

Held

July 13, 1970

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session, Monday, July 13, 1970 at 7:30 P.M. at the Municipal Building with Deputy-Mayor John Davis presiding. Councilmen present were as follows: John Zengel, Victor Green, John McIntire, Harold Wells, City Manager John Griffen, City Engineer Frank Williams, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

John Murray, Paul Brown, and Tedd Boomershine, residents of Normandy Lane immediately west of the Terrace Villa Plat, appeared to make Council aware of the surface water drainage onto their property from Terrace Villa. City Manager John Griffen reviewed Council's previous action in approving the Record Plan for Terrace Villa and explained the condition as it presently exists. Engineer Frank Williams advised that Bob Archdeacon, with the Ralph Woolpert Company, has stated that he will determine a solution to the problem. Mr. McIntire recommended that the City Engineer, Tedd Boomershine, and Bob Archdeacon work together to determine a solution to the problem and who is the responsible party and submit such report at the next Regular Council Meeting.

Mr. E. Barton Bell, 214 West Ridgeway Road, wondered where the access lies for the four acres being donated to the City in the Terrace Villa Plat and what is the general plan of utilization of such land. Mr. Griffen explained the access and advised there are no utilization plans at the present time.

Clerk of Council Marilyn McLaughlin advised that a Notice of Application has been received from the Ohio Department of Liquor Control for C-1 permits; applicant being Warehouse Beer Systems Company, Inc., 173 North Main Street. Said permits would allow the sale of 3,2 and 6% beet and wine. Council agreed to hold this notice until August 3, 1970.

Mrs. McLaughlin also read a letter received from Jacqueline Mundell, 109 Lyons Drive, in which she made suggestions for better communications between Council and the citizens of Centerville, and commented on the apparent lack of community feelings as indicated in the recent election. Mr. Davis recommended that Council consider posting a newsletter semi-monthly or monthly in various businesses throughout the City listing the agenda for future Council Meetings and containing a synopsis of the important items considered at the previous Council Meeting. Mrs. Mundell offered her help in making such publicity possible.

The Public Hearing concerning the proposed Budget for the City of Centerville for the next succeeding fiscal year ending December 31, 1971, was held. Mr. Griffen reviewed the proposed budget. Various questions and answers followed.

Mr. Elmer Tate, 5513 Knollcrest Court, asked for a comparison of the estimated total receipts for 1971 with that of 1970. Mr. Griffen made such comparison.

Director of Finance Ronald Budzik explained Local Government and Inheritance Tax. He advised that figures for these two funds are only a projection, receipts in other funds are pretty well established.

Mr. E. Barton Bell asked for an explanation of the Police Fund as listed on the projected expense sheet. Mr. Griffen advised that this contains receipts from the <sup>two</sup> mill Police Levies that were passed by the electors in previous years; however, one is up for renewal this year.

Mr. Everett Lake, 1470 Black Oak Drive, asked for a comparison of the expenses for 1969, 1970, and 1971. He wondered why street items were in the General Fund and also in their own fund, and questioned personnel benefits. Mr. Griffen explained personnel benefits and previous years expenditures. Mr. McIntire explained why street items are listed in two funds.

Mr. Ronald Stein, 285 Linden Drive, questioned what services Centerville receives from the Montgomery County Board of Health. Mr. Griffen reviewed a letter he received from Dr. Vogel summarizing the services they provide. Mr. McIntire related that by law we are required to contract for health services or provide our own.

Mr. Frank Kidwell questioned appropriating money for Building Inspection. Mr. Griffen reviewed estimated receipts and expenditures in this fund. This fund is self supporting.

Mr. Green and Mr. Davis complimented City Manager John Griffen on his method of presenting the Budget for 1971.

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Mr. Stanley Weissman, 337 Pleasant Hill Drive, stressed the importance of Council's responsibility to represent the citizens of Centerville on the County, State, and Federal level, to reveal what occurring actions are a benefit to Centerville and see that Centerville receives it's fair share in any financial projects.

