

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held *January 26*20 *09*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, January 26, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag, with Mayor C. Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Douglas Cline
 Councilmembers John Beals
 Brooks Compton
 Paul Gresham
 Belinda Kenley
 James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Steven Hinshaw
 City Planner Steven Feverston
 Public Works Director Robert James
 City Engineer Douglas Spitler
 Economic Development Director Nathan Cahall
 Human Resources Manager Ginger Yonak
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Kristen Gopman
 Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meetings - December 15, 2008.

Work Session Meetings - December 15, 2008.

- January 12, 2009.

Mr. Compton moved that the minutes of the foregoing meetings, as distributed, be approved. Mr. Cline seconded the motion. The motion passed unanimously with Dr. Gresham abstaining from the vote on the minutes of the work session of January 12, 2009, because he was out of town, and Mayor Kingseed abstaining from the vote on the same minutes because he was absent due to illness.

Mayor Kingseed welcomed Paul Helfrich, President of the Dayton Philharmonic Orchestra, who gave an update on the work of the orchestra. In addition to its professional concerts, the Dayton Philharmonic Orchestra has presented eleven hundred educational programs for over 80,000 students in thirteen Ohio counties. Founded in the midst of the depression, the orchestra has always been a sign of hope and renewal during tough economic times. More information on the orchestra is available on the website at www.DaytonPhilharmonic.com. Councilmembers referred Mr. Helfrich to Angie Tapogna, the Arts Coordinator, to discuss the possibility of having the DPO perform in Centerville.

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Mayor Kingseed administered the oath of office to newly appointed Arts Commission member, Betty Lou Carney. He congratulated her and thanked her for her willingness to serve the Community.

Mayor Kingseed introduced Tom Fodor of the American Red Cross before Deputy Mayor Cline read a proclamation declaring the month of March to be "American Red Cross Month" in the City of Centerville. Mr. Fodor thanked the City for partnering with the Red Cross in disaster situations and enabling their mission. He encouraged citizens to familiarize themselves with the Red Cross' three action steps to prepare for emergencies: 1. Get a kit. 2. Make a plan. 3. Be informed.

Mayor Kingseed stated the following in the Mayor's Report:

He noted the retirement of Cynthia Klinck from her duties as Executive Director of the Washington Centerville Public Library after more than 31 years of service. He congratulated her on her many accomplishments and the many awards received by the library under her leadership. He wished her well in her retirement.

He thanked the City residents for the outpouring of support for the families affected by the fire at the Villager Apartments in January. The Red Cross was on the scene, the Villager Apartments promptly relocated the residents, and the Community generously provided food, gift cards and donations.

Mayor Kingseed presented the list of the 2009 recommended appointments for Council committees, liaisons and representatives as follows:

COUNCIL COMMITTEES

NEIGHBORHOOD RELATIONS

- Belinda H. Kenley, Chairman
Brooks A. Compton
Douglas C. Cline

LEGAL

- Brooks A. Compton, Chairman
John J. Beals
Paul M. Gresham

ECONOMIC DEVELOPMENT

- Douglas C. Cline, Chairman
Brooks A. Compton
Paul M. Gresham

PUBLIC HEALTH SAFETY

- Paul M. Gresham, Chairman
Brooks A. Compton
James E. Singer

FINANCIAL AND LONG-RANGE PLANNING

- James E. Singer, Chairman
Paul M. Gresham
John J. Beals

STREETS AND HIGHWAYS

- John J. Beals, Chairman
James E. Singer
Belinda H. Kenley

INTERGOVERNMENTAL RELATIONS

- C. Mark Kingseed, Chairman
Douglas C. Cline
Brooks A. Compton

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COUNCIL LIAISONS

BICYCLE COMMITTEE

Paul M. Gresham 885-3401

BOARD OF ARCHITECTURAL REVIEW

James E. Singer 433-6922

CENTERVILLE ARTS COMMISSION

Belinda H. Kenley 434-4877

CENTERVILLE CITY SCHOOLS

C. Mark Kingseed 885-1865

CENTERVILLE-WASHINGTON TWP HISTORICAL SOCIETY

John J. Beals 433-6492

CENTERVILLE PROPERTY REVIEW COMMISSION

Brooks A. Compton 885-5730

CENTERVILLE-WASHINGTON PARK DISTRICT

Brooks A. Compton, 885-5730

CITY BEAUTIFUL COMMISSION

John J. Beals 433-6492

CITY PLANNING COMMISSION

Douglas C. Cline 438-0257

SISTER CITY COMMITTEE

Paul M. Gresham 885-3401

WASHINGTON CENTERVILLE PUBLIC LIBRARY

Belinda H. Kenley 434-4877

WASHINGTON TOWNSHIP TRUSTEES

C. Mark Kingseed 885-1865

CENTERVILLE REPRESENTATION

CENTERVILLE-WASHINGTON DIVERSITY COUNCILGregory B. Horn
Jennifer S. WilderCREATE THE VISION CENTERVILLE/WASHINGTON TWP. COMPREHENSIVE PLAN

Douglas C. Cline (Co-Chair)

CREATE THE VISION IMPLEMENTATION TASK FORCE

Brooks A. Compton (Co-Chair)

DAYTON AREA MANAGERS ASSOCIATIONGregory B. Horn
Jennifer S. Wilder
Kristen P. GopmanMIAMI VALLEY COMMUNICATIONS COUNCILJames E. Singer (Delegate)
Paul M. Gresham (Delegate)
Gregory B. Horn (Alternate)Government Technology Committee
Gregory B. HornMIAMI VALLEY REGIONAL PLANNING COMMISSIONJohn J. Beals, (Delegate)
Gregory B. Horn (Alternate)

Technical Advisory Committee

Robert A. James (Delegate)
Steven A. Feverston (Delegate)
K. Douglas Spitler (Alternate)

Transportation Committee

John J. Beals (Delegate)
Douglas C. Cline (Alternate)

Lower Greater Miami River Basin Council

John J. Beals

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MONTGOMERY COUNTY
COMMUNITY DEV. BLOCK GRANT
C. Mark Kingseed

MONTGOMERY COUNTY DRUG
ACTION COALITION
Belinda H. Kenley

MONT. & GREENE CO. MAYORS &
MANAGERS ASSOCIATION
C. Mark Kingseed
Gregory B. Horn

MONTGOMERY COUNTY OFFICE OF
EMERGENCY MANAGEMENT
Countywide Advisory Committee
Gregory B. Horn (Representative)
Kristen P. Gopman (Alternate)

MONTGOMERY COUNTY SOLID
WASTE
Financial Advisory Committee
Gregory B. Horn

NATIONAL LEAGUE OF CITIES (NLC)
NLC Human Develop. Steering Com.
Paul M. Gresham
NLC Council for the Institute for
Children's Education and Families
Paul M. Gresham

OHIO BENEFITS COOPERATIVE
SUBURBS
Steven A. Hinshaw
Ginger Yonak

SATELLITE JUVENILE COURT
Gregory B. Horn
Stephen Walker

HITHERGREEN CENTER OF
CENTERVILLE/WASH. TWP.
Board of Trustees
Douglas C. Cline (Delegate)
Jennifer S. Wilder (Alternate)
Personnel Committee
Ginger Yonak

SOUTH METRO REGIONAL
CHAMBER OF COMMERCE
Board of Trustees
C. Mark Kingseed (Delegate)

SYCAMORE MEDICAL CENTER
Citizens Advisory Council
C. Mark Kingseed
Gregory B. Horn

WASHINGTON TOWNSHIP
RECREATION BOARD
John J. Beals (Delegate)
Brooks A. Compton (Alternate)

FIRST TIER SUBURBS
Belinda H. Kenley (Delegate)
C. Mark Kingseed (Alternate)

WASHINGTON TWP. FIRE DEPT
Brooks A. Compton
Belinda H. Kenley (Delegate)

Mr. Singer moved for approval of the assignments as listed above. Dr. Gresham seconded the motion, which passed unanimously with seven ayes.

Mr. Horn noted the following in the City Manager's Report:

He thanked Elizabeth Ward, Assistant Finance Director, and acknowledged her outstanding efforts since the departure of Finance Director Mark Schlagheck in November, 2008.

Mr. Horn introduced Dr. Steven Hinshaw, Finance Director, who came to the City after being Treasurer and Chief Financial Officer of the Centerville City Schools for four years. Dr. Hinshaw has also been an adjunct professor at several nearby educational institutions and has over 15 years of public financial experience. Dr. Hinshaw stated that his philosophy is to provide quality government services in the most cost efficient manner possible.

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The E 911 group will be meeting soon to discuss the State's distribution of the funding for equipment for tracking emergency calls from cell phones. The legislature has cut from nine to five the number of jurisdictions (PSAPs) in Montgomery County that can receive a share of the money collected by the State. Our funding of \$40,000 - \$50,000 a year will probably continue as in the past.

The Centerville-Washington Park District has chosen to go forward with construction of Iron Horse Trail, Phase Two, without waiting for funding through the City's application with Clean Ohio Trails that may have made grant money available in 2010. The Park District will pay for this improvement without funds from the City of Centerville. We will change the Capital Improvement Program to reflect this update.

Carol Litko is retiring at the end of January after working at the City of Centerville for thirteen years; the last four years she has been the secretary in the City Manager's Office. Mrs. Holly Bricker has been hired to fill this vacancy. Her experience includes fifteen years of municipal experience in the City of Upper Arlington.

St. Leonard's is proposing several major improvements. The master plan will come before our Planning Commission on Tuesday, January 27, 2009, at 7:30 p.m. We are fortunate to have both Bethany Lutheran and St. Leonard's providing services and being stable employers in our Community.

Mrs. Gopman outlined zoning and code violations and resolutions for the month of December, 2008, as well as the community calendar for the coming month.

Mrs. Wilder gave background and an update on Centerville's rental inspections. The City has completed the first biennial inspection cycle where 2,486 units were checked. Only six percent required re-inspections to confirm resolution of items noted. The mission of the program is to provide fair, comprehensive and standardized inspections of Centerville properties in order to preserve the housing stock, to support high property values, to eliminate health and safety hazards and to make the City of Centerville a more desirable community. Additional information is on the website at www.ci.centerville.oh.us.

Mr. Feverston gave the report of the Planning Commission concerning the Record Plan for the Highlands at Yankee Trace, Section 2. This 3.4 acre tract off Legendary Way that is zoned R-1c involves ten lots for single family attached homes and is a modification of a plan brought before Council about a year ago for the development of twenty lots. These ten single family homes would be built as five double units. Each set of two single homes would straddle the common lot line, so each single family home can be bought and sold separately. Planning Commission considered this Record Plan for The Highlands at Yankee Trace, Sec. 2, at its regular meeting on December 9, 2008, and recommends approval subject to the following conditions:

1. In lieu of construction of the required improvements prior to the recording of this plat, a performance bond in an amount equal to the required public improvements shall be posted by the developer with the City subject to approval by the City Engineer and a subdivider's agreement entered into with the City by the developer.

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2. The applicant shall provide review and inspection fees in the amount acceptable by the City Engineer.
3. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance. An easement shall be provided through Reserve Area "D" for a public storm sewer.
4. Reserve Areas "D", "F" and "G" shall be reconfigured to create a parcel(s), having a width of 10 feet, for the golf cart path, deeded to the City for Golf Course purposes and labeled on the record plan for this purpose subject to approval by the City Planner.
5. The final design of the relocated golf cart path and golf course irrigation line shall be subject to approval by the Golf Course Superintendent.
6. The construction drive north of Golf Hole Number 7 shall be modified to accommodate the weight of heavy construction traffic, include a pull-off area at Paragon Road and a paved surface having a minimum length of 100 feet to keep dirt, mud and debris off of Paragon Road subject to approval by the City Engineering Department.
7. The construction drive shall be maintained and kept in good condition at all times by Yankee Trace Development, Inc. This drive shall be reconditioned by Yankee Trace Development, Inc. At the completion of all construction, including homebuilder construction that is associated with this subdivision subject to approval by the City Engineering Department.
8. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any construction.

The City Engineer's report recommends approval subject to the following four conditions:

1. Execution of a Subdivider's Agreement is required with the City of Centerville.
2. In lieu of construction of the required improvements prior to the recording of the plat, a performance bond is required. The bond amount is based upon the engineer's estimate \$196,910.00, which has been submitted by the developer. The estimate is for the construction of the required public improvements including earthwork, storm sewer, pavement, sidewalk, traffic control, and erosion control. A one year maintenance bond in the amount of 6% of the original

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performance bond will be required when the public improvements are complete and the performance bond is released.

3. Provide for review and inspection fees in the amount of \$796.40.
4. The final plat shall be modified to include a storm sewer easement along the 12" storm sewer that outlets into the retention pond.

Following some discussion, Mr. Compton moved for approval of the Record Plan for The Highlands at Yankee Trace, Section 2. Mrs. Kenley seconded the motion. The motion passed with seven ayes.

In standing committee reports, Mrs. Kenley updated Council on the 2009 schedule of activities sponsored by the Arts Commission. The group has organized sixteen free summer concerts, including a new event called Rock Fest. The next event is Art at the Trace on February 14, 2009.

Mayor Kingseed explained the Consent Agenda which contains procedural and administrative matters that were discussed previously at Work Sessions. Approval of these issues will be as a group with one motion being made. Councilmembers took turns reading the items on the Consent Agenda. Dr. Gresham moved that the following Consent Agenda items be approved:

- A. Resolution 01-09, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With The Board Of Township Trustees Of Washington Township, Montgomery County, Ohio, For A Parking Lot Expense Agreement.
- B. Resolution Number 02-09, A Resolution Ratifying The Action Of The City Manager In Applying For Funding From The Greater Dayton Regional Transit Authority For The Construction Of A Gazebo Bus Shelter Along Loop Road North Of Alex-Bell Road In The City Of Centerville.
- C. Resolution Number 03-09, A Resolution Adopting The Recommendation Of The Board Of Park Commissioners Of The Centerville-Washington Park District For Approval Of An Addendum To Appendix B Of The Multi-Use Trail Plan And Updates To Three Maps, Titled "Multi-Use Trail Plan," "Multi-Use Trail Priority Plan" and "Trail Maintenance Plan."
- D. Reappointment of Dan Carfagno as the Chair of the Property Review Commission.

Deputy Mayor Cline seconded the motion. The motion passed unanimously.

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PUBLIC HEARING ORDINANCE NUMBER 19-08: ALLOWING POSTING OF A SHRUBBERY OR VEGETATION VIOLATION ON THE PROPERTY

Jennifer Wilder gave the staff report on the request for adding "posting a sign on the property" to the list of possible methods of notifying the owner of violations to the Zoning Code. Ordinance Number 19-08 would allow City of Centerville personnel to post, on the property in question, a notice of a violation relating to overgrown shrubbery and/or vegetation. Other methods currently in place include personally delivering a notice to the owner or sending it by certified or first class mail. Timeliness is one of the primary reasons for the request for the additional posting method, since the mail process can take several weeks. Mr. Compton sponsored Ordinance Number 19-08, An Ordinance Amending Section 1028.05 Of The Centerville Municipal Code To Allow The Posting Of A Violation On The Property (Shrubbery and Vegetation) and moved for its approval. Deputy Mayor Cline seconded the motion. The motion passed unanimously.

PUBLIC HEARING ORDINANCE NUMBER 20-08 ALLOWING POSTING OF A GARBAGE, REFUSE AND JUNK VIOLATION ON THE PROPERTY

This ordinance is similar to Ordinance Number 19-08 explained above. Ordinance Number 20-08 covers the posting on the property a notice concerning a garbage, refuse or junk violation. Deputy-Mayor Cline sponsored Ordinance Number 20-08, An Ordinance Amending Section 660.03 (c) Of The Centerville Municipal Code To Allow The Posting Of A Violation On The Property. (Garbage, Refuse & Junk) and moved for its approval. Dr. Gresham seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 23-08: APPROPRIATIONS FOR 2009

Mr. Horn reported on the plan for the 2009 Municipal Budget which includes the operating expenditures of the City for the current calendar year and the funding of the first year of the five-year Capital Improvement Program. Both the 2009 Budget and the 2009-2013 Capital Improvement Program are available on the website, at Centerville's libraries and at City Hall. Mr. Horn used a PowerPoint presentation to explain the appropriations and the financial status of the City of Centerville. Over the years, the City of Centerville has been conservative in its expenditures and in its estimates of revenues, putting it in a solid financial position and enabling it to continue to provide the current level of services without increasing property tax rates or income tax rates. His report also covered such items as the distribution of property tax monies collected by Montgomery County, waste collection and recycling statistics, health care costs, building permit trends, and growth of food service and rounds of golf at Yankee Trace.

