

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 17

20 06

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 17, 2006, 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 of the Epiphany Lutheran Church and City Chaplain, 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	Susan Lienesch
	Paul Gresham
	Robert Corbin
	Brooks Compton
	James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Finance Director Mark Schlagheck
 City Planner Steven Feverston
 Chief of Police Stephen Walker
 Public Works Director Robert James
 City Engineer Douglas Spitler
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Jenn Kuschnerus
 Municipal Attorney Scott Liberman

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

Council Meeting - March 20, 2006.
 - April 3, 2006.

Work Session Meetings - March 20, 2006.
 - March 27, 2006.
 - April 3, 2006.
 - April 10, 2006.

Joint City/Washington Township Meeting - March 27, 2006.

Mrs. Lienesch requested that the April 10, 2006 Work Session Minutes be amended as follows: Page 2, Fourth Paragraph, Third Line - possibly establishing a TIF making the school district whole, perhaps helping with the financing of the Clyo Road Project and helping with the Fire and EMS (and striking through the words - for the EMS and Police through to the word whole) ~~for the EMS and Police (making them whole)~~

Mr. Compton moved that the minutes of the foregoing meetings, as distributed and amended, be approved. Mr. Singer seconded the motion. The motion passed unanimously; however, Mr. Corbin abstained from the minutes of the April 3, 2006, Work Session and Council Meeting.

Mayor Kingseed administered the Oath of Office to City Beautiful Commission member, Amanda Benson.

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Chief Steve Walker and Ronnie Bowling (D.A.R.E. Officer) were present to unveil the Centerville Police Department's new D.A.R.E. vehicle. Chief Walker stated that local businesses have contributed and supported the outfitting of the new D.A.R.E. vehicle. One of the nice things about Centerville is that the community gets so involved in something like this. This is kind of a concept car that we came up with hoping to rally the appeal to the youth in our community for the D.A.R.E. program. The D.A.R.E. Car Sponsors:

Voss Dodge, 90 Loop Road, Centerville, Ohio.

Dayton Wire Wheel, 115 Compark Road, Centerville, Ohio 45459.

The Wheel Source, 3522 Kettering Blvd., Kettering, Ohio 45439.

P & R Communications, 700 East First Street, Dayton, Ohio 45402.

McDonald's of Centerville, 6004 Far Hills Avenue, Centerville, Ohio 45459.

Sound Waves, 8600 Springboro Pike, Dayton, Ohio 45342.

Kirneq Signs, 10997 Dayton-Lebanon Pike, Dayton, Ohio 45458.

Mayor Kingseed read the Certificate of Appreciation that was presented to each business sponsor and acknowledged the important contributions received from individuals and businesses that made this exciting addition to the D.A.R.E. Program. It will benefit the community for years to come.

Mayor Kingseed introduced the following Centerville High School students who will participate in Youth in Government Day on April 25, 2006:

Mayor	James Treadway
Deputy-Mayor	Randy Boll
Councilmembers	Andrew Strickler
	Becky Rhoda
	Andrew Erbland
	Nate Goldstein
	Erica Suprenant
Clerk of Council	Bhupinder Singh
City Manager	Baxter Stapleton
Assistant to the City Manager	Logan Dewey
Assistant to the City Manager	Caroline Lehrer
Finance Director	David Winters
City Planner	Tyler Kinzig
City Engineer	Nachi Deshpande
Chief of Police	Adam Watson
Public Works Director	Jim Hays
Economic Development Administrator	Allison Liebst
Human Resources Manager	Clark Mill
Golf Maintenance Superintendent	Colleen Lienesch
Head Golf Professional	Eric Reno
Director of Food Service	Jeff Anderson

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Mayor Kingseed announced the following events which have taken place and will take place in the coming weeks:

A Joint Meeting between the City and the Washington Township Trustees was held on March 27, 2006, and the two entities have been making a significant effort to cooperate in a more detailed way. It was agreed upon that a Joint Financial Study would be done; where both the City and the Township would analyze what it would cost, what would be the impact on the taxpayers in both the City and the Township, if the City and Township were to consolidate. This is not a merger study but it would be an analysis where we simply get a clear understanding of what the financial consequences would be if the City and Township were to eventually get together.

The City recently moved forward with an annexation of some property in Sugarcreek Township. The property owner came to the City and asked to come into Centerville. This is land that is going to be developed over the next several years. This is land that is going to have a vital impact on the City of Centerville. We want to make sure, using our Planning Resources that the land is developed in a way that is appropriate; that it is developed in a way that has a minimal negative impact either on Sugarcreek Township or on Centerville.

