

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

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

Held *December 17*20 *07*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, December 17, 2007, 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   | Douglas Cline  |
| Councilmembers | Brooks Compton |
|                | Robert Corbin  |
|                | Paul Gresham   |
|                | Susan Lienesch |
|                | James Singer   |

Clerk of Council Debra James  
 City Manager Gregory Horn  
 Finance Director Mark Schlagheck  
 Public Works Director Robert James  
 City Engineer Douglas Spittler  
 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 Meeting -       | November 19, 2007. |
| Work Session Meetings - | November 19, 2007. |
|                         | December 3, 2007.  |
|                         | December 10, 2007. |

Dr. Gresham moved that the minutes of the foregoing Council Meetings, as distributed, be approved. Mr. Cline seconded the motion. The motion passed by unanimous vote. Mr. Corbin abstained from the minutes of the Work Session Meeting on December 10, 2007; Mrs. Lienesch abstained from the minutes of the Work Session Meeting on December 3, 2007; Mayor Kingseed abstained from the minutes of the meetings on November 19, 2007.

Mayor Kingseed administered the oath of office to Dr. Paul Gresham who was re-elected for a third term as a Councilmember and to Sally Ann Harris who is a new member of the Sister City Committee. Other officials elected on November 6, 2007, will be sworn in on Sunday, December 30, 2007, at 1:00 p.m. in the Council Chambers of City Hall.

Mayor Kingseed welcomed Kyle McCabe who has completed all the requirements for advancement to the rank of Eagle Scout, and he presented a Certificate of Congratulations.

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

This is the last meeting for Mrs. Sue Lienesch and Mr. Bob Corbin as members of the Centerville City Council. Following an impressive career in the state legislature, Mr.

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held *December 17**20 07*

Corbin served on Council for the past four years. Mrs. Susan Lienesch served on Council for 12 years and has been an extraordinary advocate for the citizens of Centerville.

We are cautiously optimistic that the Memorandum of Understanding between the parties involved in the Dille annexation will come to fruition in an agreement which will end the lawsuit by Sugarcreek Township and settle how tax revenue generated in the area will be dispersed. Mayor Kingseed, Deputy Mayor Cline and Mr. Horn have committed to meeting with Sugarcreek officials on a regular basis to share information.

Council's annual retreat will be on January 12, 2008, to discuss goals and to define objectives for the next few years. Following the retreat, the Mayor will make a televised State of the City address at the Police Department on January 28, 2008, at 6:00 p.m.

The results of the financial study of the services of the City of Centerville and Washington Township are coming together. This analysis by the University of Toledo shows what would happen financially if the City and Washington Township were to merge. City officials will meet with the Township Trustees once the report is final.

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

Leaf collection will continue weather permitting.

L.A. Fitness, a major fitness facility, is coming to the site where the Thirsty Dog was at Alex Bell and I-675. At its last meeting, the Planning Commission passed the Special Approval Application for this new business.

Public Works Director Mr. Rob James, Chief Building Official Mr. Doug Filaseta, and Mr. Horn have accompanied representatives from Danis Construction, our construction manager, for interviews with two of the architectural firms on our short list for preparation of plans for the new public works center. Representatives from the remaining firms will be interviewed soon, and a recommendation will be made after the beginning of the year.

Mr. Horn echoed the Mayor's thanks to Mrs. Lienesch and Mr. Corbin for their service to the City.

Mrs. Gopman outlined code violations and resolutions for the month of November, 2007, and presented the community calendar for the coming month. She noted openings on the City Beautiful Commission, Sister City Committee, and Arts Commission.

Mrs. Lienesch stated that it had been a privilege and honor to serve the citizens of the City of Centerville over the past 12 years.

Mr. Corbin said that serving the City of Centerville had been a labor of love.