Mr. Horn thanked all the employees for their dedication and excellent performance, especially Mark Schlagheck, Elizabeth Ward and Steve Hinshaw for the work on putting together the financial documentation needed for the end of the year, the new budget and the updated Capital Improvement Program. He congratulated Council for its commitment to quality services and fiscal responsibility.

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Mayor Kingseed re-echoed Mr. Horn's thanks to the City staff. He and Deputy-Mayor Cline complimented Mr. Horn for his conservative financial leadership that has kept the City of Centerville in sound standing.

Mr. Beals commented on the staffing comparisons and extended congratulations on the impressive lowering of the numbers of employees over time.

Mr. Singer sponsored Ordinance Number 23-08, An Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ended December 31, 2009 and moved for its approval. Mr. Compton seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 25-08: CLASS TITLES, PAY RANGES, GRADES, RATES OF PAY, AND REGULATIONS FOR CITY EMPLOYEES

Mrs. Yonak, Human Resources Manager, used a PowerPoint presentation to report on the annual changes related to the employees of the City of Centerville. Most of the suggested changes apply to adjusting salaries, updating duties or to editing duplicated or outmoded titles. Following a salary survey of nearby cities, staff recommends a cost of living adjustment of 3.1% for the year. Approval of this measure would increase the annual service payout to retirees and would increase shift differentials for police working second or third shift. The definitions listed in Class Five and Class Six would be clarified to distinguish between regular year-round part-time employees and temporary or intermittent employees. It is recommended that the definition for Class V Employees be limited to Part-time Year-round Employees. Class VI could then cover seasonal or intermittent employees. New positions for Benham's Grove and the Arts Commission are noted. Dr. Gresham sponsored Ordinance Number 25-08, An Ordinance To Repeal Ordinance Number 32-07 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City of Centerville, Ohio, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 27-08: CLASS TITLES, PAY RANGES, GRADES, RATES OF PAY, AND REGULATIONS FOR EMPLOYEES AT YANKEE TRACE

Mrs. Yonak stated that only minor changes are recommended for the employees at Yankee Trace. Classes Three, Four and Five need updates to allow adjustments in pay ranges and classification descriptions as appropriate. Because the minimum wage increased in January from \$7 to \$7.30 per hour, clerical changes would reflect the new amount. Groundskeeper is being added to the list of Classified Seasonal Positions. Mr. Beals sponsored Ordinance Number 27-08, An Ordinance To Repeal Ordinance Numbers 34-07 And 2-08 In Their Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Associated With The Food Service, Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace, City Of Centerville, Ohio, and moved for its approval. Mr. Compton seconded the motion which passed unanimously.

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ORDINANCE NUMBER 29-08: PERSONNEL MANUALS FOR THE CITY OF CENTERVILLE

Mrs. Yonak said that minor formatting, language and definition changes are recommended in order to clarify policies, as needed. Adjustments to the sick leave policies reflect family and medical leave updates. Changes define eligibility to receive payment of sick leave time upon qualifying retirement, modification of the tuition reimbursement policy to include police cadets, inclusion of items to bring our Alcohol Misuse and Drug Abuse in the Workplace Policy into conformity with Drug-Free Workplace Program Policy Standards and updates to the retention period for certain disciplinary records and grievance procedures. The Yankee Trace health insurance benefit policy is modified to increase the amount of life insurance available to qualifying employees.

Mr. Compton stated the importance of updating the manuals to keep the City of Centerville in compliance with legislative changes and thanked Mrs. Yonak. Mr. Cline sponsored Ordinance Number 29-08, An Ordinance To Repeal Ordinance Number 36-07 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, and moved for its approval. Mr. Singer seconded the motion. The motion passed with seven ayes.

Mr. Joseph Koussa, 1537 Beaver Creek Lane, Kettering, asked God to bless the men and women of the United States Armed Services who are serving overseas. He noted the historic nature of the election of Barack Obama as President. He noted that because of the scheduling of the bus routes, he is unable to ride the bus to Centerville Council meetings.

There being no further business, the meeting was adjourned.

Approved: [Signature]
Mayor

ATTEST: [Signature]
Clerk of Council

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held February 16

20 09

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, February 16, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor	Doug Cline
Councilmembers	John Beals
	Paul Gresham
	Belinda Kenley
	James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Steven Hinshaw
 Public Works Director Robert James
 City Planner Steven Feverston
 City Engineer Douglas Spitler
 Assistant City Engineer John Sliemers
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Kristen Gopman
 Economic Development Administrator Nathan Cahall
 Municipal Attorney Scott Liberman

Mr. Singer made a motion to excuse Mr. Compton from the meeting. Mr. Cline seconded the motion. It passed with six ayes.

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting	January 26, 2009.
Work Session Meetings	January 26, 2009.
	February 2, 2009.

Mr. Cline made a motion to approve the minutes, as distributed. Mrs. Kenley seconded the motion. The motion passed unanimously with six ayes.

Mayor Kingseed asked for a motion to reschedule the regular March Council Meeting because a number of the Councilmembers will be at the National League of Cities Conference on March 16. Dr. Gresham moved that the meeting night be changed from March 16 to March 23, 2009. Mr. Cline seconded the motion. The motion passed with six ayes.

Mayor Kingseed welcomed the following members from Centerville United Methodist Church: Sarah Rickman, Roger Wright, Lenorann Matson and Lyle Matson. Mayor Kingseed read a certificate congratulating the church on the 200th anniversary of Methodist influence in the Centerville community.

Mayor Kingseed noted the following in the Mayor's Report:

1. Earlier in the evening he presented the Annual State of the City Report. The City is in a strong financial position; the services the City provides will

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continue without increasing the earned income tax rates. For more information see the website of the City of Centerville at www.ci.centerville.oh.us.

2. Annually, about half a million dollars of the City's general fund is sent directly to Washington Township. Council wishes to have more representation in the decision-making process for how Centerville's money is spent (especially with regard to the fire department and rec center). The Council would like to receive assurances from the Washington Township Trustees that the money will be spent within Centerville to the direct benefit of the City's residents.
3. A decision on secession from the township has not been made. The city has the legal right to secede, but it is our hope that we can work with the Trustees to improve our relationship and increase Council's influence on monetary decisions.
4. Council held its annual retreat at Yankee Trace Community Room on February 7. Many of the items discussed were included in the State of the City Address.

Mr. Horn stated the following in the City Manager's Report:

1. Following a recent productive meeting with the architectural firm and the construction management firm, we may be ready to advertise in April for bids for the new public works facility.
2. At the Council retreat it was decided to have some neighborhood meetings in 2009. The first session is tentatively set at Bethany Lutheran Village on Monday, June 1.
3. Mr. Tracy Williams, Interim Director of the Washington Centerville Library, has notified us that the Library Board is requesting that the City allow its Personnel Appeals Board to hear personnel issues from the library. Legislation may come before Council this spring.

Mrs. Gopman outlined zoning and property maintenance code violations and their resolutions for the month of January, 2009, as well as the community calendar for February and March 2009.

Dr. Gresham thanked Mark Taylor and the Arts Commission for the fine work in sponsoring, organizing and hosting Art at the Trace on Saturday, February 14, 2009.

Mr. Cline pointed out that, although the public works facility could be paid for upon completion, it may be advantageous for the City to finance the building at a very low interest rate and invest the money elsewhere at a higher return.

Mr. Beals noted that a Washington Township resident asked him about the possibility of extending the City refuse system into the Township, in order to reduce the number of large trucks on Washington Township roadways.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Work Sessions. Approval of these items will be as a group with one motion being made. Councilmembers read the titles of the legislation as follows:

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- A. Resolution Number 4-09, A Resolution Requesting Advances Out Of The Current Collection Of Real Estate, Personal Property and Estate Taxes Assessed and Collected On Behalf Of The City Of Centerville.
- B. Resolution Number 5-09, A Resolution Accepting A Standard Highway Easement From Dille Laboratories Corporation For Road Extension.
- C. Resolution Number 6-09, A Resolution Authorizing Actions Of The City Manager In Regards To Amending A Purchase Agreement With The Oberer Companies To Effect The Sale Of Real Property.

Mr. Cline sponsored the above legislation and made a motion for approval of the Consent Agenda. Dr. Gresham seconded. The motion passed with six ayes.

Mr. Bob Kyvik, 2555 Goodfield Point, Washington Township, commended the Council for the financial study and the efforts toward merger study with Washington Township. Mr. Kyvik stated that Centerville is fortunate to have the leadership of the Council and a high quality government with fine services and fiscal stability.

Adrian Rose, 104 Cushwa Drive, said that he has been committed to the practice of recycling for many years. Recycling programs provide some funds for used materials and keep harmful items out of landfills. He urged everyone to renew recycling efforts.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kueper
Mayor

ATTEST: Debra A. James
Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held March 920 09

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in special session on Monday, March 9, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Mr. Singer and the Pledge of Allegiance to the Flag, with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor	Doug Cline
Councilmembers	John Beals
	Brooks Compton
	Paul Gresham
	Belinda Kenley
	James Singer
Assistant Clerk of Council	Julia Weaver
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
City Planner	Steven Feverston
Public Works Director	Robert James
City Engineer	Douglas Spitler
Economic Development Administrator	Nathan Cahall
Assistant to the City Manager	Kristen Gopman

Mr. Spitler explained the legislation related to the City's application to Miami Valley Regional Planning Commission which will administer some of the funding from the federal economic stimulus package. The order of priority for the four projects for which money is requested is as follows:

1. The resurfacing of Bigger Road from Hewitt Road to State Route 725.
2. The refurbishment of the superstructure of the State Route 48 bridge across I-675.
3. The resurfacing of Clyo Road from Bigger Road to Wilmington Pike.
4. The refurbishment of the superstructure of the Bigger Road bridge across I-675.

Mr. Beals sponsored Resolution 07-09, A Resolution Authorizing The City Manager Or His Designee, On Behalf Of The City Of Centerville, To Submit An Application For Federal American Reinvestment And Recovery Act Of 2009 Funds To The Miami Valley Regional Planning Commission For Roadway Improvement Projects and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: Mark Kingseed

Mayor

ATTEST: Julia M. Weaver

Assistant Clerk of Council

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held March 23, 20 09

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, March 23, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Doug Cline
 Councilmembers John Beals
 Brooks Compton
 Paul Gresham
 Belinda Kenley
 James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Steven Hinshaw
 City Planner Steven Feverston
 Public Works Director Robert James
 City Engineer Douglas Spitler
 Assistant City Engineer John Sliemers
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Kristen Gopman
 Economic Development Administrator Nathan Cahall
 Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting	February 16, 2009. March 9, 2009.
Work Session Meetings	February 16, 2009. March 2, 2009. March 9, 2009.
Council Retreat Summary	February 07, 2009.

Dr. Gresham asked to be excused from the minutes of the work session on March 2, while Mr. Compton asked to be excused from the vote on the minutes of the meetings on February 16. Mr. Singer made a motion to approve the minutes, as distributed. Mrs. Kenley seconded the motion. The motion passed unanimously.

In communications, Mrs. James announced the receipt of a letter of resignation of Shirley Oglesbee from the City Beautiful Commission. The Mayor thanked Mrs. Oglesbee for her service to the City of Centerville.

Mayor Kingseed introduced Bill Serr, CEO and Director of Graceworks Lutheran Services, and proclaimed April to be Bethany Village Month in the City of Centerville. Mr. Serr noted that on April 17, 2009 Bethany Villiage will be hosting a ribbon cutting ceremony to celebrate the completion of its major renovation and expansion.

Mayor Kingseed recognized the following new Eagle Scouts from Boy Scout Troup 516: Philip Coale, Jon Heinrichs, Ted Terhune and Michael Schaerer. The mayor congratulated the young men for achieving their prestigious rank, noted some of their

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

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accomplishments and described their Eagle Projects. Steve Schaerer accepted the certificate for his son Michael Schaerer.

Mayor Kingseed welcomed German students who are visiting in Centerville as part of the Sister City program. German students are being hosted through Sister City members and students at Centerville High School as part of the German American Partnership Program. Centerville students will visit Bad Zwischenahn this summer. As Kristina Wassman, CHS teacher and member of the Sister City Committee, called names, Mayor Kingseed handed out certificates making the sixteen visitors Honorary Citizens of the City of Centerville.

Since Council wished to commend the work of the many individuals who contributed to the Unified Development Ordinance, members of the UDO Task Force, the Planning Commission and City Staff received certificates of recognition for the extended effort put into updating the guidelines for development with the City of Centerville. Mayor Kingseed and Deputy Mayor Cline presented awards to the following:

Task Force Members

- Co-Chair Doug Cline
- Co-Chair Brooks Compton
- John Beals
- Fred Dietrich
- Carolyn Meininger
- Dave Mulay
- Ken Seidl
- Gary Woodley

Planning Commission Members

- Paul Clark, Chair
- James Briggs
- James Brunner
- James Durham
- Jeffrey Gammell
- Mark Leonard
- John Palcher

City Staff

- | | | |
|-----------------|---------------|--------------|
| Steve Feverston | Mark Yandrick | Connie Myers |
| Jennifer Wilder | Doug Spitler | |
| Ryan Lee | John Sliemers | |

Mr. Compton noted the great team effort that went into updating the document. He commended the Unified Development Ordinance as a blueprint for a well-planned and vibrant community.

Mayor Kingseed noted the following in the Mayor's Report:

- He attended two ribbon cuttings in the last weeks: State Farm Insurance on Far Hills and Alpha Choice, an urgent care facility across from Bill's Donuts.
- He extended sympathy to Phil McLaughlin and his family at the death of Marilyn McLaughlin who was the Clerk of Council for the City of Centerville for over forty-one years.

Mr. Horn stated the following in the City Manager's Report:

- One of the four projects we submitted to Miami Valley Regional Planning Commission has been recommended for approval as part of the federal economic stimulus package. We are hopeful that the committee that ratifies the final action

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will go forward with the funds for resurfacing Bigger Road from Alex Bell north to the Kettering corporation line.

- We have engaged the services of a landscape architect to guide the improvements along SR 48 at I-675 and also the city-owned property at the corner of Alex Bell Road and SR 48.
- The bidding for the contract to construct the new public works building should occur within the next thirty days.
- He thanked citizens for their patience with the street cuts required for repairing some twenty-five water line breaks over the course of the winter. As soon as the weather is more favorable, permanent patching of those areas will take place.

Mrs. Gopman outlined zoning and property maintenance code violations and their resolutions for the month of February 2009, as well as the community calendar for March and April 2009.

UPDATED MASTER PLAN FOR ST. LEONARD'S

Mr. Feverston came forward to give the report of the Planning Commission regarding a Major Use Special Approval application by St. Leonard's Senior Living Community at 8100 Clyo Road. Mr. Compton asked to be recused and left the Council Chambers at this time. Mr. Feverston then explained the updated Master Plan for the two hundred ninety-six acre parcel which is zoned R-PD. The main chapel, the bell tower and walkway are focal points and will be preserved. The master plan reflects previously constructed homes and structures as well as buildings which are to be completed in a future phase. Currently, a new building for skilled and nursing care, a wellness and community center, a facility with independent living apartments, and a maintenance building are to be placed along a new ring road which connects the existing entrances and buildings with the new construction. Following a Public Hearing at its January meeting, Planning Commission on February 17, 2009, unanimously recommended approval of the application subject to the following sixteen conditions:

1. The applicant shall submit a construction schedule that details when infrastructure including the streets, detention basins, sidewalks, grading and buildings are to be built.
2. All private streets shall be constructed to City standards excepting street width and stormwater drainage subject to approval by the City Engineer.
3. The driveway and parking lot designs shall provide minimum turning radii for emergency fire apparatus access subject to approval by the City Engineering Department.
4. All street names shall be subject to approval by the City Planner. Either the street name Provincial Way or St. Francis Drive shall be eliminated.
5. All parking lot landscape islands shall be curbed subject to approval by the City Planner.