Mrs. Lienesch read a Proclamation designating April 27, 2006, as Arbor Day in the City of Centerville, issued by Mayor Kingseed.

Dr. Gresham read a Proclamation designating the week of May 8-11, 2006, as Operation Clean Sweep in the City of Centerville, issued by Mayor Kingseed.

Mr. Horn reported the following during his City Manager's report:

Congratulations were expressed to Richard Scherer on his retirement with the Public Works Department for his 33 years of dedicated service. A luncheon was held in Mr. Scherer's honor and we want to wish him well with his retirement.

It was announced that Thursday, April 27, 2006 is Arbor Day and a ceremony will be held on Fireside Drive at 10:00 a.m. This is the 20th year that the City of Centerville has been designated as a Tree City U.S.A. community.

There have been a few complaints regarding truck traffic on Sheehan Road. There are a couple of businesses that are located just outside the city limits. One is Wilson Concrete Block and the other is the School Bus Garage and due to the fact that they are located on Sheehan Road between Social Row Road and State Route 48, the City has always permitted them free access to and from their businesses. Trucks or buses entering or leaving either one of those establishments have the right to go south or northeast toward S.R. 48. It is noted as a no through truck street so drivers of the trucks that are traversing the entire section from S.R. 48 on through Social Row Road - would be cited for not obeying the through truck traffic regulations. The concrete block facility and the bus garage which have been located in that section of the street have always been permitted to have access from both directions.

Mr. Horn met with Mr. Mike Pittman, Sugarcreek Township Trustee. He had asked to get together, to discuss the proposed annexation north of I-675 and the proposed annexation south of I-675. They discussed the possibility of Joint Economic Development Districts, perhaps in other areas of Sugarcreek Township. Mr. Horn felt it was a good discussion. Mr. Pittman also discussed the extension of Clio Road - how important the extension of Clio Road is to Sugarcreek Township. Mr. Horn told Mr. Pittman that they had discussed that at the City Council

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level and if the annexations proceed forward that are currently being proposed (the 173 acres approximately north of I-675 and the approximate 100 acres south of I-675) that one of the things we were looking at through Tax Increment Financing was being able to potentially participate financially in the extension and improvement of Clys Road because it is an important roadway improvement for Sugarcreek Township and for the area.

As an update on the proposed access road behind the Woodbourne Library and McDonald's Restaurant; Councilmember, Mr. Corbin, and Mr. Horn had a conversation with Cynthia Klinck, Executive Director for the Library. The Library Staff has had a meeting with McDonald's Restaurant and have met with the Connor Group which owns the apartment complex to the east, and the City is continuing to look at this in-house to see what the options are in terms of possible alignment for an access drive for those businesses to get out to North Village Drive to be able to make south bound turns safely.

Mrs. Kuschnerus outlined code violations and resolutions for the month of March, 2006, as well as the community calendar for the coming month.

Mr. Feverston, reporting for the Planning Commission, advised that An Ordinance Amending Ordinance No. 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 1.214 Acres, More Or Less, From Washington Township Agriculture Zone Classification To Centerville R-1C, Single Family Residential Zone Classification has been recommended for consideration by City Council. Mrs. Lienesch moved that said Ordinance be set for Public Hearing for June 19, 2006. Dr. Gresham seconded the motion. The motion passed unanimously.

Mr. Compton reported briefly on the Create the Vision Implementation Task Force and that they have an obligation to report back to the community on an annual basis and this will be an Open House on June 14, 2006. Discussion will be held at that time on what objectives have been accomplished, what strategies have been worked through and what is on the agenda at this point. There will be an open forum for questions with respect to Create the Vision. He wanted to encouraged people to attend the Open House, June 14th at Rec West which is the old movie theater next to the Rec Center, at 7:00 p.m.

John McIntyre, represents the McIntyre Corporation, 70 West Franklin Street and also owns another corporation inside the city limits of Centerville. He expressed his concerns regarding the costs of annexation to the taxpayers of Centerville. His concerns are with regard to legal expenses in a project of this magnitude and infrastructure improvements over time. Mayor Kingseed explained that if the 300 acres come into the City and are developed at the level we expect them to be with a well-planned out development, that the economic benefit to the City would be substantial. The property tax revenues and the income tax revenues that come from that are going to be a significant benefit to the City of Centerville, and that is one reason we are looking favorably on the request of the owners to have that land come into the City. Mr. Horn explained that infrastructure improvements will be funded through direct contributions by the developer or tax increment financing. Mr. McIntyre spoke in opposition to children living in Centerville and going to a different school system.

