

After discussion by council Mr. Taylor moved that case #2869, Centerville vs Peth Apartment be appealed to the Ohio Supreme Court. Mr. Griest seconded the motion. A roll call vote resulted as follows: Mr. McClellan--yes, Mr. Taylor--yes, Mr. Griest--yes, Mr. Knierer--Yes, Mr. Stingley--No.

After discussion by council Mr. Knierer moved that case #125062, Centerville vs. Property Owners West side North Main Street, be presented to the Court of Appeals. Mr. Griest seconded the motion. A roll call vote resulted as follows: Mr. Taylor--yes, Mr. Knierer--yes, Mr. Griest--yes, Mr. Stingley--yes, Mr. McClellan--no.

Solicitor Wiseman advised council that an ordinance is necessary when property is re-zoned. Mr. Wiseman was then instructed to prepare an Ordinance for the Village South Shopping Center re-zoning.

The meeting was then adjourned.

Approved:

William O. Gimbel  
William O. Gimbel, Mayor

Attest:

Katharine B. Brown  
Katharine B. Brown, Clerk

#### Regular Meeting

The council of the Village of Centerville, County of Montgomery and State of Ohio met in Regular Session Tuesday, September 7, 1965 at 7:30 P.M. at the Municipal Building with Mayor William Gimbel presiding. Councilmen present were, Kenneth McClellan, Richard Knierer, Charles Taylor, Howard Griest, Clarence Stingley, John Theiss, and Engineer Frank Williams.

The minutes of the meeting of August 2, 1965 were read. Mr. Knierer moved that the minutes be approved as read. Mr. McClellan seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Theiss abstained.

Mayor Gimbel gave the following report:

\$100.00	Kettering Court
313.00	Zoning Permits
<u>10.00</u>	Ambulance Removal
\$423.00	Total

Mr. McClellan moved that the mayors report be accepted as given. Mr. Griest seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Taylor moved that vouchers #388 through #444 as approved by the Finance Committee be paid. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Stingley reported for the Police Committee. Mr. Stingley

reported 242 complaints received by Police Department in August 1965.

Mr. Knierer reported for the Street Committee. Mr. Knierer advised that the Citizens Advisory Committee will hold an open meeting September 13, 1965 at 7:30 P.M. in the Education Office of Magsig School.

Mr. Theiss reported for the Planning Board. Mr. Theiss gave a review of the Planning Board minutes of the meeting of August 31, 1965.

Mr. Theiss moved that the Record Plan of the F. L. Arnold Plat be accepted as submitted. Mr. McClellan seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Council received the Sub-Dividers Agreement and Performance Bond for the F. L. Arnold Plat along with an inspection fee check in the amount of \$175.90. Mr. Theiss moved that the Sub-Dividers Agreement and Performance Bond be accepted. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. James Gilvary appeared before council in behalf of the Rod and Reel Club water problem regarding Pleasant Hill Plat, Section #11. Mr. Zengel and Mr. Schaab appeared in behalf of Zengel Construction. After discussion with council, this matter was tabled until further information can be obtained from the Village Solicitor.

Mr. Reardon presented Plat Plan Centerville South, Section #2 to the Planning Board. This Plat was not approved due to provisions made for curb or storm sewer. Mr. Taylor moved that this Plat be rejected. Mr. Theiss seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Williams was instructed to obtain information and check drainage from Centerville South, Section #2 through Concept Plat.

Mr. Richardson appeared before council as representative for the Sun Oil Company. Mr. Richardson was informed that council could take no action until Mr. Peth make his plans clear with council.

Mr. Dale Bertsch explained the Miami Valley Regional Planning Commission activities to council. After discussion by council, Mayor Gimbel read Resolution #2-65 a Resolution to provide for cooperation between and among the Boards of County Commissioners, City and Village Councils, and Planning Commissions, within the Miami Valley Region of Southwestern Ohio in the Maintenance and Operation of a Regional Planning Commission. Mr. Taylor moved that this resolution #2-65 be accepted as read. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Taylor moved that Voucher #445 in the amount of \$77.00

be approved for payment of 1965 dues to the Miami Valley Regional Planning Commission. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. McClellan moved that the Transfer Application Trf. 55967 for the C-1-2 Permit of Rol W. Cultice be approved and approval given to Department of Liquor Control State of Ohio. Mr. Taylor seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Taylor sponsored Ordinance #8-65, an Ordinance to Make Appropriations for Current Expenses of the Village of Centerville, State of Ohio, during the fiscal year ending December 31, 1965. Mr. Taylor moved that Ordinance #8-65 be given the first reading. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Gimbel gave Ordinance #8-65 its first reading.

