at this time.

Mr. Wells reported for the Planning Commission. He reviewed the revised Curb Cut proposal for Main Auto Parts on the west side of North Main Street. The single Curb Cut has been moved to the center of the property. The Planning Commission agreed with the Curb Cut as shown with the provision that the existing Curb Cut on the southern edge of the property be eliminated. Mr. Wells moved that Curb Cut C-2-70 for Main Auto Parts and Glass Company, as approved by the Planning Commission on April 15, 1970, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The proposed Curb Cut location for Bill Knapp Restaurant on Far Hills Avenue and the anticipated traffic problem was discussed. Hopefully the Planning Commission will have before them at their next Meeting a revised plan for this proposal.

Mr. Wells advised that the Planning Commission is nearing completion on a revision of the Contingent Use requirements in the Zoning Ordinance.

Council received an Interim Master Plan for Parks and Schools prepared by the Joint Planning Committee for Centerville and Washington Township. The plan has been approved by both the Centerville-Washington Park District and the Centerville City Board of Education. Mayor Hoy requested that the Planning Commission review this Plan and make a recommendation to Council prior to Council action.

City Manager John Griffin advised that a Petition has been received from property owners on East Whipp Road requesting improvements of East Whipp Road by the installation of a storm sewer facility. Council requested that Engineer Frank Williams proceed with an investigation into this matter.

Clerk of Council Marilyn McLaughlin advised that a Petition has been received appealing Planning Commission's decision concerning the Application for a Conditional Use by Senate Builders, Inc. A Public Hearing has been set for May 18, 1970 at 7:30 P.M.

John Griffin gave his City Manager's Report. He reviewed the Motor Vehicle License Registration investigation in Columbus. Found were 466 car, 12 trailer, 6 motor cycle and 16 truck registrations which should have been in Centerville. Centerville should receive approximately \$4,912.00 additional revenue as a result of this investigation.

Mr. Griffin outlined the Summer Recreation Program and advised that it is ready to begin. A fee of \$10.00 for eight sessions will be charged for the Recreation Program and \$12.00 for eight Tennis Lessons will also be required. The bookkeeping will be done by the City, and the City's Recreation inventory will be utilized. Mayor Hoy moved that Council accept the City Manager's proposal for a Recreation Program for the summer of 1970 as outlined. Mr. Wells seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Griffin advised that the Dayton Power and Light Company wants to upgrade the existing 11,000 lumen lamp at the Shell Service Station at Main and Franklin to 21,000 lumens and change the 11,000 lumens to 21,000 lumens which

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is to be installed at Centerville Pharmacy. The increase in cost would be from \$40.00 to \$70.00 per lamp. Discussion followed. Mr. Wells moved that two 11,000 lumen lamps be installed at the corner of Routes 48 and 725 (Main and Franklin). Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mayor Hoy abstained.

The Public Hearing concerning Ordinance Number 24-70 was held. Mr. Wells sponsored Ordinance Number 24-70, An Ordinance Authorizing The City To Cooperate With The Director of Highways In The Improvement Of The Surface Of State Route 48 Within The City; Appropriating The Funds For Said Improvement; Authorizing The City Manager To Enter Into Maintenance And Parking Agreements And Special Contractual Obligations; Providing For Traffic Control, Right Of Way, ^{Utility} Rearrangement And Saving The State Of Ohio Harmless of Damages; And Repealing Ordinance Number 21-70, and moved that it be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Stone sponsored Resolution Number 4-70, A Resolution Specifying June 23, 1970 As The Date For Submitting To The Electors Of The City Of Centerville For Their Approval The Levying Of A Tax On Income At A Rate In Excess Of 1% Directing The Board Of Montgomery County To Conduct A Special Election, and moved that it be adopted. Mr. Davis seconded the motion.

