

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 15

20 08

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 15, 2008, 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

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Mark Schlagheck
 Public Works Director Robert James
 Fire Chief William Gaul
 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
 Municipal Attorney Scott Liberman

Mr. Beals moved to excuse Mr. Singer from the meeting. Mr. Cline seconded the motion which then passed with six ayes.

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

Council Meeting August 18, 2008.
 Work Session Meetings August 18, 2008.
 September 08, 2008.

Mr. Compton moved that the minutes of the foregoing meetings, as distributed, be approved. Dr. Gresham seconded the motion. The motion passed with six ayes. Mr. Beals asked to abstain from the August 18, 2008 Work Session Meeting and the Council Meeting.

Mrs. James announced the following resignations from boards and commissions:

Brett Kottmann from the City Beautiful Commission.
 Sally Ann Harris from the Sister City Committee.
 Deb Dyer from the Arts Commission.

Mayor Kingseed welcomed Fire Chief Bill Gaul and congratulated him for the Washington Township Fire Department's attainment of national accreditation from the Commission on Fire Prevention International. Fire Chief Gaul noted that the national accreditation process identifies strengths and weaknesses, sets strategic objectives and evaluates progress. Because accreditation is to be renewed every five years, this elite certification leads to ongoing improvement and the attainment of long-term goals. Former Chief Ken Parks, Councilman Jim Singer and Deputy Chief Neidhard were among the

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 15*20 *08*

individuals in the community who were highly committed to helping the Washington Township Fire Department gain this honor.

Mr. Tom Ireland, Interim Executive Director, gave the quarterly update for the Miami Valley Communications Council. Services that MVCC provides to the community include the following:

- Coordinates collective buying power for some contracts for the eight member cities.
- Provides emergency notification with scrolling messages on cable television and with telephone calls at a rate of 60,000 citizens per hour.
- Broadcasts community events like football games, Council Meetings and the Americana Festival Parade, connecting schools and governments with the citizens.
- Broadcasts particular programs for each member city—*Let's Talk Centerville*, *Centerville Reports*, *Centerville Connections*, and *Centerville Notes*.
- Makes streaming videos of local events available worldwide on the Internet.
- Gives on-the-job training to two Centerville High School interns.
- Works with police departments to screen and enhance surveillance videos.
- Airs "Meet the Candidates" for the League of Women Voters at election time.

Mr. Ireland encouraged feedback from the Council and citizens so that the consortium may continue to meet the needs of the community. Mayor Kingseed and Mr. Compton complimented the staff at Miami Valley Communications Council for their professionalism. The Mayor pointed out that MVCC will be broadcasting debates about the formation of the merger study commission.

Mayor Kingseed administered the oaths of office to Marilou Enslein for the City Beautiful Commission and Christine Nystrom for the Sister City Committee. He congratulated them and thanked them for their service.

Mrs. Roberta Goodrich, co-chair of the City Beautiful Commission, noted the damage to trees and landscaping due to the weekend windstorm before she announced the Business Pride Award Winners for September. Louise Gaertner accepted the plaque for the Deer Run Homeowners Association, and Pat Williams accepted the award for the Forest Walk Homeowners Association. Both groups received the Business Pride plaques for their quality plantings and outstanding maintenance of the common areas.

Mrs. Patty Kraft, the other co-chair of the City Beautiful Commission, explained the activities of the City Beautiful Commission and then honored all the residential Summer Landscape Award Winners with a slide show. Each family will receive an engraved decorative stone. The winners were as follows:

June

John & Sara Ferrazza
2558 Tedbury Court
David & Lynne Cunningham
132 East Drive

Jim & Carolyn Dodok
5014 Rhine Way
Jerry & Carole McNabb
955 Elk Hollow Lane

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 15

20 08

Nola Stephens
361 Marsha Jeanne
Jim & Carma Schieman
206 Whittington Drive

Harry & Marilou Enslein
1014 Bentgrass Lane

July

Tom & Doris Cassley
220 Glenburn Drive
Joyce Mason
9839 Rose Arbor Drive
Cliff & Diana Thorstenson
6523 Atterbury Court