Mayor Kingseed noted that he had sent a letter to the Washington Township Trustees in response to the possibility of the transfer of the Township's 911 dispatch services to the Montgomery County centralized system. The City of Centerville has invited Washington Township to dispatch its services along with the City of Centerville Police Department and has offered to accept the same fee structure set by Montgomery County.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Held December 17

20<sup>07</sup>

Next was a presentation on automated trash collection. Mr. Horn noted that one route each day will have automated trash collection beginning in March or April. Mrs. Kristen Gopman covered the history of the Centerville trash program, fees, recycling, the vision for the future, and the benefits of using one man packers. Rising costs of gasoline, personnel, equipment and fees at the transfer station necessitate exploring ways to save money in order to minimize rate increases. The automated truck will have arms which pick up the 96-gallon cart set at the curb by the homeowner. The City anticipates no employee layoffs with this change. Other cities have had less employee injuries and Workman's Compensation claims when using the automated system. Mr. Horn emphasized the importance of recycling and stated that recycling will continue as a separate pickup.

Mr. Kenneth Hahn, 311 S. Village Drive, addressed the Council with a history of the proposed changes from a resident's point of view. He asked if the Council had formally approved the change to automated trash pick up and read a letter he had sent to Council earlier in the month. Mr. Hahn requested that his letter be made part of the Minutes; this letter is dated November 26, 2007, addressed to His Honor the Mayor and the Centerville City Council and made a part hereof.

Mr. Rodney Miller, 320 S. Village Drive, expressed the opinion that the automated system has come in under the radar of most residents. He inquired about the placement of carts when snow is on the ground and was concerned about the additional cost for the container as a separate item on the bill.

Mr. Douglas Leyh, 207 Whittington Drive, stated support for the attempt of the City to control costs, but noted that the perception of the residents is that the change is compulsory. He also voiced concern about the cost of the carts.

Mr. Jack Garner, 85 Zengel Drive, stated that the new program came as a surprise to him. He felt that older or incapacitated people will be unable to push a large cart to the curb.

Mr. Adrian Rose, 104 Cushwa Drive, talked about friends with back and heart problems who are concerned about the size of the cart. He said that storage in a garage is unlikely in Centerville and wanted to know how long participation will remain voluntary.

Mr. Jack McCarthy, 9710 Pawnee Pass, has a limited space to store such a large receptacle and doesn't see that there will be much cost savings.

Mr. Roger Hanks, 351 N. Village Drive, felt quality of service should be the driving force of City decisions since costs are increasing anyway. He asked that Council consider bids from private haulers for comparison.

Mr. Kenneth Hahn, asked about the actual savings, because he could not see that much would be saved. Mr. Horn noted that the presentation had covered the expected savings of \$120,000-160,000 per year, mainly in labor and benefits costs. He also stated that the City has raised rates only once in sixteen years and has been fiscally responsible in managing the department in spite of rising costs. Mr. Corbin noted that reduced injuries to our workers is a very important consideration.

Ed Case, 8232 Rhine Way, Walnut Hills, re-iterated that the 96 gallon containers are too large for many people to handle and questioned whether a smaller size would be available.

In reference to lack of communication with the public, Mrs. Lienesch noted she had material dating as far back as June 2005 and asked how many times automated collection

## RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held December 17

20<sup>07</sup>

had been discussed at Council Meetings or Council Work Sessions. Mr. Horn said that it had been discussed for at least three years, and plans are to take at least three more years for implementation.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters. Approval of these issues will be as a group with one motion being made. He noted that the Consent Agenda included the re-appointment of Mark Taylor to the Arts Commission, Patty Kraft to the City Beautiful Commission, Paul Clark to the Planning Commission, Barry McClain to the Property Review Commission, and Carolyn Basford and Suzanne Walk as Co-Chairs for the Sister City Committee.

Mr. Compton asked to be excused and left the meeting at this time.

Mr. Horn briefly explained each of the Consent Agenda items. Mrs. Lienesch asked that the record reflect that Centerville residents are paying \$3,000 twice to the The South Suburban Teen Alcohol And Other Drug Prevention Task Force, since they are under the jurisdiction of Centerville and Washington Township. Mr. Corbin moved that the following Consent Agenda items be approved.