WHEREAS, Ordinance No. 14-70, passed by the City Council of Centerville concurrently with the adoption of this Resolution, provides for the levying of a tax on income at the rate of one and one-quarter per cent (1.25%) beginning August 1, 1970, and continuing thereafter until December 31, 1976; and

WHEREAS, Section 718.01, Revised Code of Ohio, requires that such an income tax in excess of one per cent (1%) shall not be levied without first having been approved by fifty-five per cent (55%) of the electors voting on the question at a special election; and

WHEREAS, a special election will be held in the City of Centerville on June 23, 1970, at which time said ordinance may be submitted to the electors for their approval as required by said Section 718.01, Revised Code of Ohio; and

WHEREAS, it is necessary that this resolution take effect at an early date in order to meet the requirements of law for said ordinance to the electors for their approval as aforesaid, and in order to provide for the immediate preservation of the public peace, property, health and safety; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CENTERVILLE:

Section 1. That June 23, 1970, be and it hereby is, specified as the date of the special election to be held to submit to the electors for their approval Ordinance No. 14-70 levying a tax on income at the rate of one and one-quarter per cent (1.25%) beginning August 1, 1970 and continuing thereafter, until December 31, 1976.

Section 2. That the Board of Elections of Montgomery County be, and it hereby is, directed to conduct the special election as specified in Section 1 of this Resolution.

Section 3. That the ballot for said special election specified in Section 1 of this Resolution shall be in the following form:

"Shall the Ordinance providing for a one and one-quarter per cent (1.25%) levy on income beginning August 1, 1970 and continuing thereafter until December 31, 1976 for the purpose of providing funds for purposes of general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities, and capital improvements of The City of Centerville be passed?"

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FOR THE INCOME TAX
AGAINST THE INCOME TAX

Section 4. That the Clerk of the Council be, and she hereby is authorized and directed forthwith to file a certified copy of this resolution together with a certified copy of said Ordinance No. 14-70 with the Board of Elections of Montgomery County.

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

Mr. Wells explained Ordinance Number 28-70: An Ordinance Amending Ordinance Number 15-61, The Village Of Centerville, Ohio, Known As The "Zoning Ordinance Of Centerville, Ohio, 1961", and reviewed the changes proposed through this Ordinance. Mr. Wells sponsored Ordinance Number 28-70, and moved that it be published as required by law and a Public Hearing be set for June 15, 1970. Mr. Davis seconded the motion. As recommended by Municipal Attorney Robert Farquhar the following sentence was added to Section 2.A "All procedures set forth in this Ordinance shall apply to all annexed areas in lieu of the procedures existing in said areas at the time of annexation." A roll call vote resulted in six ayes in favor of the motion.

Mr. Griffin explained the 911 Emergency System proposed for our area. A large portion of the cost would be subsidized by the Federal Government through their Law Enforcement Planning Program. For the first year the cost to Municipalities could be .19 per capita. Mr. Griffin asked for action by Council by May 8, 1970. Mayor Hoy advised that this item will be on the agenda for the Council Meeting on May 4.

Mr. Wells advised that the Planning Commission, if Council desires, will set a Public Hearing date before the Commission for An Ordinance To Amend And Supplement Ordinance Number 15-61, The Village Of Centerville, Ohio To Establish Historic Preservation Districts And An Historic Preservation Commission. Mayor Hoy moved that the Planning Commission establish a Public Hearing sometime in the future to consider an Ordinance to establish Historic Preservation Districts. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Hoy left the Meeting at this time; Deputy-Mayor John Davis presided.

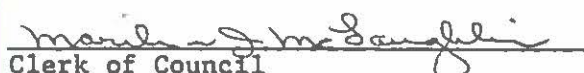
The proposed investigation into the D.P. & L. Gas Rate Increase was discussed by Council. Mr. Griffin advised that this is an investigation outside the P.U.C.O. and was initiated by the City of Oakwood. Mr. Green advised that this is a service which the Center City should function for the suburban communities. After further discussion Mr. Wells moved that the following Resolution, Resolution Number 5-70, be adopted, "The City of Centerville supports the principle of the investigation being conducted by the City of Dayton, the City of Kettering, and the City of Oakwood into the Dayton Power and Light Gas Rate Increase." Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Meeting was then adjourned.

Approved:


Mayor

Attest:


Clerk of Council