Kenneth & Wendy Hattan
306 Cedarleaf Court
Kenneth & Karla Jansen
8098 Brainard Woods Drive

August

Tom & Carol Baker
1111 Club View Drive
Tom & JoAnn Spangler
212 Prague Court
Ronald & Vicki Kuhn
300 Shawnee Trail
Robert & Maura Dashewich
974 Hyde Park Drive

Mike & Sandra Kline
7415 Forest Creek Drive
Terry & Bev Cole
170 Laurel Oak Drive
Don & Doris Schneider
2537 Marscott Drive

MAYOR'S AWARD

Tim & Judy Lange
1225 Club View Drive

The Council recessed at this time to the Law Library for a short reception with the award winners and the City Beautiful Commission.

When the Council reconvened, Mayor Kingseed thanked Mr. Horn and all staff members who have put in many extra hours since yesterday's windstorm from Hurricane Ike. He announced Community Forums on the Merger Study Commission issue on October 14th at the Central Theater at Centerville High School, October 21st at the Training Room at the Centerville Police Department, and October 28th at the Central Theater at Centerville High School. All are from 7-8:30 p.m.

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

- He gave an update on the power outages and noted that, in the area, 200,000 customers of DP&L are still without power. Estimates are that it will be the weekend before power is restored to many residents.
- He apologized for the lack of service for the Municipal telephones earlier in the day.
- He explained policies for yard debris and limb and branch pickup.
- He noted that clean up would take several weeks and encouraged residents to check the Centerville website for updates.

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 15*20 *08*

- Officers have been working extra shifts for traffic control while traffic signals are out and for security in darkened areas of town.
- Damage at City-owned facilities is being assessed.
- Mr. Horn thanked the staff, the Police Department, the Public Works Department and the countless volunteers for their efforts since the storm.

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

Mrs. Kenley congratulated the Arts Commission members for the efforts that made the summer concert series so successful.

Mr. Compton asked Mr. Feverston to explain the timetable for the Unified Development Ordinance to come before Council. Mr. Feverston stated that in October the Council would be asked to set the Unified Development Ordinance for Public Hearing at the December meeting. The City Planning Commission has reviewed and recommended the UDO to Council.

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. Before the Councilmembers read aloud the titles of the other items, Mayor Kingseed noted that Item "U" was being removed from the Consent Agenda. Following discussion of the increase in the price of highway rock salt, Dr. Gresham moved that the following legislation, minus Item "U," be passed:

- A. An Ordinance To Amend Ordinances Number 28-07 And 8-08 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, 2008, be Set for Public Hearing on October 20, 2008.
- B. An Ordinance Prohibiting The Use Of Engine Brakes Within The City Of Centerville, be set for Public Hearing on October 20, 2008.
- C. Resolution 36-08, 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.
- D. Resolution 37-08, A Resolution Estimating The Probable Amount Of Public Monies To Be Deposited, Setting A Date For The Designation Of Public Depositories And Authorizing Notice.
- E. Resolution 38-08, A Resolution Designating A Public Depository And Awarding Public Monies. (Fifth Third Bank)
- F. Resolution 39-08, A Resolution Designating A Public Depository And