The Public Hearing on Ordinance Number 30-70 was held. Mr. Griffin explained the proposed tax; this Ordinance would levy a 1.00% Income Tax on the people who work and earn a profit in Centerville. It would become effective September 1, 1970 and continue until December 31, 1976. Hopefully the City would receive approximately \$16,000.00 for the remainder of 1970.

Mr. James Hussey, 77 Peach Grove Avenue, wondered what it would cost to collect this tax. Mr. Griffin advised that the City of Dayton would charge 6% and West Carrollton 4%.

Mr. Tedd Boomershine, 7546 Normandy Lane, wondered why Council did not, by Ordinance, enact such an Income Tax some time ago. Mr. Davis advised that Council wanted a complete program to present to the electors and this had just been completed. The loss of the Washington Township Police Contract made this tax more of a necessity at the present time.

City Manager John Griffin reviewed projected expenditures for 1971 and emphasized the need for the Income Tax. He advised that money will have to be spent on priorities.

Mr. Stanley Weissman suggested that a complete program containing the estimated Income Tax receipts be presented at the Council Meeting in late August.

Mr. Frank Kidwell felt that recreation facilities for the youth should be on the list of top priorities. Mr. Griffin agreed that some money should be allocated for the youth.

Mrs. Sue Castiglione, 50 Gracewood Drive, felt that at the present time, Centerville is doing nothing for the youth in the City.

Mr. Davis explained that if the 1.00% and the .25% Income Tax is passed now and in November the program as previously presented prior to the June 23 election would be pursued.

Mr. E. Barton Bell did not see a need for the proposed Income Tax. He felt Centerville should adjust to live within the funds presently being received. He saw no need for money to be spent on recreation, but felt that Council should investigate recreation as provided by other agencies. Mr. McIntire clarified the fact that in the previous program a youth program not a recreation program was contained. Mr. Bell felt it presumptuous for Council to institute a part of this tax, since the whole package was turned down by the voters in June.

Mr. Everett Lake presented his comments on the proposed 1.00% Income Tax for Council's consideration: 1. Added taxes do not necessarily point to progress, 2. The budget has not been fully outlined for the citizens of Centerville, 3. Citizens should be made aware that these are needs not wants, and 4. That Council re-present the facts stronger prior to the November election.

Mr. Zengel explained that the recent small vote concerning the 1.25% Income Tax did not represent the attitude of the majority of the residents of Centerville.

Mr. Jim Ripper, a Township resident who works in Centerville, offered his support for the Income Tax.

Mr. Elmer Tate strongly supported Centerville's form of government and the proposed Income Tax.

Mr. James Hussey suggested mailing or distributing a flyer explaining why Council has passed this 1.00% Income Tax.

The Public Hearing concerning Ordinance Number 31-70 was held. This Ordinance would levy a .25% Income Tax in addition to the 1.00% and would become effective January 1, 1971 and continue until December 31, 1976, if approved by the electors in November.

Mr. Wells advised that if this Ordinance is passed Council would tend to revert back to their previous program.

Mr. Green reviewed his reasoning for resubmitting the .25% Income Tax to the electors in November.

Mr. Everett Lake wondered why Council is not asking for .50% instead of the .25% Tax. Mr. Davis advised that Council felt that .25% was more in liking to the citizens of Centerville.

Mr. E. Barton Bell asked why Council does not put the full 1.25% before

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the electors in November. Mr. Wells advised that in this way the voters will have a better chance to indicate their desires.

Mr. Everett Lake advised that if the Tax is necessary he will support Council.