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- 6. Sidewalks shall be constructed along St. Francis Drive/Provincial Way to connect the Independent Living Building to the Wellness Center subject to approval by the City Planner.
- 7. Pedestrian crosswalks shall cross streets and drives perpendicularly at intersections and be clearly delineated on the pavement subject to approval by the City Planner.
- 8. The sidewalk around the proposed retention pond shall be placed at the distances and slopes required by Section 1460.03 G of the Centerville Code of Ordinances subject to approval by the City Engineer.
- 9. A final grading, stormwater drainage and erosion control plan shall be subject to approval by the City Engineer showing drainage calculations and incorporating detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance.
- 10. An easement shall be recorded allowing emergency access to all retention/detention basins by the City.
- 11. Fire hydrant locations shall be subject to approval by the Washington Township Fire Department.
- 12. The building architecture of the proposed Wellness Center shall be modified to incorporate wall openings or false windows along the northern building wall subject to approval by the City Planning Department.
- 13. The proposed drop-off canopies for the Independent Living Building, Wellness Center, and Chaminade entryway shall provide a minimum clearance for emergency purposes of 14 to 15 feet subject to approval by the Washington Township Fire Department.
- 14. A final exterior lighting plan shall be subject to approval by the City Planner.
- 15. A final signage plan shall be subject to approval by the City Planner.
- 16. The mechanical room on the east end of the Independent Living Building and the north wing of the Skilled Nursing Building shall be redesigned and approved by the Planning Department.

Tim Dressman, Executive Director at St. Leonard, stated that the name of the complex is simply St. Leonard—no longer the Franciscan at St. Leonard. The updated plan is designed to meet new trends in senior care and to foster social interaction using the town square concept. The wellness center will be available to everyone over 55 in the Centerville area.

Mr. Cline asked about bringing the buildings closer to the main streets as recommended in Create the Vision. Mr. Feverston stated that primary interest in the senior complex is making it pedestrian friendly, while giving it the feel of an overlay district. Mr.

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Beals commended the beauty of the project and buildings and thanked St. Leonard's Senior Living Community for its investment in the community. Dr. Gresham moved for approval of the application for a Major Use Special Approval to amend the Master Plan, subject to the sixteen conditions recommended by the Planning Commission. Mr. Singer seconded the motion. The motion passed with seven ayes.

In Standing Committee Reports, Mrs. Kenley stated that the Centerville Arts Commission is to be commended for its sponsorship of the recent family-friendly comedy show by Robert Frost that was held at Yankee Trace.

Mr. Beals, Dr. Gresham and Mr. Singer reported on their trip to the National League of Cities Conference in Washington in mid-March. Mr. Beals stated that they heard from top Obama administrators concerning the economic stimulus package. Dr. Gresham noted that the three had gone to Capitol Hill to meet with Mike Turner and had presented to him the NLC legislative priorities for 2009. Mr. Singer reported on a collaborative effort of 12 counties in Upstate New York in which university leaders and business leaders cooperate to foster an entrepreneurial environment that attracts creative people and additional jobs.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Work Sessions. Approval of these items will be as a group with one motion being made. Councilmembers read the titles of the legislation as follows:

- A. Resolution 8-09, A Resolution Accepting The Bid Submitted By Gillam Lawncare & Landscaping For The Landscape Management Of Benham's Grove And Authorizing The City Manager To Enter Into An Agreement In Connection Therewith.
- B. Resolution 9-09, A Resolution Accepting The Bid Submitted By Christy's Construction For Black Oak South Improvements-Phase 3A, For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- C. Resolution 10-09, A Resolution Declaring Specific Equipment And Vehicles No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines As Stated Herein.
- D. Resolution 11-09, A Resolution Accepting The Bids Submitted By Green Velvet Sod Farms, Lesco, Inc.-John Deere And Turfgrass, Inc. For The Purchase Of Fertilizer For The Golf Club At Yankee Trace And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- E. Resolution 12-09, A Resolution Accepting The Bids Submitted By Century Equipment, Green Velvet Sod Farms, Lesco, Inc.-John Deere, And Turfgrass, Inc. For The Purchase Of Chemicals For The Golf Club At Yankee Trace And To Authorize The City Manager To Enter Into Contracts In Connection Herewith.

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- F. Appointment of Pam Cima as a Member of the Centerville City School District Personnel Appeals Board.
- G. Appointment of Sierra Kelley as a Member of the Arts Commission.
- H. Reappointment of Heidi Miller as Chair of the Board of Architectural Review.
- I. Reappointment of Patty Kraft as Chair of the City Beautiful Commission.

Mr. Compton sponsored the above legislation and made a motion for approval of the Consent Agenda. Mr. Cline seconded the motion. The motion was passed unanimously.

RESOLUTION NUMBER 13-09: CLYO ROAD EXTENSION RIGHT-OF-WAY AGREEMENTS

In new business, the Council addressed the issue of two different agreements related to the right-of-way for the extension of Clyo Road in Greene County. Mr. Horn briefly reiterated the history of the annexation of the Dille properties from Sugarcreek Township and the litigation that had followed. He noted the ruling of the magistrate in favor of Centerville. The resolution before the Council states that the right-of-way permit for the extension of Clyo Road will be granted as long as Sugarcreek Township does not appeal the decision of the Greene County Common Pleas Court upholding the annexation. The second agreement is enabling legislation for the right-of-way permit with Greene County. The matter of tax increment financing is still an issue. Dr. Gresham sponsored Resolution 13-09, A Resolution Authorizing And Directing The City Manager To Enter Into A Clyo Road Project Right-Of-Way And Construction Agreement With Greene County And The Greene County Engineer And A Separate Agreement With Sugarcreek Township Finalizing The 94± Acre And 173± Acre "Dille Annexations", Greene County, Ohio, and moved for its approval. Mr. Compton seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kumpsted
Mayor

ATTEST: Debra A. James
Clerk of Council

RECORD OF PROCEEDINGS

Minutes of Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 20

2009

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 20, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor Sara Cutter of Epiphany Lutheran Church and the Pledge of Allegiance to the Flag led by Girl Scout Troop 30176 with Deputy-Mayor Doug Cline presiding.

Deputy-Mayor Cline introduced Girl Scouts who have earned the Girl Scouting Bronze Award and congratulated them for this community service achievement. Their leaders are Margaret Buttram, Karen Kent, and Pam Moran. The Girl Scouts honored were as follows:

Sarah Brown	Kathleen Fillingim	Lauren Moran
Katie Buttram	Shelby Kent	Shannon Owsley
Shannon Coffee	Kelsey Kramer	Ashley Sembach
Joelle Falugi	Andrea Liberman	

Roll Call showed Councilmembers and City Staff were present as follows:

Deputy Mayor	Doug Cline
Councilmembers	John Beals
	Paul Gresham
	Belinda Kenley
	James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Steve Hinshaw
 Public Works Director Robert James
 City Engineer Douglas Spitler
 Operations Manager Mary Lou Pence
 City Planner Steve Feverston
 Human Resources Manager Ginger Yonak
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Kristen Gopman
 Municipal Attorney Scott Liberman

Dr. Gresham moved to excuse Mayor Kingseed and Mr. Compton who were out of town. Mr. Beals seconded the motion. The motion passed with five ayes.

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting -	March 23, 2009.
Work Session Meetings -	March 23, 2009.
	April 06, 2009.
Joint City of Centerville/	April 13, 2009.
Washington Township Meeting	

Mr. Beals asked to be excused from the vote on the minutes of April 13, 2009, as he was out of town. Mrs. Kenley moved that the minutes of the foregoing Council Meetings, as distributed, be approved. Dr. Gresham seconded the motion. The motion passed with five ayes.

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Mrs. James announced that on April 13, 2009, Mayor Kingseed administered the oath of office to Mrs. Pamela Cima as a member of the Centerville School District Personnel Appeals Board.

Deputy-Mayor Cline presented a check for \$20,000 for the Americana Festival to Joy Brush, who thanked the Council for its support.

Deputy-Mayor Cline administered the oath of office to Sierra Kelley as a member of the Centerville Arts Commission and thanked her for volunteering.

Deputy-Mayor Cline welcomed Ms. Karen Borgert, President of the Centerville-Washington Foundation, and read a proclamation congratulating the group on its tenth anniversary. In sharing the Foundation's Annual Report with Council, Ms. Borgert noted the completion of the clock project at Town Hall and the attainment of the goal of \$1,000,000 in donated assets.

Because Youth in Government Day is being organized for April 28, 2009, Deputy-Mayor Cline then introduced Mr. Marc Tebben from Centerville High School. Mr. Tebben noted the importance of local government in the lives of citizens and explained Youth in Government Day as job shadowing by the students with many of the elected officials and department heads. Mr. Tebben called forward the students who will be participating. The students will tour the Police Department and the Municipal Building, shadow their counterparts and conduct a mock council meeting. The City officials and their counterparts are as follows:

Mayor C. Mark Kingseed	Jon Korte
Deputy-Mayor Douglas Cline	Chad Gregory
Councilmember John Beals	Colin Greywitt
Councilmember Brooks Compton	Zachary Karabatak
Councilmember Paul Gresham	Saakshi Vashishtha
Councilmember Belinda Kenley	Ellen Ewing
Councilmember James Singer	Travis Brown
Clerk of Council Debra James	Mary Woo
City Manager Gregory Horn	Ashley Dang
Asst. to the City Manager Jennifer Wilder	Alexandra Oberle
Asst. to the City Manager Kristen Gopman	Brett Coburn
Finance Director Steven Hinshaw	Jared Lonsbury
City Planner Steven Feverston	Humza Hafeez
City Engineer Douglas Spitler	Josh Atkinson
Chief of Police Stephen Walker	Nate Heckmann
Public Works Director Robert James	Sarah Spaulding
Ec. Development Administrator Nathan Cahall	Codi Stage
Golf Professional Steven Marino	Margaret Hetrick
Golf Maintenance Superintendent Terry Taylor	Selam Melaku
Dir. of Food Service/Exec. Chef Stephan Shaw	Matt Pence
Human Resources Manager Ginger Yonak	Adam Al-Avadh

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held April 20

20 09

Deputy-Mayor Cline noted the following in the Mayor's report:

He asked Mrs. Kenley to read a proclamation related to the celebration of Arbor Day on April 22, 2009, on Forest Brook Blvd.

Dr. Gresham read a proclamation regarding Clean Sweep Week in Centerville. Residents are urged to clean their properties and take advantage of the special pickups which will take place from May 4-7, 2009.

Deputy-Mayor Cline noted a recent meeting of Council and the Washington Township Trustees. As a follow up he pointed out that Council has asked for a more detailed explanation of how the Township spends the nearly \$450,000 sent annually to Washington Township's general fund as inside millage. Council feels that the money should have some direct benefit to the residents of the incorporated area and not only defray administrative costs in the general fund. For decades this issue periodically has been discussed.

On April 17, Mayor Kingseed and Deputy-Mayor Cline attended the ribbon cutting for the additions at Bethany Lutheran Village. An Open House is scheduled on the 26th of April so that area residents may visit this beautiful new complex.

Deputy-Mayor Cline noted that the school issue on the May ballot is a very important one for our community. Our excellent schools have traditionally been a source of pride and a drawing card for our community. He encouraged people to educate themselves on this critical issue for Centerville Schools and to vote on May 5.

He offered condolences to the family of Jacque Sheley, a longtime volunteer and a resident at Yankee Trace, who passed away recently.

He congratulated three Centerville High School graduates who are eligible for the NFL draft on Saturday. They are Greg Brown, defensive tackle at Indiana University, his son Dan Cline, a defensive end at Western Kentucky University, and Jamison Hartke, a defensive tackle at Ohio University.

Mr. Horn announced the following during his City Manager's Report:

Centerville's earnings taxes are up 1.6% for the first quarter of 2009.

The cost of the renewal of our employee health insurance plan through the Ohio Benefits Cooperative is being reduced by 3% for the coming year.

Bids for the new Public Works Center will be opened at 2:00 p.m. on Wednesday, April 22, 2009.

The John P. Kalamian Memorial Blood Drive will be held at the Centerville Police Department on Monday April 27, from 9 a.m. to 5 p.m. John and Paula Kalamian have spearheaded this worthwhile cause.

Mr. Horn echoed the comments of Deputy-Mayor Cline in noting that Jacque Sheley, a civic volunteer and fellow Rotarian, had died and will be missed.

Mrs. Wilder outlined code violations and resolutions for the month of March 2009 and presented the community calendar for April and May. Information on May's bulk pickups and excluded items may be found on the City's website. Mrs. Wilder reviewed recycling information for the City's curbside collection and the lineup for summer concerts at Stubbs Park.

Mr. Cahall, Economic Development Administrator, gave an update concerning the work of the General Assembly in Columbus. Recently the State passed the ODOT budget

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Held April 20

20 09

which will allow the Ohio Department of Development and the Ohio Public Works Commission to proceed with the funding of economic stimulus projects. Mr. Cahall gave background on the following bills: HB 86—expediting the foreclosure process for abandoned properties, HB 3—imposing new requirements when the lowest bid is not accepted, SB26—giving income tax credits to non residents of municipalities, HB7—requiring public entities to meet the LEEDS Silver Standard of energy efficiency in construction, and SB109—exempting developers and home builders from paying property taxes prior to the sale of completed projects.

In Standing Committee Reports, Mrs. Kenley reported that the members of the Environmental Committee (Mr. Cline, Mr. Beals and Mrs. Kenley) have signed an agreement with the US EPA making the City of Centerville an ENERGY STAR Partner. In doing so, they have made a commitment to monitor municipal energy use. Dr. Gresham reminded everyone of the upcoming Bicycle Rodeo and of the ordinance requiring everyone under eighteen to wear a helmet. If there are financial difficulties prohibiting the purchase of helmets, people should call the Police Department. Mr. Beals stated that, in order to encourage recycling, the Environmental Committee was instrumental in creating a guide which explains which items are recyclable and which are not. The guide was sent to residents with a recent mailing of waste collection invoices. Mr. Cline stated that Centerville Reports will air a segment on recycling in the near future.

Deputy-Mayor Cline explained that the Consent Agenda contains procedural and administrative matters. Approval of these issues will be as a group with one motion being made. Deputy-Mayor Cline pointed out the appointments and reappointments at the end of the Consent Agenda and thanked those individuals for volunteering to serve the community. After the Councilmembers took turns reading the Consent Agenda items, Mr. Beals sponsored the following Consent Agenda items and moved that they be approved:

- A. Ordinance Number 2-09, An Ordinance To Amend Subsection C To Attachment A Of Ordinance Number 25-08, Establishing Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing May 18, 2009.
- B. Resolution Number 14-09, A Resolution Accepting The Bid Submitted By Barrett Paving Materials, Inc. Of Dayton, Ohio, For The 2009 Street Program (Project SS-1A-09) For Concrete And Asphalt Repair and Asphalt Resurfacing In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- C. Resolution 15-09, A Resolution Accepting The Bid Submitted By Central Insulation Systems, Inc. For Hazardous Material Abatement For The Property Located At 7970 South Suburban Road Commonly Known As The Pyper Building And The Existing Public Works Building For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- D. Resolution 16-09, A Resolution Ratifying The Action Of The City Manager In Signing The Memorandum Of Understanding For The 2009 Recovery Act:

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Held April 20

2009

Justice Assistance Grant Program Award (2009-F2300-OH-SB), On Behalf Of The City Of Centerville, In Order To Obtain Justice Funding From The Federal Government.

- E. Performance Bond Reduction-The Highlands at Yankee Trace, Section 1.
- F. Appointment of Debbie Schmidt to the City Beautiful Commission.
- G. Appointment of Kera Estep to the Arts Commission.
- H. Reappointment of Judy Stang as a Member of the Centerville City School District Personnel Appeals Board.
- I. Reappointment of Mark Taylor as Chairman of the Arts Commission.