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Terry Duffy, 327 Silvertree Lane, has been a 27 year resident. He brought photographs into the City a year ago because conditions in his neighborhood had deteriorated significantly. Mr. Duffy asked Council to direct the City Manager and his staff to enforce the code on this property at the corner of Silvertree Lane and Zengel Drive. Mayor Kingseed requested that Council will get a report from Staff as to where we are with this and to see if we have done all we can under the existing ordinances. City Staff will be in touch with Mr. Duffy.

Janice Rogers read from a brochure which described a program removing barriers in the Christian and mental health area and Christian and family counseling.

Marty Hickey, Sugarcreek Township resident who lives in the Browns Run Development, expressed concern about the development of the Dille property (the proposed annexation on Wilmington Pike and Feedwire Road). She stated that residents in their development are concerned about what will go into that property. She strongly requested for no apartments. She inquired as to what meetings the residents can come to stay updated as to what is going to happen to the Dille property and to the house. Mayor Kingseed encouraged that the residents stay involved with the Planning Commission Meetings and the Council Meetings.

Joseph Koussa, 1537 Beaver creek Lane, asked that the troops come home safely, and encouraged citizens to buy American-made products. He also encouraged listeners to save on gasoline.

Mayor Kingseed explained the Consent Agenda which contains procedural administrative matters. Approval of these issues will be as a group with one motion being made. He brought attention to the appointment of Mark Leonard to the Planning Commission to be made by the passage of the Consent Agenda. Mr. Horn gave a brief description on each Resolution. Mr. Singer moved that the following items be passed.

1. Resolution Number 17-06, A Service Resolution In Support Of The Proposed Annexation Of Property Containing 173.135 Acres More Or Less From Sugarcreek Township, Greene County, Ohio To The City Of Centerville, Montgomery County, Ohio Pursuant To The Requirement Of Section 709.023 Ohio Revised Code.
2. Resolution Number 18-06, A Resolution Accepting The Annexation Of Property Owned By John T. Reese, Jr. And Mary K. Reese Which Is Contiguous To The Corporate Limits Of The City Of Centerville And Which Is Located In The Unincorporated Area Of Washington Township.
3. Resolution Number 19-06, A Resolution Of Intent To Appropriate Certain Interests In Real Property For Public Roadway Purposes From John T. And Roberta J. Gramann and Located At 1 N. Main Street, Centerville, Ohio.
4. Resolution Number 20-06, A Resolution Accepting The Bid Submitted By Barrett Paving

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Materials, Inc. For The 2006 Street Program (Projects #SS-1A-06 And BI-1B-06) 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.

5. Resolution Number 21-06, 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 Distribution From Yankee Substation To Yankee Street.
6. The Woodlands at Yankee Trace, Performance Bond Reduction - Letter of Credit be Reduced from \$87,600.00 to \$36,000.00.
7. Mark Leonard be appointed as a member of the Centerville Planning Commission.

Mr. Compton seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 7-06 GARBAGE SERVICE
COLLECTION PROCEDURES FOR FEES

The Public Hearing was held concerning Ordinance Number 7-06. Mr. Horn explained that we provide residential refuse service in the community. There is a provision in our current code that allows for the refuse not to be picked up if a resident is delinquent on an account; what is needed are better tools to make sure that payments are paid because not picking up the refuse is not a long term solution. This legislation would provide the City with three options: 1) placement of a lien 2) it allows for prosecution and 3) filing of a civil suit if necessary.

Mr. Compton sponsored Ordinance Number 7-06, An Ordinance Amending Chapter 1060 Of The Centerville Municipal Code To Require Municipal Garbage Service For Residents; Establish Collection Procedures For Fees; And To Allow Assessment Of Unpaid Fees To The County Tax Duplicate, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 8-06 BUILDING INSPECTION CODE UPDATE

The Public Hearing was held concerning Ordinance Number 8-06. Mr. James explained that last year the State passed House Bill No.175 which will require all cities that enforce a residential building code to do certain things. The City must use the State Residential Building Code which has been in existence since 1993. We have adopted that Code and currently use it. This will be a requirement that all municipalities; cities, counties, townships will be required to adopt this Code which gives a state wide uniform code. We also have to have inspectors become state certified to do residential inspections. We also must become a state certified residential building department. This legislation allows the city to apply for the certification.

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Mr. Singer sponsored Ordinance Number 8-06, An Ordinance Authorizing A Request To The Ohio Board Of Building Standards To Certify The City Of Centerville, Ohio For Enforcement Of The Residential Code Of Ohio With The Condition That The Division Of Inspection Exercise Enforcement Authority And Accept And Approve Plans And Specifications, And Make Inspections, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: C. Mark Keisler
Mayor

ATTEST: Debra A. James
Clerk of Council