- A. Approval of the 2008-2012 Capital Improvement Program.
- B. Ordinance Number 28-07: 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, 2008, be set for Public Hearing on January 28, 2008.
- C. Ordinance Number 29-07: An Ordinance Repealing Existing Chapter 211: Investment And Deposit Policy And Adopting A New Chapter 211: Investment And Deposit Policy, be set for Public Hearing on January 28, 2008.
- D. Ordinance Number 30-07: An Ordinance Providing For The Construction Of Certain Public Improvements Within The City By Creating A Tax Increment Financing Area Encompassing Certain Parcels Of Real Property, Declaring Improvements To Such Parcels To Be A Public Purpose, Exempting Such Improvements From Taxation, Requiring The Owners Of Such Parcels To Make Service Payments In Lieu Of Taxes, Providing For The Payment Of Certain Compensation To Sugarcreek Township And The Sugarcreek Local School District, Establishing A Municipal Public Improvement Tax Increment Equivalent Fund For The Deposit Of The Remainder Of Such Service Payments, Describing The Public Infrastructure Improvements Made, To Be Made Or In The Process Of Being Made By The City That Directly Benefit, Or That Once Made Will Directly Benefit, Those Parcels And Approving And Authorizing The Execution Of A Compensation Agreement, be set for Public Hearing on January 28, 2008.

# RECORD OF PROCEEDINGS

46

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 1720 07

- E. Ordinance Number 32-07: An Ordinance To Repeal Ordinances Numbers 35-06 And 5-07 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 28, 2008.
- F. Ordinance Number 34-07: An Ordinance To Repeal Ordinance Numbers 37-06 And 3-07 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, be set for Public Hearing January 28, 2008.
- G. Ordinance Number 36-07: An Ordinance To Repeal Ordinance Number 39-06 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, be set for Public Hearing on January 28, 2008.
- H. Resolution Number 57-07: A Resolution Requesting An Advance Of Two Million Dollars (\$2,000,000.00) Out Of The Current Collection Of Real Estate, Personal Property And Estate Taxes Assessed And Collected On Behalf Of The City Of Centerville.
- I. Resolution Number 58-07: A Resolution Supporting The Report And Recommendations Of The South Suburban Teen Alcohol And Other Drug Prevention Task Force.
- J. Resolution Number 59-07: A Resolution Accepting The Bids Submitted By Green Velvet Sod Farms, Turfgrass South, Inc. And Lesco 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.
- K. Yankee Trace, Section Twenty-Seven (27) Performance Bond Release.
- L. Yankee Trace, Section Thirty-Three (33) Performance Bond Release in the amount of \$35,000.00 conditioned upon the receipt of a one year maintenance bond in the amount of \$5,625.00.
- M. The Following Reappointments be Made:  
Mark Taylor to the Arts Commission.  
Patty Kraft to the City Beautiful Commission.  
Paul Clark to the Planning Commission.  
Barry McClain to Property Review Commission.  
Carolyn Basford and Suzanne Walk as Co-Chairs to the Sister City Committee.

Mrs. Lienesch seconded the motion. The Consent Agenda passed with six ayes.

# RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 1720 07

## ORDINANCE NUMBER 25-07: FEES, RULES AND REGULATIONS FOR THE GOLF CLUB AT YANKEE TRACE

The public hearing was held concerning Ordinance Number 25-07. Mrs. Wilder explained the annual changes to the fees, rules, regulations and compensation for professionals at the Golf Club at Yankee Trace. She stated that only minor changes are being recommended to the fee schedule; no new packages are being put in place since the current packages have been so successful. Rules and regulations were updated last year, so only a few minor changes are included at this time.

Jack Garner, 85 Zengel Drive, asked for special rates for seniors. Mrs. Wilder explained that specials that are not listed in the ordinance allow seniors to play Monday through Thursday with tee times before noon at the reduced rate of \$34.00, including a cart for ages over 55.

Mr. Cline sponsored Ordinance Number 25-07, An Ordinance To Amend Ordinance Number 24-06, 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. Dr. Gresham seconded the motion. The motion passed with six ayes.