Dr. Gresham seconded the motion. The Consent Agenda passed with five ayes.

EMERGENCY ORDINANCE NUMBER 1-09: ADD BUILDING ATTENDANT TO CITY EMPLOYEE PAY ORDINANCE

Mr. Horn explained that this amendment to the pay ordinance would allow the person currently working under a contract with a cleaning company to become a regular employee of the City of Centerville. This position is lighter and more housekeeping in nature than the custodian position in the current ordinance. Mr. Beals sponsored Ordinance Number 1-09, An Emergency Ordinance To Amend Subsection C To Attachment A Of Ordinance Number 25-08, Establishing Class Titles, Pay Ranges, Grades, Rates Of Pay, and Regulations For Employees Of the City Of Centerville, Ohio, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed with five ayes.

There being no further business, the meeting was adjourned.

Approved

Deputy Mayor

ATTEST:

Debra A. James
Clerk of Council

RECORD OF PROCEEDINGS

Minutes of Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held May 11

2009

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in special session on Monday, May 11, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Mr. Singer and the Pledge of Allegiance to the Flag, with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

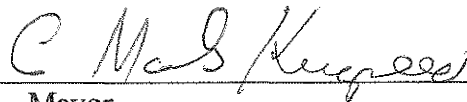
Deputy Mayor	Doug Cline
Councilmembers	John Beals
	Brooks Compton
	Paul Gresham
	Belinda Kenley
	James Singer
Clerk of Council	Debra James
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
City Planner	Steven Feverston
Public Works Director	Robert James
City Engineer	Douglas Spitler
Economic Development Administrator	Nathan Cahall
Assistant to the City Manager	Jennifer Wilder
Assistant to the City Manager	Kristen Gopman

Mr. James explained the proposed Resolution related to the City accepting the recommendations of the Danis Building Construction Company ("DANIS") as they are providing construction management services for the new Public Works Facility. DANIS received 71 proposals during the official bid opening; they had prepared bid specifications for various portions of the contract and solicited bids for subcontractors. A bid package summary is attached as Exhibit "A" to this proposed Resolution. DANIS is recommending bids from the subcontractors indicated in "Option 2" of Exhibit "A," and recommending a guaranteed maximum price not to exceed \$5,800,000.00 which includes contingency money in the amount of \$264,480.00. Abatement work was completed on the Pyper Building as of last week. The demolition of the building is scheduled to begin on May 26, 2009.

Dr. Gresham sponsored Resolution 17-09, A Resolution Accepting The Recommendations Of Danis Building Construction Company For The Construction Phase Of The Public Works Facility And At The Guaranteed Maximum Price Not To Exceed Five Million, Eight Hundred Thousand Dollars (\$5,800,000.00) and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved:



 Mayor

ATTEST:



 Clerk of Council

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held *May 18,*20⁰⁹

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 18, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag, with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor Doug Cline
 Councilmembers John Beals
 Brooks Compton
 Paul Gresham
 Belinda Kenley
 James Singer

Assistant Clerk of Council Julie Weaver
 City Manager Gregory Horn
 Finance Director Steve Hinshaw
 Public Works Director Robert James
 City Engineer Douglas Spitler
 City Planner Steve Feverston
 Assistant to the City Manager Kristen Gopman
 Assistant to the City Manager Jennifer Wilder
 Economic Development Administrator Nathan Cahall
 Community Resource Coordinator Maureen Russell Hodgson
 Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meetings- April 20, 2009.
 May 11, 2009.
 Work Session Meetings - April 20, 2009.
 May 04, 2009.
 May 11, 2009.

Mrs. Kenley moved that the minutes of the foregoing Council Meetings, as distributed, be approved. Mr. Singer seconded the motion. The motion passed by unanimous vote. Mayor Kingseed and Mr. Compton abstained from the vote on the minutes of April 20, 2009 as they were both out of town.

Mrs. Weaver noted that the Clerk's Office had received written notification of the resignation of Carol Wasson from the Arts Commission. Mayor Kingseed thanked Mrs. Wasson for her dedicated service to the community over the past four years.

Joy Brush addressed Council to give details of the annual Americana Festival. Since this year is the 40th Anniversary of the Park District, the park system will be highlighted. Hithergreen's buses will shuttle people from various parks to the festival. Activities include a holiday concert, parade, car show, children's games, and vendors as well as softball and fireworks.

Mayor Kingseed administered the oaths of office to Kera Estep as a member of the Centerville Arts Commission and to Debbie Schmidt as a member of the Centerville City

RECORD OF PROCEEDINGS

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held *May 18,**20 09*

Beautiful Commission. He thanked each of them for volunteering to serve the community.

Mayor Kingseed explained that the City has been working over the past several years with faith-based organizations in the community. The Centerville Community Church coordinated the first "Love Your City Day" on April 25, 2009. The Mayor welcomed Pastor Jon Biggs who explained that over 128 students from six different youth groups were involved in working on twenty-four different work sites in Centerville and the surrounding area. These young people cleared brush and pulled weeds, painted two silos and a shed, volunteered for the Centerville-Washington Park District and performed other services throughout the community. A Certificate of Recognition was presented to Pastor Biggs, his wife and the students who accompanied him to the podium. Pastor Biggs commented that they would like to make this an annual event, and he plans to have this initiative grow to include more churches.

Mayor Kingseed noted the following in the Mayor's Report:

Volunteers in the community will be recognized at a Volunteer Salute at Yankee Trace on Thursday, May 21, 2009.

A Memorial Day Ceremony is to be held Monday, May 25, 2009 at 9:00 a.m. at the War Memorial at Stubbs Park.

Mr. Compton read a proclamation declaring May 17-23 to be National Public Works Week in the City of Centerville. Mayor Kingseed complimented Mr. James, Public Works Director, and his team for their work and stated that the quality of their work is extraordinary. He asked Mr. James to share the pride and gratitude of the Council with his colleagues.

Mr. Horn announced the following in the City Manager's Report:

He thanked the Public Works employees for their outstanding work with the annual "Clean Sweep" from May 4-7 where the crews removed large amounts of debris from the curbs. He also thanked Maureen Russell-Hodgson for her fine efforts coordinating the Community Garage Sale. The City advertised over 300 garage sales this year.

Mr. Horn gave an update on the progress of the new Public Works Center on South Suburban Drive. Although other companies were awarded parts of the work, Brumbaugh Construction of Arcanum is the major contractor for the \$5.8 million facility that is being built under the management of Danis Building Construction. After Mr. Horn explained the need for a new building, Mr. Cline asked him to point out some of the environmentally friendly features which were considered in planning the building. Dr. Gresham asked about a groundbreaking ceremony, but none has been scheduled because of the incremental nature of the project. Demolition of the Pyper Building has already started. Mr. Horn stated that the funds for this project have been set aside for a number of years. When the construction is completed, the new facility will be debt-free.

Mrs. Gopman outlined code violations and resolutions for the month of April 2009 and presented the community calendar for May and June. On June 1 a neighborhood meeting with Council is scheduled in the auditorium at Bethany Village at 7:00 p.m.

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Mr. Cahall, Economic Development Administrator, gave an update on the work of the State Legislature in the past month. The following legislation of interest to the City of Centerville has moved into the committee stream:

HB7—would require projects built with state dollars to meet LEEDS building standards

SB109—would exempt single family residential development from paying property taxes until homes are completed and sold

SB90—would exempt new owners of foreclosed and resold homes from paying the outstanding property taxes

SB120—would exempt private clubs from the state smoking ban

Mr. Cahall also noted that the Ohio Department of Economic Development has released an Incentive Study designed to make Ohio more competitive by encouraging regional cooperation. Included in the recommendations are changes in tax increment financing requirements.

Mrs. Kenley reported that the Montgomery County Green Task Force has been renamed the Dayton Region Green Task Force and that she has been invited to serve on that committee. When she attended their meeting she shared the efforts of our Environmental Committee. Mayor Kingseed thanked Mrs. Kenley, Mr. Cline and Mr. Beals for their efforts with the Environmental Committee.

Mr. Beals reported that the City Beautiful Commission has been working with the Public Works Department to plan interim improvements on the lots at the corner of SR 48 and Alex Bell Road. Poor quality trees have been removed and a planting bed will be installed. City Beautiful is also planting flowers downtown on the four corners at SR 48 and Franklin.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed in work sessions and have unanimous support of Council. Approval of these issues will be as a group with one motion being made. Councilmembers read the ordinances and resolutions, before Mr. Beals sponsored the following Consent Agenda items and moved for their approval:

- A. Ordinance Number 3-09, An Ordinance Establishing A Schedule Of Fees For Certain Applications Permits, Inspections Required By Ordinance Number 14-08, The Unified Development Ordinance Of The City Of Centerville And Repealing Ordinance Number 10-98 In Its Entirety, be set for Public Hearing on June 15, 2009.
- B. Ordinance Number 4-09, An Ordinance Amending Sections 660.14 Of The Codified Ordinances Of The City Of Centerville To Revise The Administrative Fee For Removal Of Offensive Weeds, Vines And Grass By The City In The Centerville Municipal Code be set for Public Hearing on June 15, 2009.

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- C. Resolution Number 18-09, A Resolution Authorizing The City Manager On Behalf Of The City Of Centerville To Enter Into A Federal Local-L.E.T. Project Agreement For An American Recovery And Reinvestment Act (ARRA) Funded Project, (MOT Bigger Road).
- D. Resolution Number 19-09, A Resolution Authorizing City Manager To Enter Into An Independent Contractor Agreement With Michael J. Malone As Market Manager For The On-Site Management Of Centerville's Farmers Market.
- E. Resolution Number 20-09, A Resolution Declaring Specific Property No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines Stated Herein.
- F. Resolution Number 21-09, A Resolution Authorizing the City Manager, On Behalf of the City of Centerville, To Make Application To The COPS Office For A COPS Hiring Recovery Program (CHRP) Grant For The Salary And Fringe Benefits Of One Entry Level Police Officer For A Three Year Period.
- G. Resolution Number 22-09, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Make Application For A Grant In Order To Obtain Justice Funding From The Federal Government For The Digital Upgrade Of Police Department Communications Equipment.
- H. Release of Performance Bond and Letter of Credit – The Woodlands at Yankee Trace, Section 1, Subject to the Receipt of a Maintenance Bond in the Amount of \$10,000.00.
- I. The Following Appointment be made:
Julie Krabill as a Member of the City Beautiful Commission.

Mr. Cline seconded the motion which then passed unanimously.

ORDINANCE NUMBER 2-09 ADDING "BUILDING ATTENDANT" TO THE PAY RANGES, GRADES, RATES OF PAY AND REGULATIONS FOR THE CITY OF CENTERVILLE

The public hearing was held for Ordinance Number 2-09. Mr. Horn gave the staff report, explaining the desire to hire a person (who has been a contract employee) as an employee of the City of Centerville for light housekeeping at the Municipal Building. The position requires less maintenance work than the current position of "Custodian." The newly defined post would be titled "Building Attendant" and would be Pay Grade 3. Dr. Gresham sponsored Ordinance Number 2-09, An Ordinance To Amend Subsection C To Attachment A Of Ordinance Number 25-08, Establishing Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City of Centerville, Ohio,

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and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

MAINTENANCE OF THE OPDYKE-WILLIAMSON HOUSE

Mr. Cahall gave the report on the Opdyke-Williamson property owned by K & S Enterprises. This historic home is located at the southwest corner of Wilmington Pike and Alex Bell Road. A number of years ago, an agreement ending a court procedure gave the owners the responsibility of mothballing and maintaining the landmark home. Mr. Cahall showed pictures of the current condition of the property which highlighted maintenance issues, vandalism and security issues. The City recently notified the owners of the property of a series of problems in violation of the agreement. The deadline has passed and the issues have not been remedied. As required by the terms of the agreement, Mr. Cahall asked for Council to provide a determination of its final position so that the City Manager would be authorized to proceed with further action if the problems are not corrected within thirty days. Several representatives of K & S Enterprises were present but made no statement since they were advised by their attorney not to speak on the issue. Mr. Andy Karras asked for verification of the date of a photo of the interior of the house. Mayor Kingseed asked that the information on the date be forwarded to counsel for K & S Enterprises. Noting the public safety concerns, Mr. Cline sponsored Resolution Number 23-09, A Resolution Stating The City's Final Position With Regards To The Performance Of An Agreement Dated April 25, 2001 Concerning The Opdyke-Williamson House Located on Property Owned by K & S Enterprises and moved that it be passed. Mr. Compton seconded the motion. The resolution passed unanimously.

Mr. Ken Vollrath of 234 W. Ridgeway Road, a rear neighbor of Miss Kee Hee Lee and L.A. Tan at the northeast corner of Franklin Street and Normandy Lane, came to Council to show pictures and express concern regarding the lack of progress in the construction of L.A. Tan's new building and parking lot. After nearly two years of intermittent construction, he noted his frustration with the lack of progress, several safety issues and the debris. He asked for a fence to be installed.

Noting that staff has been dealing with the L.A. Tan construction site for some time, Mr. Horn gave an overview of the development of the property. Because of the problems and lack of progress, the building permit was revoked recently. The construction bonds will be seized to complete the work required for the public right of way improvements on Normandy Lane. Getting the project going again will take time, since new permits will be needed. The City will require additional sureties—enough to fill holes, level ground and reseed, if the project should fail to progress. If the owners do not apply for permits in a timely fashion, enforcing property maintenance issues is the next step. Council said they would like to see both done in parallel.

Mr. Feverston stated that staff may be able to do both actions simultaneously. The owners have expressed interest in continuing construction, but they must resubmit plans and get a new zoning certificate before the building permit can be issued. At best,

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the process takes sixty to ninety days. In the interim, some parts of the work could move forward. For example a fence permit or landscaping could be split off from the larger project. The property is already posted for weeds.

Council strongly recommended that staff pursue both avenues (the issuance of a new building permit for the restart of construction and the posting of property maintenance violations) simultaneously and immediately.

Mr. Edward Vegso, 7926 Normandy Lane, complained of difficulty selling his home because of the L.A. Tan building site behind his home. He spoke of blowing debris, dead trees, and construction items such as catch basins left on his property.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kenzler
Mayor

ATTEST: Julia M. Wheeler
Assistant Clerk of Council

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, June 15, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag, with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor	Doug Cline
Councilmembers	John Beals
	Brooks Compton
	Paul Gresham
	Belinda Kenley
	James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Steven Hinshaw
 Public Works Director Rob James
 City Engineer Douglas Spitler
 Assistant City Engineer John Sliemers
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Kristen Gopman
 City Planner Steve Feverston
 Economic Development Administrator Nathan Cahall
 Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting	May 18, 2009.
Work Session Meetings	May 18, 2009.
	June 8, 2009.
Neighborhood Improvement Program Meeting	June 1, 2009.

Mr. Compton moved that the minutes of the foregoing meetings, as distributed, be approved. Mr. Cline seconded the motion. The motion passed with seven ayes. Mayor Kingseed asked to be excused from the vote on the minutes of the Neighborhood Improvement Program Meeting because he was absent for a personal matter.

Mrs. James announced that the Clerk's Office has received a letter of resignation from City Beautiful Commission member Doris Ventolini. The Mayor thanked Mrs. Ventolini for her contributions to the work of the City Beautiful Commission.

Mayor Kingseed welcomed Mr. Terry Leach, Vice President of Risk Control and AMP Ohio, Inc., 2600 Airport Drive, Columbus, Ohio, who spoke of a gas aggregation program to be offered to the community through the Miami Valley Communications Council as aggregator. Mr. Leach explained the program, the savings, and the eligibility requirements. AMP Ohio hopes to have the program in place for the September billing cycle. In March 2010, the program will terminate if AMP Ohio cannot negotiate savings from the regular rate.

Mayor Kingseed reminded residents of the vote on the ballot in 2004 that authorized aggregation for Centerville. Dr. Gresham made a motion in support of this natural gas

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aggregation program and authorizing the City to participate in the proposed opt-out program. Mrs. Kenley seconded the motion. The motion passed unanimously.