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 15

20 08

- Awarding Public Monies. (J. P. Morgan Chase Bank, N.A.)
- G. Resolution 40-08, A Resolution Designating A Public Depository And Awarding Public Monies. (KeyBank National Association)
- H. Resolution 41-08, A Resolution Designating A Public Depository And Awarding Public Monies. (LCNB National Bank)
- I. Resolution 42-08, A Resolution Designating A Public Depository And Awarding Public Monies. (Liberty Savings Bank)
- J. Resolution 43-08, A Resolution Designating A Public Depository And Awarding Public Monies. (National City Bank)
- K. Resolution 44-08, Resolution Designating A Public Depository And Awarding Public Monies. (U.S. Bank)
- L. Resolution 45-08, A Resolution Designating A Public Depository And Awarding Public Monies. (WesBanco Bank, Inc.)
- M. Resolution 46-08, A Resolution Designating A Public Depository And Awarding Public Monies. (Park National Bank)
- N. Resolution 47-08, A Resolution Authorizing And Directing The City Manager To Take All Steps And Execute All Documents Necessary In Order To Affect The Purchase And Sale Of Real Property From Yankee Trace Development, Inc. For Property Located In The Yankee Trace Development Pursuant To The June 27, 1994 Agreement And Its Amendments.
- O. Resolution 48-08, A Resolution Authorizing The City Manager To Prepare And Submit An Application To Participate In The Ohio Public Works Commission State Capital Improvement And/Or Local Transportation Improvement Program(s) And To Execute Contracts As Required.
- P. Resolution 49-08, A Resolution Accepting The Bid From The Morton Salt Company And Authorizing The City Manager To Enter Into An Agreement With The Morton Salt Company For The Purchase Of Highway Rock Salt For Snow And Ice Control For The City Of Centerville For The Year 2009.
- Q. Resolution 50-08, A Resolution Accepting The Bid Submitted By Topp Shape Enterprises, Inc., For Village South Ditch Improvements – Phase Two (Project SS-6A) And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 15**20 08*

- R. Resolution 51-08, A Resolution Accepting The Bid Submitted By White Allen Chevrolet For The Purchase Of A Dump Truck With Hydraulics And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
 - S. Resolution 52-08, A Resolution Accepting The Bid Submitted By Stoops Freightliner Of Dayton For The Purchase Of A Side Loading Satellite Refuse/Recycling Truck And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
 - T. Resolution 53-08, A Resolution Supporting And Encouraging General Motors To Reinvest In The GM Moraine Assembly Plant Located At 2601 Stroop Road.
 - V. Appointment of Kim Engelman to the City Beautiful Commission.
- Mr. Cline seconded the motion. The motion passed with six ayes.

RESOLUTION 54-08 COMMUNITY CONTRACT RELATED TO THE MERGER STUDY COMMISSION

Item "U," a pledge by the Council to make sure certain concerns were to be addressed before it would support a merger if one were recommended by the Merger Study Commission, was then considered. Mayor Kingseed stated support for the formation of the Merger Study Commission because of the possible benefits for the citizens of both the City and Washington Township. In listening to people, the Council has realized that it is important to address the concerns of residents. He stated that, if the Merger Study Commission should decide that merger is in the best interest of our jurisdictions, the Council would have seven standards or items that would need to be addressed before the Council could support a merger. Councilmembers stated support for the formation of the Merger Study Commission and for these promises to the Centerville/Washington Township Community. Doug Cline moved that Resolution 54-08, A Resolution By The Council Of The City Of Centerville, OH To Adopt A Community Contract Relating To The Merger Study Commission, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with six ayes.

RECONSIDERATION OF THE KROGER MARKETPLACE RECORD PLAN

Due to changes in the outlot, Mr. Beals made a motion to reconsider the Kroger Record Plan that was approved at the August 18 meeting of Council. Mrs. Kenley seconded the motion. The motion passed unanimously with six ayes.

Mr. Feverston, in giving the staff report, explained that the current owners of the property have requested a change in the record plan to create a separate lot on the portion of the site occupied by Grismer Tire. The new lot line would run in the center of the access drives that outline the area as described in the original record plan. Such an action would simplify the legal description of the properties. Since the previous meeting, Mr. Spitler has submitted the Engineer's Report for the plat to the Planning Department. Staff has reviewed

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 15

20 08

the proposed record plan and recommends approval of the change subject to the following additional conditions:

- 1. All conditions of the original record plan shall apply.
- 2. Cross access and maintenance easements shall be established for the driveways that are subdivided by the proposed plat and be subject to approval by the City Planner.
- 3. The Applicant shall co-ordinate with the City Engineer for the location of the bus stop easement and storm sewer easements.

Mr. Beals voiced concern with centerline boundaries when there could be two owners involved in decisions. Before moving for approval of the record plan as amended, Mr. Beals noted the need for clear definition of responsibilities for maintenance and snow removal. Mr. Compton seconded the motion. It passed with six ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Krueger
Mayor

ATTEST: Debra A. James
Clerk of Council