## EMERGENCY ORDINANCE NUMBER 26-07: 2007 APPROPRIATIONS

Mr. Schlagheck explained that amendments to appropriations are done periodically throughout the year. This update increases appropriations by \$100,000.00 to finish out the year for Yankee Trace operations. The record-setting year brought in more revenue than in the past, but also generated more expenses. Dr. Gresham sponsored Emergency Ordinance Number 26-07, An Emergency Ordinance To Amend Ordinances 33-06 and 14-07 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, 2007, and moved that it be passed. Mr. Singer seconded the motion. The motion passed with six ayes.

## EMERGENCY ORDINANCE NUMBER 27-07: APPROPRIATIONS FOR FISCAL 2008

Mr. Horn noted that the formal presentation on the annual appropriations will be given by staff at the January Council Meeting since Council has voted to set Ordinance Number 28-07 for Public Hearing at that time. This Emergency Ordinance will give authority for appropriations until the regular ordinance is in place. Mr. Singer sponsored Ordinance Number 27-07, 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, 2008 and moved that it be passed. Dr. Gresham seconded. The motion passed with six ayes.

# RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held December 1720 07

## EMERGENCY ORDINANCE NUMBER 31-07: CLASS TITLES, PAY RANGES, GRADES, RATES OF PAY AND REGULATIONS FOR EMPLOYEES OF THE CITY OF CENTERVILLE

The formal presentation on this annual update will be at the January meeting with the Public Hearing for Ordinance Number 32-07. This measure allows the City to function in the interim. Mr. Cline sponsored Emergency Ordinance Number 31-07, An Emergency Ordinance To Repeal Ordinance Numbers 35-06 And 5-07 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. Corbin seconded the motion. The motion passed with six ayes.

## EMERGENCY ORDINANCE NUMBER 33-07: CLASS TITLES, PAY RANGES AND COMPENSATION FOR THE EMPLOYEES AT YANKEE TRACE

The formal presentation on this annual update will be done at the January meeting with the Public Hearing for Ordinance Number 34-07. This measure allows the City to function in the interim. Dr. Gresham sponsored Emergency Ordinance 33-07, An Emergency Ordinance To Repeal Ordinance Numbers 37-06 And 3-07 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 that it be passed. Mr. Cline seconded the motion. The motion passed with six ayes.

## EMERGENCY ORDINANCE NUMBER 35-07: THE PERSONNEL MANUALS OF THE CITY OF CENTERVILLE

A Public Hearing on this issue will be held at the January meeting when Ordinance Number 36-07 is considered. Mrs. Lienesch sponsored Emergency Ordinance 35-07, An Emergency Ordinance To Repeal Ordinance Number 39-06 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, and moved that it be passed. Mr. Corbin seconded the motion. The motion passed with six ayes.

Jack Garner spoke to Council about the need for speed enforcement on Zengel Drive during rush hours and summer weekends. He was also concerned about traffic turning south onto SR 48 from Zengel Drive, since there is no traffic signal at that intersection. He asked that the City plow snow on the sidewalks as well as the streets. He noted that Create the Vision recommended on-street parking in the downtown area and asked that on-street parking not be allowed. He inquired about the synchronization of the traffic signals at SR 48 and Franklin Street. In response, Mr. Spitler noted that a signalization interconnect project is in process to optimize the current system, but that there still will be times when traffic volume will continue to cause backups.

Mr. Adrian Rose, Cushwa Drive, noted the problem of trash at the bus stop in front of his home. He also suggested that the entrance/exit for City Hall at Spring Valley Road become an entrance only.

## RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *December 17*20 *07*

Mr. Corbin objected to Mr. Koussa coming before Council and left the meeting at this time.

Mr. Joseph Koussa, 1537 Beaver Creek Lane, Kettering, asked God to bless our troops, and he bid farewell to Mr. Corbin. Mr. Koussa noted the publicity he had received as the result of his appearances at Council.

There being no further business, the meeting was adjourned.

Approved: *C. Mark Kenzies*  
Mayor

ATTEST: *Debra A. James*  
Clerk of Council

Attachment of letter as requested by Mr. Kenneth Hahn:

To: *His Honor the Mayor and the Centerville City Council*  
Copy: *City Manager Gregory Horn*  
From: *Kenneth Hahn—Centerville resident*

Subject: Centerville Proposed New Automated Waste Collection

When City officials first started discussing a possible change in our trash collection system, I seem to remember that the discussion at that time centered on the reluctance of the City to be faced with the frequent necessity of asking the residents for an increase in fees due to rising costs. I hope that is still the City's motivation in proposing a new automated collection method – to overcome rising costs to the benefit of the residents.