Mr. Wells sponsored Ordinance Number 30-70, An Ordinance Levying A Tax To Provide Funds For The Purpose Of General Municipal Operations, Maintenance, New Equipment, Extension And Enlargement Of Municipal Services And Facilities, And Capital Improvements On All Salaries, Wages, Commissions And Other Compensation Earned By Residents Of The City Of Centerville; On All Salaries, Wages, Commissions And Other Compensation Earned By Non-Residents Of The City Of Centerville For Work Done Or Services Performed Or Rendered In The City Of Centerville; On The Net Profits Earned On All Businesses, Professions Or Other Activities Conducted By Residents Of The City Of Centerville; On The Net Profits Earned On All Businesses, Professions Or Other Activities Conducted In The City Of Centerville By Non-Residents; And On The Net Profits Earned By All Corporations Doing Business In The City Of Centerville As The Result Of Work Done Or Services Performed Or Rendered In The City Of Centerville; Requiring The Filing Of Returns And Furnishing Of Information By Employers And All Those Subject To Said Tax; Imposing On Employers The Duty Of Collecting The Tax At The Source And Paying The Same To The City Of Centerville; Providing For The Administration, Collection And Enforcement Of Said Tax; Declaring Violation Thereof To Be A Misdemeanor And Imposing Penalties Therefor, and moved that it be adopted. Mr. Green seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Green moved that Council adopt the proposed Budget for the fiscal year ending December 31, 1971, as submitted. Mr. Zengel seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Wells sponsored Ordinance Number 31-70, An Ordinance Levying A Tax To Provide Funds For The Purposes Of General Municipal Operations, Maintenance, New Equipment, Extension And Enlargement Of Municipal Services And Facilities And Capital Improvements On All Salaries, Wages, Commissions And Other Compensation Earned By Residents Of The City Of Centerville; On All Salaries, Wages, Commissions And Other Compensation Earned By Non-Residents Of The City Of Centerville For Work Done Or Services Performed Or Rendered In The City Of Centerville; On The Net Profits Earned On All Businesses, Professions Or Other Activities Conducted By Residents Of The City Of Centerville; On The Net Profits Earned On All Businesses, Professions Or Other Activities Conducted In The City Of Centerville By Non-Residents; And On The Net Profits Earned By All Corporations Doing Business In The City Of Centerville As The Result Of Work Done Or Services Performed Or Rendered In The City Of Centerville; Requiring The Filing Of Returns And Furnishing Of Information By Employers And All Those Subject To Said Tax; Imposing On Employers The Duty Of Collecting The Tax At The Source And Paying The Same To The City Of Centerville; Providing For The Administration, Collection And Enforcement Of Said Tax; Declaring Violation Thereof To Be A Misdemeanor And Imposing Penalties Therefor, and moved that it be approved. Mr. Zengel seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Green sponsored Resolution Number 12-70, A Resolution Specifying November 3, 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. Wells seconded the motion.

WHEREAS, Ordinance No. 31-70, 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 twenty-five hundredths of one percent which is in addition to an existing tax on income at the rate of one percent beginning January 1, 1971, 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 a majority of the electors voting on the question at a general election; and

WHEREAS, a general election will be held in the City of Centerville on November 3, 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

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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 November 3, 1970, be, and it hereby is, specified as the date of the general election to be held to submit to the electors for their approval Ordinance No. 31-70 levying a tax on income at the rate of twenty-five hundreds of one percent in addition to the existing one percent beginning January 1, 1971 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 twenty-five hundreds of one percent in addition to the existing one percent tax levy on income beginning January 1, 1971 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?"

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. 31-70 with the Board of Elections of Montgomery County. A roll call vote resulted in five ayes in favor of the motion.

Council discussed an amendment to Ordinance Number 2-70 and 7-70 establishing a table of organization, personnel classifications, rates of pay and regulations for employees of the City. An Ordinance will be drafted and presented at the next Council Meeting.

Mr. Green requested that the City Manager review Centerville's Trash Collection situation and determine a future course of action. Mr. Griffin advised that he has met with the Attorney for the collector; the following items were discussed:

1. The collector will provide an answering service.
2. The open trucks being used for pick up.
3. Types of containers for storage.
4. Notice of collection-time and date.
5. Adjustment of bills.
6. Behavior of employees.

Another meeting is being scheduled between Mr. Griffin and the collector's Attorney.

Mr. Griffin advised that Legal Counsel for the Edward J. DeBartolo Corporation has advised that they will widen Alexandersville-Bellbrook Road one lane.

The Meeting was then adjourned.

Approved:

  
Mayor

Attest:

  
Clerk of Council