Mayor Kingseed greeted Jacob Bradosky, a 2005 graduate of Centerville High School who recently ran the Boston Marathon and was the top finisher from the State of Ohio. Mr. Bradosky is the son of the City Chaplain Pastor John Bradosky of Epiphany Lutheran Church. Mr. Compton read a certificate of recognition for Jacob Bradosky who finished 82nd overall in the marathon.

Mayor Kingseed honored both Nijah Kennedy, a six-year old who called 9-1-1 from a cell phone because her mother was unresponsive, and Ms. Aaron Nicley, a Centerville Records and Communication Specialist, who took the call. A condensed version of the fifteen minute 9-1-1 call was played. Dr. Gresham read the certificate of recognition for Ms. Aaron Nicely who spoke of the group effort that took place in locating the child and her family. Mayor Kingseed read the certificate of recognition for Nijah Kennedy.

Deputy-Mayor Cline read a Certificate of Congratulations acknowledging Sergeant James Shansey who received the 2009 John P. Kalamian Respect for Law Award from the Noon Optimist Club of Centerville. Mayor Kingseed welcomed Sergeant Shansey and presented the certificate.

Mayor Kingseed greeted Officer Matt Dunn. Mr. Singer read a Certificate of Congratulations for Officer Matt Dunn who won the 2008 Special Project Award from the Ohio Crime Prevention Association for coordinating "Operation D.U.M.P" in which the Centerville Police Department collected over 72,000 outdated or unused pills, syrups, patches and needles from the public.

Mayor Kingseed congratulated Jamie Rowe who recently completed the requirements for advancement to the rank of Eagle Scout by organizing repairs to the Greenline Trail in Sugarcreek Metro Park. Mrs. Kenley read a Certificate of Recognition which was presented to Eagle Scout Jamie Rowe.

The Mayor administered the Oath of Office to Julie Krabill, a newly appointed City Beautiful Commission member. He thanked her for volunteering to serve.

Mayor Kingseed welcomed Jim, Nancy and Emily Weir and Carl and Lola Centano who represented Step Forward, a fundraiser for research, education and awareness of tuberous sclerosis. Mr. Beals read the proclamation declaring June 21 to be Tuberous Sclerosis Awareness Day in the City of Centerville. Mr. Weir invited everyone to participate in a Walkathon on Sunday, June 21, at Centerville High School.

Mayor Kingseed noted the increased efforts of faith-based groups to help the community in the past few years. He greeted Youth Pastor Brian Dunn of Bethel Christian Church along with several of the participants of the DASHe work day—Jonathan Boswick, Colin McGrath, and Austin Wireman. Mayor Kingseed read a Certificate of Appreciation for the members of Project DASHe, Dayton Area Students Helping the Environment, and thanked the group for clearing brush, cutting dead pine trees for a resident, planting at

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Benham's Grove and working on the sculpture at Stubbs Park. This was the fourth year the group has done projects in the City of Centerville.

Mayor Kingseed invited members of the Environmental Committee—Mr. Cline, Mrs. Kenley and Mr. Beals—to come to the podium. Deputy-Mayor Cline explained the efforts of the committee to increase the City's recycling volume and to encourage environmentally friendly living. The contest for a logo and t-shirt design generated over 120 entries. Deputy Mayor Cline welcomed first place winner Kacie Kumar and second place winner Kris Williams. Kacie Kumar received a check for \$150 for first place and Kris Williams received \$50 for second place.

Mrs. Roberta Goodrich with the Centerville City Beautiful Commission announced that Gallatin Endodontics at 221 W. Franklin Street is the Business Pride Award Winner for the month of June 2009. Dr. Julie Gallatin accepted the plaque and the certificate from Yankee Trace.

Mary Ellen Lee, owner of Pieces of Style, and Cristlyn Johnston, representative of Miami Valley South Health Center, explained "Bodies in the Heart," an event at the Health Center on June 20. The fifty businesses of the Heart of Centerville are sponsoring special events on the third Friday of each summer month from 5-9 p.m. In May the third Friday event displayed "Bodies in the Heart," which were commissioned artistic works on plastic body forms. These works of art will be auctioned at Miami Valley South Health Center on the third Friday of June with the proceeds going to the Premier Heartworks program. Cristlyn Johnston reported that Heartworks is a comprehensive cardiovascular assessment for education and prevention. It includes a family history, lab work, a conference with a dietician, and recommendations by a cardiologist. She thanked the Heart of Centerville group for its support.

During the Mayor's Report, Mayor Kingseed noted the following:

He reiterated that "Going Green" is an important initiative and that recycling is an important part of what citizens can do for the environment.

He stated that Council is scheduling Neighborhood Improvement Meetings to make it easy for the citizens to communicate with Council and staff. The first one was held at Bethany Village on June 1.

Mr. Horn reported the following in the City Manager's Report:

He added his personal congratulations to Officer Dunn and Sergeant Shanesy. In addition to commending the work of Records/Communications Specialist Aaron Nicley, he encouraged families to teach names and addresses to young children and put the information where they could see it. The Police Department will emphasize this type of education at this year's Mystery Night Out.

Mr. Horn encouraged residents to take advantage of Centerville's great summer concert series that is free to the public at Stubbs Park.

He noted that Centerville continues to have stable revenue from earnings tax collections. Also, Yankee Trace had its best May golf revenue in five years; the course is in excellent condition.

The street reconstruction in Black Oak South is progressing well.

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Mrs. Gopman outlined code violations and their resolutions for the month of May 2009, as well as the community calendar for June and July. She noted changes in RV regulations that go into effect July 15, 2010. All owners must register their RV's with the City. Registration may be done online on the City's website. There will be no grandfathering when the new regulations begin.

During the Standing Committee Reports, Mr. Beals noted that the City Beautiful Commission is working with the staff to enhance the three lots owned by the City at the corner of Alex Bell Road and State Route 48. To improve this entrance into the community, new planting beds are being prepared for perennials.

Mr. Cline thanked Mrs. Gopman and Mr. James for their support of the work of the Environmental Committee.

Mayor Kingseed explained that the Consent Agenda contains procedural administrative matters that have been discussed during Council Work Sessions. Approval of these issues will be as a group with one motion being made. Councilmembers read aloud the titles of the Consent Agenda items before Mr. Compton moved that the following legislation be passed:

- A. Resolution Number 24-09, A Resolution Accepting The Bid Submitted By Christy's Construction of Houston, Ohio For The City of Centerville's Concrete Street, Curb Ramp And Sidewalk Program – 2009 And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- B. Resolution Number 25-09, A Resolution Accepting The Bid Submitted By Flora Excavating For Millbank Ditch Maintenance (SS-6A-09) For The City Of Centerville And To Authorize the City Manager To Enter Into A Contract In Connection Therewith.
- C. Resolution Number 26-09, A Resolution Accepting The Bid From Christmas Décor By Homestead Décor, Inc. For Services Connected With Holiday Lighting 2009-2011 For The City Of Centerville.
- D. Appointment of Sue Butler to the Arts Commission for a term of three years.
- E. Reappointment of Paul Clark as Chairman of the Planning Commission for a term of one year.

Dr. Gresham seconded the motion. The motion passed with seven ayes.

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PUBLIC HEARING FOR ORDINANCE NUMBER 03-09: FEES FOR APPLICATIONS, PERMITS, AND INSPECTIONS

Steve Feverston reported that this ordinance replaces the old fee ordinance and sets the fees required in the new Unified Development Ordinance. It updates fees to bring them into line with the charges of most local communities. Mayor Kingseed asked when the fees were last changed. Mr. Feverston stated that some of the subdivision fees dated back to 1981 while others were revised in 1998. The Mayor noted that the changes are designed to cover the costs of the administration process. Mr. Beals sponsored Ordinance Number 03-09, An Ordinance Establishing A Schedule Of Fees For Certain Applications, Permits And Inspections Required By Ordinance Number 14-08, The Unified Development Ordinance Of The City Of Centerville and Repealing Ordinance Number 10-98 In Its Entirety and moved that it be passed. Mr. Singer seconded the motion. The ordinance passed with seven ayes.

PUBLIC HEARING ORDINANCE NUMBER 04-09: AMENDING THE ADMINISTRATIVE FEE FOR REMOVAL OF WEEDS, VINES AND GRASS

Mr. Horn noted that the increase in this fee would recoup more of the City's expenses for following up on maintenance issues. Mrs. Wilder explained that the administrative fee would be added to costs associated with mowing unattended areas on private property within the City. She described the administrative process and the steps requiring staff's involvement. A survey of nearby cities showed that most add charges between \$100 and \$150 per violation. At this time we are recommending an administrative fee of \$100; we would notify all residents who have had a recent violation of the change. Dr. Gresham sponsored Ordinance Number 04-09, An Ordinance Amending Section 660.14 Of The Codified Ordinances Of The City Of Centerville To Revise The Administrative Fee For Removal Of Offensive Weeds, Vines and Grass By The City In The Centerville Municipal Code and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kingseed
Mayor

ATTEST: Debra A. James
Clerk of Council

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Held July 20,

20⁰⁹

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, July 20, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag, with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

- Deputy-Mayor Doug Cline
- Councilmembers John Beals
- Brooks Compton
- Paul Gresham
- Belinda Kenley
- James Singer

- Clerk of Council Debra James
- City Manager Gregory Horn
- Finance Director Steven Hinshaw
- Public Works Director Rob James
- City Engineer Douglas Spitler
- Assistant to the City Manager Jennifer Wilder
- City Planner Steve Feverston
- Economic Development Administrator Nathan Cahall
- Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

- Council Meeting June 15, 2009.
- Work Session Meetings June 15, 2009.
- July 6, 2009.
- July 13, 2009.

Mr. Compton moved that the minutes of the foregoing meetings, as distributed, be approved. Mr. Cline seconded the motion. The motion passed with seven ayes. Dr. Gresham abstained from the vote on the minutes of July 6 as he was absent due to illness. Ms. Kenley abstained from the vote on the minutes of July 13 because she was out of town on that date.

Mayor Kingseed welcomed Roberta Goodrich of the City Beautiful Commission. She announced that Miami Valley Hospital South and Morning Sun Florist were the recipients of the July Business Pride Awards. Ms. Goodrich presented a plaque and a Yankee Trace gift certificate to Joann Ringer, Administrator at Miami Valley Hospital South. Ms. Goodrich noted that the other award and certificate would be delivered to Darla Hiser at Morning Sun Florist.

Ms. Goodrich announced the residential award winners for June and July as the properties were highlighted in a slide show. The residential winners will be invited to the September meeting of Council to be recognized. They are as follows:

June

- | | |
|---|---|
| Mark and Julia Barker
331 Alston Woods Ct. | Daniel and Debra Brinkman
8293 Rhine Way |
| Dennis and Terry Clarke
50 Gulfwood Court | Eric and Judith Dunham
9458 Bonnie Ann Place |

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Robert and Doris Mays
364 Yankee Trace Drive

Milton and Joyce Oakley
2706 Walford Drive

Jim and Carma Shieman
206 Whittington Drive

July

Nathan and Carol Adams
1370 Centerville Station Road

Mark Cottom
306 Zengel Drive

Patricia and Mary Galvin
134 Martha Avenue

Michael and Donna Kraft
9901 Redbarn Trail

Gregory and Judy Mescher
790 Yankee Trace Drive

Suzanne Perazzo
5797 Stone Lake Drive

Robert and Judith Servis
1800 Baldwin Drive

Mayor Kingseed administered the Oath of Office to Sue Butler, a newly appointed member of the Arts Commission. He congratulated her and thanked her for her service.

Mayor Kingseed greeted Adam Miller who recently completed the requirements for advancement to the rank of Eagle Scout by planning, fundraising and overseeing construction of four raised planting beds and an outdoor teaching circle for Centerville Primary Village. The Mayor read a Certificate of Recognition which he presented to Eagle Scout Adam Miller.

Mayor Kingseed congratulated Tae Yeon Kim, Valedictorian of the Centerville Class of 2009, and William Tucker, Salutatorian. The Mayor read Certificates of Recognition honoring them. Both students thanked their parents for their support, their teachers and the Centerville Schools.

Mayor Kingseed welcomed the 2009 Science Olympiad National Champions from Centerville High School and three of their coaches. Coach Penny Valentini gave some of the history of the excellence of Science Olympiad teams at Centerville High School. She introduced the group and accepted the Certificate of Congratulations that Mayor Kingseed read to commend the students for this outstanding accomplishment. She noted that the students had garnered the highest score ever recorded in the twenty-six year history of the championship. Team members present were as follows: Sean Behm, Christina Falugi, Amy Kramer, John Scheick, Mason Stout, Will Tucker, Tiffany Wang, Hans Banerjee, Jack Hoehn, Paul Hoehn, Lindsay Jeffers, Tom Mazel, Derrick Pemberton, Sonali Sharma, Thadd Voss, Sunny Xu, Jeff Behm, Emily Briskin, Seth Cazzell, Carly Graham, Michael Jacobs, Megan Kramer, Himanshu Sachdeva, Stephanie Sketl, and Aaron Zhao. Coaches Doug Glass and Jim Simpson also came forward with the group.

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During the Mayor's Report, Mayor Kingseed noted the following:

- He stated that the Council had just attended a reception kicking off the Chautauqua celebration being hosted by the Centerville-Washington Township Historical Society. He encouraged residents to attend the free activities planned this week at Stubbs Park as a way for the community to gather for fun, music and educational talks.
- He extended congratulations and appreciation to everyone who helped at the Americana Festival.
- The US Postal Service Office on Maple Avenue is facing the possibility of closing. He encouraged residents to state their opinions of the closing with Bob Redden, Post Office Review Coordinator, at 513-831-1437 or to write Mr. Redden at the US Postal Service, 100 Castleberry, Milford OH 45150-9998. Dr. Gresham asked that the address be posted on the City website @www.ci.centerville.oh.us.

Mr. Horn reported the following in the City Manager's Report:

- Mr. Horn echoed the need for immediate action to voice opposition or agreement to the closing of the Post Office on Maple Avenue in Centerville. The information will be on the website tomorrow.
- The City's summer construction projects are moving along well. He thanked staff members for their efforts.
- Kroger MarketPlace in the Centerville Place Shopping Center is still under discussion. All parties say they are committed to the project.
- Good progress is being made on the Public Works Center. Steel erection for the salt bin will begin shortly. Foundations for the initial phase are going in, and the first section of the building should be completed by the beginning of 2010, with the old building coming down at that time and construction beginning in the spring for the next phase.
- Mr. Horn noted the quality of the free entertainment that is being offered at Stubbs Park these next weeks with the Chautauqua activities and the Arts Commission Summer Concerts.

Ms. Wilder outlined zoning and code violations and their resolutions for the month of June 2009 and presented the community calendar for July and August. She reminded owners of RV's that they must register by July 15, 2010. Regulations are changing at that time with no grandfathering. She reminded citizens of the items that are recyclable with City of Centerville refuse collection.

During Standing Committee Reports, Mr. Beals brought up the recycling barrels used during the Americana Festival. Mr. Horn noted that the barrels were made available through a grant from Montgomery County Solid Waste. Public Works Director Rob James stated that twenty 96 gallon barrels were used for recyclables, and each container was about half full, adding to recycling income and keeping nearly a thousand gallons of material out of the waste stream. Mr. Beals noted that in the Americana Parade the City gathered a "drill team" with toter carts to advertise recycling.

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Mrs. Kenley noted that, in addition to organizing the Sunday night concerts, the Arts Commission is featuring sculptures by Jeff Rutledge in Stubbs Park near the amphitheater. She thanked the members for their work on Sunday evenings.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Council Work Sessions. Approval of these issues will be as a group with one motion being made. Council read aloud the titles of the Consent Agenda items before Mr. Beals moved that the following legislation be passed:

- A. Resolution Number 27-09, A Resolution Accepting The Bid From Cargill, Inc. And Authorizing the City Manager To Enter Into An Agreement With Cargill, Inc. For The Purchase Of Highway Rock Salt For Snow And Ice Control For The City of Centerville For The Year 2010.
- B. Resolution Number 28-09, A Resolution Authorizing And Directing The City Manager To Enter Into An Agreement Between The State Of Ohio, Department Of Transportation (ODOT) And The City Of Centerville To Improve And Maintain The Interchange Of IR-675 And SR-48 Highway Landscaping.
- C. Appointment of Kay Wick to the Arts Commission for a term of three years and the Appointment of Allen Nelson to the City Beautiful Commission for a term of three years.