It seems to me that all of those "rising costs" will be the same in the new proposed automated system as in the current system except for any escalation in manual labor costs. All other costs will remain the same or will increase at the same rate under either system. If



RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 17

20 07

that be true, then one has to ask: How severe are the labor cost increases? Perhaps a look at the inflation rate will offer some clue. The national rate of inflation in 2006 was 2.5%. The inflation rate for the one year ending in September of 2007 was 3.1%. The probability is that the inflation rate for the balance of 2007 will be something less than 3.1%. To allow City employees collecting the trash to enjoy the same standard of living today as they did one year ago, their salary would need to be increased between 2.5% and 3.1%.

If under the new proposed system with more automation, one employee can be eliminated from the 2 employees required on each truck now, the savings would seem at first glance to be 50% of the current manual labor costs. In fact the saving may not be close to 50%. Since the current experiment with the new equipment is voluntary in participation, a second employee on each truck is required to service residents not using the new containers. During transition from the optional mode to a broader use of the new system, the second employee would still be required to service non-participants. In addition, I suggest that you may never get 100% participation without making it unlawful to not participate or by making it impossible to avoid by its being the only trash collection available. I am sure the City would not want to make the new automated system mandatory if a meaningful percentage of the residents do not want it – or – if it proves to be just as expensive as the old system – or more expensive perhaps.

So the Bottom Line is: Which is more cost effective? Continue with the current system at an increase in the cost of manual labor between 2.5% and 3.1% --- or --- to put in place the new automated system at a reduction in manual labor costs of somewhere between zero and 50%, but with Double the cost of new trucks with state of the art automation versus the cost of trucks currently in use And the cost of new containers at one dollar per month to each resident.

Or maybe this is even a better way to look at the Bottom Line from one resident's point of view: If you keep the current trash collection system in place and raise my current collection fee by 3.1% to cover the inflationary rise in manual labor rates, it would cost me

## RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 17

20 07

56¢ per month more than my current fee and I would be 44¢ per month better off than paying the one dollar per month cost of the rented container under the proposed new system.

Of course, in addition to the financial considerations described above, several other details potentially costly and certainly inconvenient to the residents need to be considered. To name a few:

1. Those larger containers may not fit conveniently - or at all - in the garage of all residents.
2. A resident who finds it impossible or very inconvenient to store a 96-gallon container in his garage, may choose to place it in his side yard as his only other option. Do we really want to encourage any resident to create an unsightly mess outdoors in his yard?
3. A resident with a large family, who routinely needs four or five 32-gallon containers weekly will find the new 96-gallon container inadequate for his needs.
4. There are other questions one might raise - certainly a number of them related to the impact that snow might have on the efficiency of the automated system.

In addition, may I suggest that perhaps we should also take a closer look at the results of the automated waste collection Pilot Program that the City conducted a couple of years ago? In the letter of September 4, 2007 from the City over the signature of Robert James, the Public Works Director, to residents in the areas selected to receive automated service on an optional basis sometime next year, it is stated that a follow-up survey to the Pilot Program resulted in an 84% satisfactions rate. It is my understanding that 70% of the residents in the Pilot Program answered the follow-up survey. That means that 84% of the 70% who answered the survey - or a total of 59% - voiced approval. That also means that 41% of those surveyed either voiced disapproval or were so underwhelmed that they did not respond at all. Certainly, this was not a mandate for the automated system from the residents in that Pilot Program. Other questions about the Pilot Program results come to mind. For example: Were those test runs in ideal weather conditions or would the results have been different in winter weather with snow on the ground?

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *December 17*

20 *07*

I look forward to your response to my comments at the December 17, 2007 Council Meeting and Public Hearing.

*Sincerely yours,*

*Kenneth Hamm  
311 South Village Drive  
Centerville, Ohio 45459*