Mr. McClellan moved to accept the first reading of Ordinance #8-65, Mr. Taylor seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Theiss moved that the statutory rules and regulations for reading ordinances on three separate and distinct days be suspended and that Ordinance #8-65 be given its second and third readings by title only. Mr. McClellan seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Gimbel gave Ordinance #8-65 its second reading by title only.

Mr. Theiss moved that the second reading of Ordinance #8-65 by title only be accepted. Mr. Taylor seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Gimbel gave Ordinance #8-65 its third reading by title only.

Mr. Theiss moved that the third reading of Ordinance #8-65 by title only be accepted and the Ordinance be passed. Mr. Griest seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. McClellan moved that Voucher #446 in the amount of \$1900.00 be approved for payment of the Police Pension Fund (Village 1965 Share). Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

After discussion by council, Mayor Gimbel read Resolution #3-65 a Resolution Declaring it Necessary to Levy a Tax in Excess of the Ten mill limitation (All Taxing Units--General Election Only (Rev. Code,

Secs. 5705.19, 23, 24, 25, 26. Mr. Taylor moved that this resolution be accepted and that this one mill levy be requested for five year period for the Police Department Maintenance and Operation. Mr. Griest seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Griest sponsored Ordinance #9-65, an Ordinance amending Ordinance #19 dated April 28, 1958, Zoning Ordinance, by re-zoning 36.212 acres more or less from EC to B3 classification.

Mr. Griest moved that Ordinance #9-65 be given the first reading. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Gimbel gave Ordinance #9-65 its first reading.

Mr. Taylor moved to accept the first reading of Ordinance #9-65. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. McClellan moved that the statutory rules and regulations for reading ordinances on three separate and distinct days be suspended and that Ordinance #9-65 be given its second and third readings by title only. Mr. Griest seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Gimbel gave Ordinance #9-65 its second reading by title only.

Mr. McClellan moved that the second reading of Ordinance #9-65 by title only be accepted. Mr. Theiss seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Gimbel gave Ordinance #9-65 its third reading by title only.

Mr. McClellan moved that the third reading of Ordinance #9-65 by title only be accepted and the Ordinance be passed. Mr. Knierer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

After discussion by Council, Mr. Knierer moved that the Village Exercise Option to renew lease on Edward Wainscott Garage on East Franklin Street as of October 4, 1965. Mr. Griest seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Gimbel read a letter from the Division of Safety & Hygiene Industrial Commission of Ohio. Turned over to Street Committee for work with the Street Department.

Mr. Griest was appointed by Mayor Gimbel to be the chairman of the United Nations Day.


A Questionnaire from the State of Ohio Department of Highways was turned over to the Police Department. This is in regard to request for traffic light at Bradstreet and Route #48.

Mayor Gimbel was instructed to advise Mr. Wiseman to prepare an Ordinance in regard to the re-zoning request Z-6-64, Lake Glen Estates.


Special meeting to be held at 7:30 P.M., Municipal Building, September 20, 1965.

The meeting was then adjourned.

Approved:

  
William O. Gimbel, Mayor

Attest:

  
Katharine B. Brown, Clerk

#### Special Meeting

The Council of the Village of Centerville, County of Montgomery, State of Ohio met in Special Session, Monday September 20, 1965 at 7:30 P.M. at the Municipal Building with Mayor William Gimbel presiding. Councilmen present were as follows: Kenneth McClellan, Richard Knierer, Charles Taylor, Howard Griest, Clarence Stingley, John Theiss, William Wiseman, Solicitor and Frank Williams, Engineer.

Mr. Stingley reported that bids had been opened for the Carry-All Type Vehicle to be used as an ambulance by the police department. After discussion by council, Mr. Taylor moved that the bid from Finke-Jeske Chevrolet in the amount of \$2363.04 be accepted and that the order be placed, and all other bid bonds be returned. Mr. Stingley seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Knierer moved to accept North Village Drive of the Revised Preliminary Plan of Village South Dated September 14, 1965. Mr. Theiss seconded. A roll call vote resulted in six ayes in favor of the motion.

Mr. James Gilvery and Mr. Clem Jacobs attorneys for the Rod & Reel Club and Zengel Construction discussed the water problem existing between the Rod & Reel Club and Pleasant Hill Sub-division. Mr. Gilvery and Mr. Jacobs are to have further council with clients and report at the October meeting.

After discussion by council Mr. McClellan moved that a member of Council serve on the Miami Valley Regional Planning Board and will be the representative for the Village of Centerville. Mr. Taylor seconded