Mr. Cline seconded the motion. The motion passed with seven ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kingseed

Mayor

ATTEST: Debra A. James

Clerk of Council

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 17

20 09

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, August 17, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag, with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor	Doug Cline
Councilmembers	John Beals
	Brooks Compton
	Paul Gresham
	Belinda Kenley
	James Singer
Clerk of Council	Debra James
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
Public Works Director	Robert James
City Engineer	Douglas Spitler
Assistant to the City Manager	Jennifer Wilder
City Planner	Steven Feverston
Economic Development Administrator	Nathan Cahall
Municipal Attorney	Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting	July 20, 2009.
Work Session Meetings	July 20, 2009.
	August 10, 2009.

Mr. Beals moved that the minutes of the foregoing meetings, as distributed, be approved. Mrs. Kenley seconded the motion. The motion passed with seven ayes. Dr. Gresham abstained from the vote on the minutes of the Work Session on August 10, 2009 as he was out of town.

Mayor Kingseed introduced Dave Williams, Executive Director of the Tactical Crime Suppression Unit. Mr. Williams explained the workings of TCSU and its connection to the Miami Valley Communications Council. TCSU was created as a cooperative police unit to deal with criminal activity of mutual concern to the cities of the southern suburbs—drug trafficking, racketeering, home invasions, pharmacy break-ins, bank robberies, and homicides. In addition, TCSU monitors weather and emergencies at events such as the Americana Festival and has technology for command and control of dangerous situations.

Mayor Kingseed welcomed Roberta Goodrich of the City Beautiful Commission. She announced that Pieces of Style on West Franklin Street and Cross Pointe Center were the recipients of the August Business Pride Awards. Ms. Goodrich presented a plaque and a Yankee Trace gift certificate to Tim Suttmiller, of Cross Pointe Center. Ms. Goodrich noted that the other award and certificate would be delivered to Mary Ellen Lee at Pieces of Style.

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held August 17, 20 09

Ms. Goodrich announced the residential summer landscape award winners for August as the properties were highlighted in a slide show. The residential winners will be invited to the September meeting of Council to be recognized. They are as follows:

Skip & Kathy Carraher 935 Villa Vista Place	Rick & Linda Fuls 274 Elmwood Drive	Carol Hoeffel 7980 Brainard Woods Drive
--	--	--

Barb Iding & Doug Wilson 77 Lucas Drive	Paul & Marilyn Porcino 6779 Crossbrook Drive	Luke & Heather Shultz 9830 Rose Arbor Drive
--	---	--

Robert Sirois
1080 Kentshire Drive

Mayor Kingseed administered the Oath of Office to Kay Wick, a newly appointed member of the Arts Commission, and to Allen Nelson, a newly appointed member of the City Beautiful Commission. The Mayor congratulated them and thanked them for their service to the City.

During the Mayor's Report, Mayor Kingseed noted the following:

He thanked the Centerville-Washington Township Historical Society for the efforts of its members in bringing the Chautauqua to Centerville. The week-long event was very well received by the Community.

Mr. Horn offered the following in the City Manager's Report:

The Miami Valley Communications Council does much more than broadcast local programming. The Council is also a council of governments that has the authority to act on behalf of its members in a variety of ways—TCSU and the natural gas aggregation program are prime examples. Gas aggregation savings are currently available to Centerville residents. Several years ago the Ohio Legislature deregulated natural gas supplies, allowing more companies to enter into Ohio markets for competition in pricing. In May 2003 Centerville residents voted nearly four to one in favor of giving Council the right to work with MVCC to obtain reduced rates. Recently an opportunity for residential customers and small business users became available to save money through Interstate Gas Supply with MVCC as aggregator. Eligible residents and small businesses are receiving letters with details of the program. There are no fees or penalties from Vectren or IGS associated with this opt-out program. The average residential customer will save about fifty dollars annually with the program when compared with Vectren's rate.

Mr. Horn discussed the legislation on the Consent Agenda. He explained a resolution concerning an existing MCI cable on City of Centerville property just south of the corner of Yankee Street and Social Row Road. The legislation accepts a payment for a ten foot easement. Another resolution gives permission to ODOT to pave I-675 within the city limits of Centerville. There is no cost to the City. The final piece of legislation concerns a request from ODOT to lower the speed limit from forty-five to forty miles per hour on SR 48 from Alex-Bell Road north to Whipp Road. Part of the roadway is in the City of Centerville and part is in the unincorporated area. ODOT needs Council's approval to proceed.

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *August 17*20 *09*

The Millbank Ditch restoration begins in a few days. Residents from Marshall Road north to Ironside Drive who are directly affected by this project have received notices. The project includes complete removal of silt and vegetation and extensive replacement of the concrete ditch liner.

Summer resurfacing will wrap up in the next two or three weeks.

Ms. Wilder presented the report on zoning and code violations and corrections for July. She presented the community calendar for August and September, discussed the natural gas aggregation program, reminded residents of changes coming for owners of RV's and reviewed recycling information.

During Standing Committee Reports, Mr. Beals noted that the Environmental Committee would like to see improvements in the amount of material recycled at the Golf Club at Yankee Trace. In addition, he expressed pride in the community for its support of the John P. Kalamian Golf Outing. On September 14 one hundred forty-four golfers will participate, and people will enjoy a pig roast and a silent auction.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Council Work Sessions. Approval of these issues will be as a group with one motion being made. Council read aloud the titles of the Consent Agenda items. Mr. Cline asked Mr. Horn to make further comments on the legislation about the speed limit change on SR 48. Dr. Gresham moved that the following legislation be passed:

- A. Resolution 29-09, A Resolution Authorizing And Directing The City Manager To Enter Into A Utility Easement Agreement With MCI Communication Services, Inc. To Continue To Allow A Telecommunications Transmission System Located On City Of Centerville Property.
- B. Resolution 30-09, A Resolution Enacted By The City Of Centerville, Montgomery County, Ohio Hereinafter Referred To As The Local Public Agency (LPA), In The Matter Of The Stated Described Project, MOT-IR675-0.00, Interstate Route I-675 From I-75 To The Montgomery/Greene County Line.
- C. Resolution 31-09, A Resolution Requesting Reduction Of The Speed Limit On State Route 48 Between Alexandersville-Bellbrook Road And Whipp Road In The City of Centerville, Ohio.
- D. Appointments of the following:
 - Jill Wallace as a member of the Centerville Arts Commission for a term of three years
 - Jo Lease as a member of the Centerville Arts Commission for a term of three years

Mr. Beals seconded the motion. The motion passed with seven ayes.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held August 17

20 09

There being no further business, the meeting was adjourned.

Approved: Mark Kropf
Mayor

ATTEST: Debra A. James
Clerk of Council

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 21

20 09

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 21, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag led by Cub Scout Pack 116, with Mayor Mark Kingseed presiding. The Cub Scouts introduced themselves and Assistant Cubmaster Terry Oxrider stated that Pack 116 is studying citizenship.

Councilmembers and City Staff present were as follows:

- Deputy-Mayor Doug Cline
- Councilmembers Brooks Compton
- Paul Gresham
- Belinda Kenley
- James Singer

- Clerk of Council Debra James
- City Manager Gregory Horn
- Finance Director Steven Hinshaw
- Public Works Director Robert James
- City Engineer Douglas Spitler
- Assistant to the City Manager Kristen Gopman
- City Planner Steven Feverston
- Economic Development Administrator Nathan Cahall
- Municipal Attorney Scott Liberman

Dr. Gresham moved to excuse Mr. Beals from the meeting as he is on vacation. Mr. Cline seconded the motion. The motion passed with six ayes.

The minutes of the following meetings had been distributed prior to this meeting:

- Council Meeting August 17, 2009.
- Work Session Meetings August 17, 2009.
- September 14, 2009.

Mr. Compton moved for approval of the minutes of the foregoing meetings, as submitted. Mrs. Kenley seconded the motion. The motion passed with six ayes.

Mrs. James announced the resignation of Christine Nystrom from the Sister City Committee. Mayor Kingseed accepted Ms. Nystrom's resignation with regret and thanked her for service to the City of Centerville.

Mayor Kingseed honored Police Officer Michael Yoder for his accomplishments at the 2009 World Police and Fire Games in Vancouver, British Columbia. Mayor Kingseed read a Certificate of Recognition commending Officer Yoder's third place finish in the decathlon in this prestigious international competition. Officer Yoder stated that the event included over ten thousand athletes from fifty-five countries. Mayor Kingseed congratulated Officer Yoder and recognized the high caliber of the men and women of the Centerville Police Department. The Mayor stated his pride in the Centerville Police Department's three minute average response time for emergencies within the City.

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Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 2120 09

Mayor Kingseed congratulated Stephan Grunwald who recently completed the requirements for advancement to the rank of Eagle Scout by constructing a new horse trail with underdrains in Sugarcreek MetroPark. Mayor Kingseed read a Certificate of Recognition and presented it to Eagle Scout Stephan Grunwald.

Mayor Kingseed administered the oath of office to Jo Lease and Jill Wallace as members of the Arts Commission.

Mayor Kingseed welcomed Nora Gessner and Betty Lou Carney from the Arts Commission. They announced the winners of the contest held at the Centerville Library earlier this summer where children created posters advertising the Centerville Farmers' Market. Sam Palumbo was the overall winner and received a professionally printed copy of her poster. First and second place winners in the various age categories were Elizabeth Reese, Srinath Jaiprasad, Rachel Whitehead, Autumn Englant, Christi Price and Marie Williams.

As pictures of their homes were projected in the Council Chambers, winners of the City Beautiful Residential Summer Landscape Awards came forward to be congratulated by Patty Kraft of the City Beautiful Commission. Ms. Kraft thanked City staff members Rob James and Mary Lou Pence for their support of the City Beautiful Commission. The residential summer winners are as follows:

June

Mark and Julia Barker
331 Alston Woods Ct.

Daniel and Debra Brinkman
8293 Rhine Way

Dennis and Terry Clarke
50 Gulfwood Court

Eric and Judith Dunham
9458 Bonnie Ann Place

Robert and Doris Mays
354 Yankee Trace Drive

Milton and Joyce Oakley
2706 Walford Drive

Jim and Carma Shieman
206 Whittington Drive

July

Nathan and Carol Adams
1370 Centerville Station Rd

Mark Cottom
306 Zengel Drive

Patricia and Mary Galvin
134 Martha Avenue

Michael and Donna Kraft
9901 Redbarn Trail

Gregory and Judy Mescher
790 Yankee Trace Drive

Suzanne Perazzo
5797 Stone Lake Drive

Robert and Judith Servis
1800 Baldwin Drive

August

Skip & Kathy Carraher
935 Villa Vista Place

Rick & Linda Fuls
274 Elmwood Drive

Carol Hoeffel
7980 Brainard Woods Drive

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 21

20 09

Barb Iding & Doug Wilson Paul & Marilyn Porcino Luke & Heather Shultz
77 Lucas Drive 6779 Crossbrook Drive 9830 Rose Arbor Drive

Robert Sirois
1080 Kentshire Drive

City Council recessed at this time for a short reception in the Law Library to honor the Landscape Award winners.

When Council reconvened, Mr. Charlie Shoemaker, Executive Director of Five Rivers MetroParks, gave background on the MetroParks; the parks encompass 15,000 acres in the Greater Dayton Area. The priorities of those who manage the parks are to protect open space, to connect citizens' interests with accessibility, to enrich the community so it can attract and retain businesses and to respect that the MetroParks are supported by the taxpayers' trust. Mr. Rick Stanforth, Park Manager of Cox Arboretum MetroPark, spoke about Issue 4, a ten year 1.8 mil replacement levy on the ballot on November 3. Because it is a replacement levy, it is expected to cost an additional \$10.72 per \$100,000 of property valuation annually, a 24% increase. (\$44.41 changing to \$55.13)

During the Mayor's Report, Mayor Kingseed noted the following:

The Kalaman Memorial Golf Tournament was last week. He commended Mr. and Mrs. Kalaman for turning the tragedy of their son's death in the line of duty in 1998 into something positive. Officer Kalaman's parents, John and Paula Kalaman, originated this annual event in order to raise funds for scholarships for young people within the community.

Deputy-Mayor Cline read a proclamation declaring September to be "National Preparedness Month" and encouraging citizens to become educated and to organize for emergencies.

On October 5 a Neighborhood Meeting will be held at St. Leonard's Auditorium as a forum for communications between City of Centerville officials, staff and citizens. Residents in the southeast quadrant of the City are urged to attend.

The next edition of the *Town Crier* contains Mayor Kingseed's comments related to the Washington Township Trustees' races that are on the ballot in November. Because of the overlap in jurisdiction and because residents pay Washington Township taxes, Centerville citizens vote for the township trustees.

Mr. Horn offered the following in the City Manager's Report:

The Second District Court of Appeals has ruled favorably in the three-year dispute between Sugarcreek Township and the City of Centerville over Tax Increment Financing as an economic development tool. The court recently ruled that the City of Centerville potentially can use a TIF in the future. Sugarcreek has forty days to appeal the ruling.

The Dayton Cricket Club will have a tournament in Stubbs Park on October 3 from 10 a.m. to 6 p.m. Council and the community are invited to attend.

The Public Works Department is completing the plantings for the I-675 enhancement project. A \$28,000 federal grant administered through the Ohio Department of Transportation paid for all the landscaping items with City crews doing the installation. Some of the items will be planted on the City property at the southeast corner of Alex Bell

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Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 21*20 *09*

and SR 48. The goal is to create an attractive entrance to our community at the SR 48 and I-675 interchange.

Mr. Horn welcomed Kristen Gopman back after maternity leave for the birth of her son Dominic. Mrs. Gopman presented the report on zoning and code enforcement violations and corrections for August 2009. She presented the community calendar for September and October, reminded residents of changes coming for owners of RV's and reviewed recycling information.

In the Public Works update, Mr. James reported that the Household Hazardous Waste Day that was held at the Washington Township Government Center on September 12 was sponsored by the City of Centerville, Washington Township and Montgomery County Solid Waste District. All residents of Montgomery County were invited to drop off materials that are difficult to dispose of properly, such as vehicle fluids, old paints, and batteries. Employees and equipment from Centerville were part of this successful joint effort. Mr. James presented photos of the event.

Mr. James also showed pictures of the progress on the construction of the Public Works Center on South Suburban Road. Construction is currently ahead of schedule and move-in for the administrative area is scheduled for early 2010.

During Standing Committee Reports, Mr. Singer stated that the Stormwater Drainage Task Force is meeting on Thursday, October 8 at 7:00 p.m. in the Law Library.

Mrs. Kenley reported that the Arts Commission has completed an outstanding and diverse concert series for the year and has received very positive feedback. She reminded the public that art is displayed at the Centerville Police Department on a rotating basis.

Dr. Gresham announced that he had gone to Washington, D.C., to meet with other National League of Cities representatives and a number of Ohio's Congressmen to discuss healthcare reform.

Mr. Cline recently attended an Eagle Scout award celebration at Elizabeth Hoy Park for David Hoy, grandson of former Mayor Paul Hoy who was instrumental in creating the Architectural Preservation District in downtown Centerville. As his Eagle Project, David Hoy refurbished the park that was named in honor of his grandmother.

Mr. Cline thanked Mayor and Mrs. Kingseed for choosing Habitat for Humanity as one of the charities to benefit from the Mayor's Charity Event in early November.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Council Work Sessions and have unanimous support. Approval of these issues will be as a group with one motion being made. Council read aloud the titles of the Consent Agenda items. Dr. Gresham moved that the following legislation be passed:

- A. Resolution 32-09, A Resolution To Ratify The Actions Of The City Manager In Entering Into A Contract On Behalf Of The City Of Centerville With Bieser Greer & Landis LLP For Legal Services.
- B. Resolution 33-09, A Resolution Accepting The Bid Submitted By Barrett Paving Materials, Inc. Of Dayton, Ohio For MOT-Bigger Road (PID 86172) For Resurfacing Bigger Road And The Shared Use Path As Well As

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held September 21

20 09

Repairing Isolated Curb And Sidewalk, Adjusting The Roadway Profiles At Clio Road And The I-675 Overpass, Constructing ADA Curb Ramps And Completing Related Items.

