

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

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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