

Mr. McIntire reported for the Street Committee. He reported on a road check on Westpark Road. A letter to Frank Williams from Cornell Homes was read which requested a release of bond on work on Westpark Road. Engineer Frank Williams reported shoddy work in the construction of street curbs with pictures being presented to Council illustrating this fact. He recommended that a bond of \$20,000.00 be set to cover this work. The Street Committee unanimously recommended not to accept this street. Mr. McIntire stated that Mr. Robert Miller would be contacted for any necessary repairs which may be necessary.

Mr. McIntire reported the following street cuts:

- 67-17 Schott Plumbing Inc.
- 67-18 Dayton Power & Light Company
- 67-19 Earl D. Creager, Inc.

\$60.00 in street permits and a \$100.00 deposit was presented to the Clerk-Treasurer.

Solicitor Fred Young gave the following reports on various questions:

1. The Village does not have the authority to expend money to the Pied Pipers Theater Group and cannot donate money to any organization for any purpose.
2. The Village can create a Recreation Board and operate its own playground under Section 755.14 of the Ohio Revised Code.
3. That, in his opinion, under the circumstances which occurred, the Ordinance passed by Council rezoning the Davis Tract at the 10:00 P.M. meeting of August 28, 1967 was legal and proper.

The meeting was then adjourned.

Approved:

  
Mayor

Attest:

  
Clerk-Treasurer

#### REGULAR MEETING

The Council of the Village of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, October 2, 1967 at 7:30 P.M. at the Municipal Building with President of Council, K. C. McClellan, presiding. Councilmen present were: John Davis, Don Lyons, John McIntire, Richard Miller, Harold Berry, Engineer Frank Williams, Solicitor Fred Young, and Clerk-Treasurer Ronald Budzik.

The minutes of the previous meeting had been distributed prior to this meeting. Mr. Davis moved that the minutes of the meeting of September 11,

1967 as previously distributed be approved. Mr. Miller seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Berry abstained.

Mr. Lyons presented the Planning Board Report. Mr. Lyons reported on a Request for Rezoning by Mr. Frank L. Smith on 40 acres at the North East Corner of Clyo Road and Franklin Street. The request considered rezoning of this land from R-3, R-2, & R-1, to I-1 and B-2.

The Planning Board felt that since the development would be adjacent to residential property; and since not enough land was available for the development; and since a measure of control over the developer would be lost once the land was rezoned, the request was denied.

Mr. Lyons moved that the request for rezoning of 40 acres more or less on the North East Corner of Franklin Street and Clyo Road from R-2 and R-1 to B-2 and I-1 be denied. Mr. Berry seconded the motion.

Solicitor Fred Young thought that in the face of recent legal experience, this action should be sent back to the Planning Board so that the necessary Ordinance pertaining to the rezoning would be on hand at the time the Planning Board discussed this matter. Council agreed. Mr. Lyons withdrew his original motion.

Mr. McClellan read the following Mayor's Report:

Zoning Permits	\$1,405.00
21 1 family residences	
4 Additions to residences	
1 Apartment project	
1 Commercial	
1 Addition to church	
2 Signs	
Zoning Ordinance Book	10.00
Variance Application	20.00
Copies of Official Documents	38.20
Court	525.00
Kettering Court	65.00
Accident Reports	43.00
Assembly Room Rental	11.00
Total	<u>\$2,117.20</u>

Mr. Davis moved that the Mayor's Report as read be approved. Mr. Miller seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Davis reported for the Finance Committee. Mr. Davis moved that vouchers 757 - 842 as previously approved by the Finance Committee be paid. Mr. McIntire seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Berry reported for the Safety Committee. He stated that a meeting was held to consider the one-mill levy which is necessary and important to the Village. He noted that literature is available on the subject.

Mr. McIntire reported for the Street Committee.



Mr. McIntire moved that the Village of Centerville employ Arthur Gessner retroactive to September 15, 1967 at \$2.50 per hour. Mr. Miller seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. McIntire reported the following street cuts:

			Deposit
#67-20	T. R. Price Construction Company	\$20.00 Permit	\$100.00
#67-21	Zengel Builders, Inc.	20.00	100.00
367-22	Dayton Power & Light Company	20.00	<u>Surety</u>
		<u>\$60.00</u>	<u>\$200.00</u>

Checks totaling \$260.00 were presented to the Clerk-Treasurer.

Mr. McIntire read a letter from Engineer Frank Williams which recommended that the deposits made under street cut permits #66-16, 17, 18, and 19 be returned.

Mr. McIntire reported that work in Pleasant Hill Section 11 and 12 were completed. He and Engineer Frank Williams recommended that the Performance Bond be released and that Maintenance Bond of \$1500.00 on Section 11 and \$1000.00 on Section 12 be obtained.

Mr. McIntire moved that the Village of Centerville accept the streets in Pleasant Hill Sections 11 and 12 as described in Frank Williams letter, pending receipt of Maintenance Bond for said Sections. Mr. Miller seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. McIntire reported receiving a letter from the Concept Development Company which requested that the bond be released on Plat 3, Section 12. Mr. McIntire has discussed the situation with Mr. Huber and both agreed that the bond should not yet be eliminated.

Mr. McIntire gave a detailed cost breakdown of the street expenses which could be incurred for 1967 & 1968 as a result of the proposed annexation.

Clerk-Treasurer Ronald Budzik presented the County Documents concerning the annexation of the North East Corner of Washington Township to Council. He advised that the 60 day waiting period has elapsed and that Council could take action if they so desired.

Mr. Davis sponsored Ordinance #16-67, An Ordinance Accepting The Application For The Annexation Of Certain Territory Containing Approximately 2,228 Acres In Washington Township To The Village Of Centerville.

Mr. Davis moved that Ordinance #16-67 be given the first reading. Mr. Berry seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. McClellan gave Ordinance #16-67 its first reading.

Mr. Davis moved to accept the first reading of Ordinance #16-67. Mr. Berry seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. Davis moved that the statutory rules and regulations for reading ordinances on three separate and distinct days be suspended and that Ordinance #16-67 be given its second and third readings by title only. Mr. Berry seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. McClellan gave Ordinance #16-67 its second reading by title only.

Mr. Davis moved that the second reading of Ordinance #16-67 by title only be accepted. Mr. Berry seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. McClellan gave Ordinance #16-67 its third reading by title only.

Mr. Davis moved that the third reading of Ordinance #16-67 by title only be accepted and the Ordinance be passed. Mr. Berry seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mr. McIntire reported the need for the purchase of a dump truck with Hydraulics, Salt Spreader, and Plow to service the newly annexed area. Mr. Davis advised that monies were available for the purchase of this equipment. Mr. McIntire moved that the Village of Centerville go to bid for a dump truck for which the specifications will be in the Mayor's Office with leave reserved to reject any bids. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The meeting was then adjourned.

Approved:

  
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Mayor

Attest:

  
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Clerk-Treasurer

#### SPECIAL MEETING

The Council of the Village of Centerville, County of Montgomery, State of Ohio met in Special Session on Thursday, October 5, 1967 at 7:30 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: John Davis, John McIntire, Richard Miller, Harold Berry, K. C. McClellan, Engineer Frank Williams, and Solicitor Fred Young.

Mr. Newman representing the N & N Sanitary Service appeared before Council to discuss the Garbage Collection problem in the newly annexed area. Various aspects of the Garbage Collection Contract were discussed. Further study concerning this problem will be made by Council.

Approved:

  
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Mayor