C. Resolution 34-09, A Resolution Accepting The Bid Submitted By Stoops Freightliner-Quality Trailer, Inc. For The Purchase Of A Cab And Dump Truck (33,000 GVW) And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.

D. Appointment of the following: Marlene Orendorf as a member of the Centerville Arts Commission for a term of three years.

Mr. Cline seconded the motion. The motion passed with six ayes.

Mr. Rick Johnson, 1015 E. Rahn Road, spoke regarding gas aggregation, stating his concern that residents would pay more with the opt-out aggregation program with Interstate Gas Supply. Mr. Johnson's research showed that savings would be offset by the Montgomery County sales tax that will be applied to the gas supplied by IGS. He inquired about the availability of the minutes from the two public hearings required for instituting gas aggregation.

In giving the history of the gas aggregation issue, Mr. Johnson noted that in the election of November 2003 eighty percent of the voters cast their ballots for Miami Valley Communications Council to have the authority to be a gas aggregator for the City of Centerville. Because the voter turnout was light at that election, Mr. Johnson suggested that the number of votes needed to pass such an issue should be a percentage of the registered voters, not a simple majority of those who voted.

Mr. Johnson expressed concern for people who do not read their mail carefully and therefore would be unaware that the opt-out program was going into effect.

Mr. Horn stated that the sales tax was taken into consideration in calculating the savings with IGS. He offered to take Mr. Johnson's bill to verify the figures with IGS and AMP Ohio.

Mayor Kingseed reiterated that the intent and understanding of the opt-out program was to guarantee savings for Centerville residents.

Mayor Kingseed thanked the Miami Valley Communications Council for filming and broadcasting the meeting and reminded everyone of the Neighborhood Meeting at St. Leonard's on October 5, at 7:00 p.m.

There being no further business, the meeting was adjourned.

Approved: Mark Kingseed
Mayor

ATTEST: Debra A. James
Clerk of Council

RECORD OF PROCEEDINGS

Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held October 1920 09

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 19, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance led by Boy Scout Troop 516 with Mayor Mark Kingseed presiding. Mr. Dave Mulay made a few comments about the visit of this group of Scouts from Westminster Church. Councilmembers and City Staff present were as follows:

Deputy-Mayor	Doug Cline
Councilmembers	John Beals
	Brooks Compton
	Paul Gresham
	Belinda Kenley
	James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Steven Hinshaw
 Public Works Director Robert James
 City Planner Steven Feverston
 City Engineer Douglas Spittler
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Kristen Gopman
 Community Resources Director Maureen Russell-Hodgson
 Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting	September 21, 2009.
Work Session Meetings	September 21, 2009.
	October 12, 2009.
Neighborhood Improvement Meeting	October 5, 2009.

Mr. Compton made a motion to approve the minutes, as distributed. Mr. Singer seconded the motion. The motion passed unanimously. Mr. Beals abstained from the vote on the minutes of September 21 and October 5 as he was out of town.

Mrs. James announced that James McIntyre is moving and therefore is resigning from the Personnel Appeals Board. Mayor Kingseed thanked Mr. McIntyre for his service to the City of Centerville.

Mayor Kingseed welcomed Ms. Kim Senft-Paras, the new director of the Washington Centerville Public Library. Ms. Senft-Paras thanked Council for the opportunity to be introduced and noted that the Washington Centerville Library was named the number one library for cities our size by Hennen's American Public Library Ratings. Beginning in January, the library will be celebrating its 200th anniversary and will have special activities. Ms. Senft-Paras reported on budget adjustments that have been made to compensate for cuts in funding from the State of Ohio.

Mayor Kingseed welcomed Marty Hohl, a twenty-five year volunteer for the City of Centerville, and presented a picture of City Hall and a certificate of appreciation. Mr. Hohl

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held *October 19**20 09*

has delivered packets to Council each week for the past twenty-five years. Mr. Hohl continues to volunteer mapping accidents for the Public Works Department.

Mayor Kingseed welcomed Pastor Chad Current of Living Hope Church and thanked him for the efforts of young members of his congregation in helping the local community with a service day. The Mayor read a certificate of appreciation commending the twenty-five volunteers. Pastor Current named organizers Teresa Moyer and Rick Smith for their efforts with the parish youth. Mrs. Gopman showed pictures of the work at Benham's Grove and of a house where work was done.

Mr. Horn introduced Mark Yandrick, the City's GIS Technician who won highest honors at the Ohio Geographic Information Systems Conference for his Centerville City Street Map. Mr. Yandrick's work garnered the awards for First Place in the General Reference Category and Best of Show. Mr. Feverston, City Planner, commended him and presented the awards. Mr. Yandrick explained his work with different types of maps. The new street map is posted on the website of the City of Centerville; it highlights important landmarks and institutions in the City.

Sister City Committee Co-Chairs Marilyn Hoback and Suzie Holloway spoke about a three-day trip to Sister City Bad Zwischenahn, Germany, and the ten day cruise around Denmark, Russia and Scandinavia that follows. Travelers will leave Centerville on June 24, 2010, and return on July 11. Brochures and booklets are available at the Municipal Building. An informational meeting for those interested in the trip is scheduled for November 10 at 7:00 p.m. at the Police Department.

Mr. James, Public Works Director, projected a series of photos while giving an update on the progress of the construction of the Public Works Facility. The initial phase of the project is on schedule for completion late January or early February 2010.

Mayor Kingseed noted the following in the Mayor's Report:

He reminded citizens of the election on November 3. He urged citizens to study the ballot issues and the candidates for local offices.

Mr. Horn reported the following in the City Manager's Report:

The leaf pickup is underway; four rounds are scheduled for each neighborhood. He asked residents to refrain from raking clippings from shrubbery or grass to the curb with the leaves as these clog equipment.

Yankee Trace Golf Course is in excellent condition and is open for business.

Budget preparation is underway. The staff has done a diligent job of controlling expenses for the current year and showing fiscal restraint in budget requests for the coming year. A draft copy of the Capital Improvement Program will be in Council packets for the Work Session on November 2. The draft of the Operating Budget will be available before November 9.

Mrs. Gopman outlined zoning and code violations and their resolutions for the month of September, 2009, as well as the community calendar for October and November. She reported on activities at Yankee Trace, the Mayor's Charity Celebration, the leaf collection schedule, and recycling information. She reminded citizens of changes coming for owners

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held October 1920 09

of RVs. Mayor Kingseed pointed out that reservations for the Charity Event may be made by calling the Clerk's Office at 433-7151.

Mr. Nathan Cahall, Economic Development Director, gave the legislative update. He noted the following:

Senate Bill 109 exempts single family properties from real estate taxes during the development phase while houses are built, until sold to a particular homeowner.

Senate Bill 120 amends the Ohio Revised Code that regulates smoking in public areas by redefining "private club" to create more exceptions to the smoking ban.

House Bill 86 defines the areas where land reutilization corporations could be created to expedite the foreclosure process.

House Bill 212 and House Bill 104 redefine zoning for amateur radio towers and similar structures.

House Bill 129 allows concealed firearms in more places, including municipal buildings. Terry Blair co-sponsored this legislation.

HB 286 exempts from property taxation residential home improvements with a value of more than \$5,000, in order to encourage reinvestment in current housing stock.

Three proposals from Governor Strickland have been suggested for reducing the \$800 million shortfall in the State of Ohio's budget. Legislators could raise the sales tax, cut public school funding or eliminate a state income tax reduction scheduled for 2009.

Keeping the state income tax rate the same as in 2008 is the favored option.

Discussion followed concerning projections for revenues from casino gambling, stimulus funds and the State of Ohio.

Mayor Kingseed asked Mr. Cahall to include information in Council packets concerning the proposed changes in concealed carry regulations.

Mr. Cline noted that the Environmental Committee is once again meeting on a regular basis. Mr. Cline, Mr. Beals and Mrs. Kenley recently met with the representative of a local environmental landscaping company. The Environmental Committee will be studying recycling at local commercial establishments in order to see how the City might be supportive of such efforts.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Council Work Sessions and have unanimous support of Council. Approval of these issues will be as a group with one motion being made. Councilmembers read aloud the titles of the items, before Mr. Beals sponsored the following legislation and moved that it be passed:

- A. Ordinance 6-09, An Ordinance Amending Section 224.01 Of The Centerville Municipal Code For The Listing Of The Posting Places For Ordinances And Resolutions Within The City Per The City Charter be set for Public Hearing November 16, 2009.
- B. Resolution 35-09, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor.

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held October 1920 09

- C. Resolution 36-09, A Resolution Supporting The Construction Of A Wright Flyer Icon To Be Located At The Southwest Quadrant Of I-70 And I-75.
- D. Resolution 37-09, A Resolution Accepting The Bid Submitted By Beau Townsend Of Vandalia, Ohio, For A Cab And Dump Chassis And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- E. Resolution 38-09, A Resolution Accepting The Bid Submitted By K.E. Rose Co. For The Sale Of A Dump Body, With Hydraulics Mounted, To The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- F. Resolution 39-09, A Resolution Recognizing The Annual Mayor's Charity Celebration Event As An Event Which Serves The Public Purpose Of Raising Money For Dayton-Area Charities.

Mr. Cline seconded the motion. The Consent Agenda passed with seven ayes. It is noted that Mr. Compton abstained from the vote on Item "D."

EMERGENCY ORDINANCE 05-09 UPDATING POSTING PLACES

Mr. Horn explained that the Charter of the City of Centerville requires that newly passed ordinances and resolutions be posted in at least five of the most public locations in the City. Recently one of the posting places, the Medicine Shoppe, closed and is no longer available for official posting. This emergency ordinance names the Public Works Building at 7970 S. Suburban Road as the replacement site. Dr. Gresham sponsored Emergency Ordinance 05-09, An Ordinance Amending Section 224.01 Of The Centerville Municipal Code For The Listing Of The Posting Places For Ordinances and Resolutions Within The City Per The City Charter, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed with seven ayes.

Mr. Adrian Rose, 104 Cushwa Drive, thanked Council and the staff for providing the beautiful park at the corner of Alex-Bell Road and SR 48. He urged people to visit the park. He noted that the Public Works Facility is being paid in full as it is built, without levies or the sale of bonds. Mayor Kingseed noted that the income tax rate has not been increased since 1982, and there is no expectation that it will need to be changed anytime soon.

There being no further business, the meeting was adjourned.

Approved: C. Mad Kingseed

Mayor

ATTEST: Delba A. James

Clerk of Council

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held November 16 2009

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, November 16, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance led by Webelo Pack 315 with Mayor Mark Kingseed presiding.

Councilmembers and City Staff present were as follows:

Deputy-Mayor Doug Cline
 Councilmembers John Beals
 Brooks Compton
 Paul Gresham
 Belinda Kenley
 James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Steven Hinshaw
 Public Works Director Robert James
 City Planner Steven Feverston
 City Engineer Douglas Spitler
 Assistant to the City Manager Jennifer Wilder
 Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting	October 19, 2009.
Work Session Meetings	October 19, 2009. November 2, 2009. November 9, 2009.

Mr. Beals made a motion to approve the minutes, as distributed. Mr. Cline seconded the motion. The motion passed unanimously. Mrs. Kenley was absent from the work session on November 9, 2009 because of the National League of Cities Conference.

Mrs. James announced that Roberta Goodrich had resigned from the City Beautiful Commission effective November 20, 2009, the end of her term. Mayor Kingseed extended deep appreciation to Mrs. Goodrich for her service to the City of Centerville both as member and as Co-chair.

Debbie Teeters spoke on behalf of the Heart of Centerville business community to invite everyone to participate in the Seventh Annual Hometown Holiday Walk on Sunday, November 22 from 1 to 5:00 p.m.

Mayor Kingseed invited Mr. Beals and Dr. Gresham to the podium to participate in honoring members of Epiphany Lutheran Church on the fiftieth anniversary of the parish. Present from Epiphany Lutheran were Pastor John Bradosky, Mr. Craig Bjorklund, Rosann Constantino, George Reinhart and Wayne Dawson. Mayor Kingseed read and presented a certificate of congratulations.

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Mayor Kingseed welcomed Marlene Orendorf and administered the oath of office to her as a member of the Centerville Arts Commission. He thanked Belinda Kenley and the members of the Arts Commission for their successful sponsorship of a wide variety of programs in the past few months.

Mayor Kingseed greeted Kim Birdseye, Carol Kennard, and Maggie Weisman of the Centerville-Washington Park District and congratulated them on the fiftieth anniversary of the park system. Mayor Kingseed noted the vision and foresight of the founding leaders of the park district. He read a copy of the proclamation presented at the Grant Nature Nook at a ceremony on November 1, 2009. Mr. Birdseye thanked the Council for the proclamation and stated that the nine original parks have grown to forty-eight in number and now occupy over a thousand acres in the community.

Mayor Kingseed presented certificates of recognition to Devin Burke, William Irwin, Robert Peterson and Brandon Letcher, four young men who recently completed all the requirements for advancement to the rank of Eagle Scout. They are all members of Troop 516.

The City of Centerville received a Pinnacle Award from the Miami Valley Risk Management Association, a property casualty insurance pool of twenty communities in Southwest Ohio. Centerville participated in MVRMA's annual safety performance evaluation, a pro-active tool to help protect workers from injury. Centerville's compliance for 2009 was 100%. Mr. Horn commended Human Resources Director Ginger Yonak and Finance Director Steven Hinshaw, the staff members who were directly responsible for the City's participation in the program. Mayor Kingseed presented the award to Dr. Hinshaw.

In the Mayor's Report, Mayor Kingseed noted the following:

Holiday activities in downtown Centerville are scheduled for Sunday, November 22—both the Hometown Holiday Walk and the tree-lighting at Benham's Grove.

Mayor Kingseed commented on the good attendance at the Veterans Day ceremony at Stubbs Park honoring those who have served in the Armed Forces and urged everyone to find ways to support those who are currently defending our nation.

He congratulated Councilmembers Beals, Cline and Singer, incumbents who will be returning to the Council for four more years following the November election. He thanked Joy Brush, the other candidate on the ballot, for her willingness to serve the City of Centerville as a Councilmember.

Mr. Horn discussed the following in the City Manager's Report:

Leaf collection is running on schedule. The dates for particular neighborhoods are available on the website, in the *Town Crier* or from the City receptionist at 433-7151.

Yankee Trace is open and having a good golf month with the warm temperatures, lush conditions and winter golf rates in effect.

Black Equities reports that negotiations with Kroger for the Elder-Beerman site are progressing. The Ohio Public Works Commission has extended the deadline for Centerville to retain the grant for the related improvements on Sheehan Road.

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Mrs. Wilder outlined zoning and code violations and their resolutions for the month of October, 2009, as well as the community calendar for November and December. She reported on the Hometown Holiday Walk, the sale of dog licenses at City Hall, activities at Yankee Trace, leaf collection through December 3 and recycling information. She also reminded citizens of changes coming for owners of RVs. Owners must register their recreational vehicles before July 15, 2010.

In Standing Committee Reports, Dr. Gresham, Mrs. Kenley and Mr. Beals reported on the National League of Cities Conference. Dr. Gresham explained his activities during his trip to San Antonio and the issues of concern to NLC. Dr. Gresham announced that he had been elected to a two year term on the Board of Directors of the National League of Cities. Mrs. Kenley discussed the classes and mobile workshops she attended. Mr. Beals participated in the Energy, Environment and Natural Resources Advocacy meetings. Of particular interest to him for Centerville were the presentations on San Antonio's recycling efforts and its green building practices.

Mrs. Kenley gave an update on the work of the Arts Commission which had recently sponsored a digital photography contest, a harp concert at Yankee Trace and a silent auction of Keith Thue paintings.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Council Work Sessions and have unanimous support of Council. Approval of these issues will be as a group with one motion being made. Councilmembers read aloud the titles of the items, before Dr. Gresham sponsored the following legislation and moved that it be passed:

- A. Ordinance 08-09, An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And Resolutions As Parts Of The Various Component Codes Of The Codified Ordinances Providing For The Adoption And Publication Of New Matter In The Updated And Revised Codified Ordinances; And Repealing Ordinances And Resolutions In Conflict Therewith, be set for Public Hearing on December 21, 2009.
- B. Ordinance 09-09, An Ordinance To Amend Ordinance Number 18-08, Adopting All Fees, Rules And Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, be set for Public Hearing on December 21, 2009.
- C. Resolution 40-09, A Resolution Authorizing And Directing The City Manager To Enter Into A Service Agreement With The Law Office Of The Montgomery County Public Defender To Provide Legal Services For Indigent Persons Charged With Jailable Offenses Under The City's Local Ordinances.

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- D. Resolution 41-09, A Resolution Authorizing The City Manager To Grant A Right Of Way And Easement, On Behalf Of The City Of Centerville, To The Dayton Power & Light Company To Extend Electric Service Across Lot 13 Of The South Suburban Commercial Area Plat, Section 3.
- E. Resolution 42-09, A Resolution Ratifying The Action Of The City Manager To Execute An Employment Separation And Release Agreement And Mediation Settlement Agreement With Michael J. Engler.
- F. Resolution 43-09, A Resolution Declaring Specific Property No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines Stated Herein.

Mr. Beals seconded the motion. The Consent Agenda passed with seven ayes.

PUBLIC HEARING ORDINANCE 06-09: UPDATING POSTING PLACES

Mr. Liberman explained that the Charter of the City of Centerville requires that newly passed ordinances and resolutions be posted in at least five of the most public locations in the City. Recently one of the posting places, the Medicine Shoppe, closed and is no longer available for official posting. Ordinance 06-09 names the Public Works Facility at 7970 S. Suburban Road as the replacement site. The Ordinance also corrects the name of the bank since Star Bank is now US Bank. In response to a question from Dr. Gresham, Mr. Liberman stated that, if the address of the Public Works Facility changes with the completion of the new building, the Ordinance will need to be updated to reflect the change. Mr. Compton sponsored Ordinance 06-09, An Ordinance Amending Section 224.01 Of The Centerville Municipal Code For The Listing Of The Posting Places For Ordinances and Resolutions Within The City Per The City Charter, and moved that it be passed. Mr. Cline seconded the motion. The motion passed with seven ayes.

EMERGENCY ORDINANCE 07-09: GOLF FEES, RULES, REGULATIONS 2010

New business for the evening consisted of an emergency ordinance related to golf fees, rules and regulations. Mrs. Wilder gave the staff report and noted that it is traditional to pass an emergency ordinance in November so that rates for the coming year are set in time for sales of holiday gift certificates. She noted that Council had reviewed the staff recommendations during a recent work session. A full report will be given at the Public Hearing when the ordinance comes before the Council at the December meeting of Council. Dr. Gresham sponsored Ordinance 07-09, An Emergency Ordinance To Amend Ordinance Number 18-08, Adopting All Fees, Rules and Regulations associated With the Golf Club At Yankee Trace and Providing Compensation For Golf Professionals, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed with seven ayes.

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Mr. Robert Kyvik, 2555 Goodfield Point in Washington Township, announced that he had attended the Washington Township Trustees' meeting earlier in the evening. He reported that there was discussion of police services for the township because the County Sheriff is increasing fees to cover costs. Mr. Kyvik's opinion was that, despite his urging, the Washington Township Trustees will never be interested in getting a cost estimate or asking for a bid from the City of Centerville for police services.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kenney
Mayor

ATTEST: Debra A. James
Clerk of Council

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James & Kara Blalock
1665 Gatekeeper Way

Nancy Freaking
324 Alston Woods

The John Hoffman Family
582 East Whipp Road

David & Millie Moorman
257 Tauber Drive

Barry & Bonnie Pack
230 W. Spring Valley Rd.

Guy & Cindy Smallwood
6510 Staverton Drive

The Wilke Family
7254 Green Ash Court

He congratulated Circa at 21 West Franklin Street and Joli Boutique at 27 West Franklin as the winners of the Business Pride Holiday Awards.

Deputy-Mayor Cline noted the following in the Mayor's Report:

He extended Seasons Greetings to all and best wishes for safe travel.

He congratulated Mr. Horn and the staff for an exemplary year in the midst of difficult and challenging financial times.

He reminded residents of the opening of the new Public Works Center in 2010.

Mr. Horn stated the following in the City Manager's Report:

He thanked Deputy-Mayor Cline for his positive comments about the City Staff and fiscal restraint.

He announced that the initial phase of the Public Works Center should be completed by early February with occupancy in March 2010.

Mr. Horn referred to the legislation regarding the Kroger Marketplace on the agenda for the evening.

He noted that some of the H1N1 vaccinations at the Showcase Cinemas in Centerville had been determined to be ineffective.

Mr. Horn thanked Council for its support during 2009 and wished everyone a happy and a merry holiday.

Mrs. Gopman outlined code violations and their resolutions for the month of November, 2009, as well as the community calendar for December and January. She explained that some of the H1N1 vaccinations given in Centerville between 2 and 5 p.m. on December 17 had compromised potency. The Public Health Department is notifying those who need to retake the vaccine. A second clinic will be held at Showcase Cinema from 2-6 on December 29, 2009. Mrs. Gopman made announcements such as the dates for the collection of Christmas trees, the winter golf rates at Yankee Trace, the refuse schedule over the holidays, Art at the Trace, RV registration and the Martin Luther King, Jr., Breakfast.

Deputy-Mayor Cline explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Work Sessions. Approval of these items will be as a group with one motion being made. Deputy-Mayor Cline pointed out the appointments of Pam Cima to the Personnel Board of Appeals and Jan Prettyman to the City Beautiful Commission and the reappointments of James Treffinger, Suzanne

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Holloway and Marilyn Hoback. Noting the impressive number of civic volunteers at the annual appreciation event, Deputy-Mayor Cline thanked all the civic volunteers for their willingness to serve the City of Centerville.

Councilmembers read the titles of the following Consent Agenda items before Mr. Singer sponsored the legislation and moved that it be passed:

- A. Approval of the 2010-2014 Capital Improvement Program.
- B. Ordinance Number 12-09, An Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ended December 31, 2010, be set for Public Hearing on January 25, 2010.
- C. Ordinance Number 14-09, An Ordinance To Repeal Ordinances Numbers 2-09 And 25-08 In Their Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on January 25, 2010.
- D. Ordinance Number 16-09, An Ordinance To Repeal Ordinance Number 27-08 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Associated With The Food Service, Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace, City Of Centerville, Ohio, be set for Public Hearing on January 25, 2010.
- E. Ordinance Number 18-09, An Ordinance To Repeal Ordinance Number 29-08 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, be set for Public Hearing on January 25, 2010.
- F. Resolution Number 44-09, A Resolution Authorizing The Amendment Of The City Manager's Contract Commencing January 1, 2010.
- G. Resolution Number 45-09, A Resolution Requesting Advances Out Of The Current Collection Of Real Estate, Personal Property And Estate Taxes Assessed And Collected On Behalf Of The City Of Centerville.
- H. Resolution Number 45-09, A Resolution Of Support For The Community Access Preservation Act (HR 3745) Introduced By Representative Tammy Baldwin And Encouraging Its Timely Passage By Congress.
- I. Resolution 47-09, A Resolution Ratifying The Action Of The City Manager, On Behalf Of The City Of Centerville, In Cooperating With The City Of Dayton And In Signing An Agreement To Provide Targeted Enforcement According To The Terms Of A Montgomery County OVI Task Force Grant.

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J. Reappointments:
 James Treffinger to the Board of Architectural Review
 Suzanne Holloway and Marilyn Hoback as Co-Chairs for the Sister City
 Committee.

K. Appointments:
 Pam Cima to the Personnel Board of Appeals
 Jan Prettyman to the City Beautiful Commission.

Dr. Gresham seconded the motion. The motion passed with six ayes.

PUBLIC HEARING FOR ORDINANCE NUMBER 08-09: ANNUAL UPDATE OF THE CODIFIED ORDINANCES FOR THE CITY OF CENTERVILLE

Mr. Horn explained that the Clerk of Council arranges with a printing company for an annual update to the Municipal Code in order to incorporate material approved by Council and by the State of Ohio since the last revision. This ordinance is required to include the new matter and repeal outdated items. Mr. Singer sponsored Ordinance 08-09, An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And Resolutions As Parts Of The Various Component Codes Of The Codified Ordinances; Providing For The Adoption And Publication Of New Matter In The Updated And Revised Codified Ordinance; And Repealing Ordinances And Resolutions In Conflict Therewith, and moved that it be passed. Mr. Beals seconded the motion. The motion passed with six ayes.

PUBLIC HEARING FOR ORDINANCE NUMBER 09-09: AMENDING GOLF FEES, RULES AND REGULATIONS FOR 2010

Mrs. Wilder gave the staff report on the recommendations for changes in rules, green fees, rentals and compensation for personnel at the Golf Club at Yankee Trace. She enumerated decreases and increases in fees and packages based on trends from the past year. Because of the economy, weekday rates are being adjusted to encourage use of the course at targeted times. Most significantly, twilight rounds will be an hour shorter with a decrease in the rate, and the Vintage Course rates will increase slightly. Golf cart rates are decreasing slightly to remain competitive. Rain checks are being made more flexible with the golfer in control. Dr. Gresham sponsored Ordinance Number 09-09, An Ordinance To Amend Ordinance Number 18-08, Adopting All Fees, Rules And Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, and moved for its approval. Mr. Beals seconded the motion. The motion passed with six ayes.

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RECONSIDER RECORD PLAN FOR THE KROGER COMPANY AT SHEEHAN ROAD AND SR 48

Mrs. Kenley made a motion to reconsider the record plan for the Kroger Marketplace at the northwest corner of SR 48 and Sheehan Road that was approved on August 17, 2008 and amended on September 15, 2008. Mr. Compton seconded the motion. The motion to reconsider passed with six ayes. Mr. Liberman explained that the Kroger Company, the applicant, has requested an extension of time for the recording of the record plan and for a change in the way the project will be constructed and funded. The change is mainly procedural, but will be subject to additional conditions related to funding Sheehan Road improvements with an OPWC grant. The extension is for a year, but an important deadline for OPWC funding is imminent. Dr. Gresham moved for approval of the amended record plan subject to the following additional conditions:

1. All conditions of the original record plan and its amendments shall apply.
2. Execution of the required Subdivider's Agreement as amended to incorporate the following conditions:
 - a. The Applicant is to now deposit the money for its share of the local funding for the public improvements with the City prior to December 29, 2009.
 - b. The Applicant's share of the local funding may be modified pursuant to its share of the Local Funding compared to the City's share.
 - c. The City shall only enter into a project agreement with the OPWC once the applicant's money is deposited and the plat is recorded.
 - d. The Applicant shall hold the City harmless in the event that the OPWC project is delayed or cancelled.

Mr. Singer seconded the motion for approval of the amended record plan with the additional conditions. The motion passed with six ayes.

EXTENSION OF TIME FOR RECORD PLAN: HIGHLANDS AT YANKEE TRACE, SECTION 2

Mr. Feverston explained that Yankee Trace Development Corporation, LLC, has requested an additional six months of time to record the record plan for the extension of Legendary Way further to the east. The area is east of Paragon Road in the Highlands at Yankee Trace, Section 2 near the Number Seven tee. Mr. Compton moved to grant the extension for six months. Mrs. Kenley seconded the motion. The motion passed with six ayes.

ONE YEAR EXTENSION FOR IMPROVEMENTS RELATED TO SUBDIVIDER'S AGREEMENT FOR LEGENDARY WAY.

Mr. Feverston gave the details related to the request by Yankee Trace Development, LLC, for a one-year extension for completion of the public improvements related to the Subdividers Agreement for the extension of Legendary Way in the Links at

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Yankee Trace, Section 1-C. Dr. Gresham moved for approval of the one year extension; Mr. Beals seconded the motion. The motion passed with six ayes.

EMERGENCY ORDINANCE NUMBER 10-09: APPROPRIATIONS FINISHING 2009

Mr. Horn stated each year in December appropriations must be adjusted as final expenditures in various accounts are completed for the calendar year. To finish 2009, the Finance Department recommends increasing appropriations by approximately \$243,001.00, an increase of seven tenths of one percent. Mr. Beals sponsored Emergency Ordinance Number 10-09, An Ordinance To Amend Ordinances 23-08 To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During the Fiscal Year Ended December 31, 2009, and moved for its approval. Mr. Singer seconded the motion. It passed with six ayes.

EMERGENCY ORDINANCE NUMBER 11-09: APPROPRIATIONS FOR 2010

Mr. Horn noted that the formal presentation on annual appropriations will be given by staff at the next regularly scheduled Council Meeting since Council has voted to set Ordinance Number 12-09 for Public Hearing on January 25, 2010. Total appropriations for 2010 are roughly \$29 million dollars (including the first year of the Capital Improvement Program), a decrease of \$6.5 million from last year because the funds for the construction of the public works facility were included in the 2009 Capital Improvement Program. Emergency Ordinance Number 11-09 will give authority for appropriations until a regular ordinance is in place so that the City may do business immediately in 2010. Mr. Singer sponsored Ordinance Number 11-09, An Emergency Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ended December 31, 2010 and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with six ayes.

EMERGENCY ORDINANCE NUMBER 13-09: 2010 TITLES, PAY RANGES, GRADES, RATES OF PAY FOR EMPLOYEES OF THE CITY OF CENTERVILLE

Mrs. Yonak will make the formal presentation on the annual update to the pay ordinance at the January meeting with the Public Hearing for Ordinance Number 14-09. This measure allows the City to function in the interim. The measure includes a 2.3% increase for most City employees. Mrs. Kenley sponsored Emergency Ordinance Number 13-09, An Ordinance To Repeal Ordinance Numbers 2-09 and 25-08 In Their Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Compton seconded the motion. The motion passed with six ayes.

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**EMERGENCY ORDINANCE NUMBER 15-09: 2010 TITLES, PAY RANGES,
GRADES, RATES OF PAY, REGULATION AND COMPENSATION AT THE GOLF
CLUB AT YANKEE TRACE**

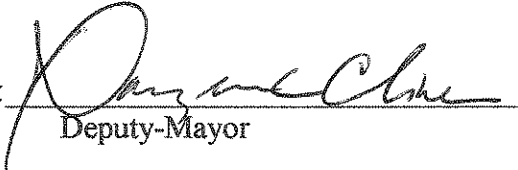
Mrs. Yonak will make the formal presentation on this annual update at the January meeting with the Public Hearing for Ordinance Number 16-09. This measure allows the Golf Club at Yankee Trace to function in the interim. Most of the changes are modifications to individual rates of pay and grades. Mr. Beals sponsored Emergency Ordinance 15-09, An Ordinance To Repeal Ordinance Number 27-08 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Associated With The Food Service, Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace, City Of Centerville, Ohio, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with six ayes.

EMERGENCY ORDINANCE NUMBER 17-09: 2010 PERSONNEL MANUALS

Mr. Horn noted that this ordinance covers annual revisions for the comprehensive personnel manuals for both the employees of the City of Centerville and of the Golf Club at Yankee Trace. Staff has briefed Council on the recommendations during a work session. Mr. Compton noted that each year staff members make a more thorough and efficient presentation on appropriations and personnel items. The public hearing will be held at the January meeting when Ordinance Number 18-09 is considered. Most of the updates are utilitarian in nature. Mr. Compton sponsored Emergency Ordinance 17-09, An Ordinance To Repeal Ordinance Number 29-0836-07 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, and moved that it be passed. Mr. Beals seconded the motion. The motion passed with six ayes.

Deputy-Mayor Cline noted that the swearing in ceremony for the three re-elected officials, Mr. Singer, Mr. Compton and himself, would be Sunday, December 27. There being no further business, the meeting was adjourned.

Approved: _____


Deputy-Mayor

ATTEST: _____


Assistant Clerk of Council