

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 15

20 05

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, August 15, 2005, 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 Deputy-Mayor Douglas Cline presiding. Councilmembers and City Staff present were as follows:

- Councilmembers Susan Lienesch
- James Singer
- Robert Corbin
- Paul Gresham

Clerk of Council Marilyn McLaughlin

*Assistant Clerk of Council Debra James

City Engineer Douglas Spitler

City Planner Steve Feverston

Public Works Director Robert James

Finance Director Mark Schlagheck

Assistant to the City Manager Jennifer Wilder

Assistant to the City Manager Jennifer Kuschnerus

Municipal Attorney Scott Liberman

Economic Development Administrator William Covell

Deputy-Mayor Cline announced that Mayor C. Mark Kingseed and Councilmember Brooks Compton would not be present for this meeting. Mrs. Lienesch moved that Mayor Kingseed and Mr. Compton be excused from this meeting. Mr. Singer seconded the motion. The motion passed by unanimous vote.

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

Council Meeting - July 18, 2005.

Work Session Meetings - July 18, 2005.

- August 1, 2005.

- August 8, 2005.

Mr. Corbin moved that the minutes of the foregoing meetings, as distributed be approved. Mrs. Lienesch seconded the motion. The motion passed unanimously.

Deputy-Mayor Cline recognized the following students present who were State Science Day award winners:

- | | | |
|----------------------|----------|----------------------------|
| Elizabeth L. Cameron | Grade 8 | Dayton Christian |
| Jessica L. Rarick | Grade 10 | Dayton Christian |
| Theresia R. Gordnier | Grade 7 | Dominion Academy of Dayton |
| Thomas T. Hoying | Grade 7 | Incarnation |

They were presented with City of Centerville Achievement of Excellence key chains.

Eagle Scout Connor Burke was honored for this great accomplishment and was given a City of Centerville Achievement of Excellence key chain. He explained the project he did for his Eagle Scout project.

*City Manager Gregory Horn

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City Beautiful Commission member Carol Echols was in attendance at this meeting to present the Business Pride Awards to Ed Griffith, Irongate Inc. Realtors, 122 North Main Street, and to Michael Krumnauer, Preventive Denistry, 44 South Main Street. She expressed appreciation to them for their beautification in the community.

Deputy-Mayor Cline brought attention to the following City Beautiful Summer Landscape Award winners for July and August:

July

Ted and Carolyn Popoff
2184 Briggs Road

Suzie and Steve Wolff
8017 Park East Court

Randy and Teresa Mount
105 Tuxworth Road

George and Jeanne O'Connor
1017 Villa Vista Place

Wayne and Judy Schuler
850 Kentshire Drive

Aline and James Stritch
1445 Delynn Drive

Judy M. Wenzler
255 E. Franklin Street

August

Brad and Angelia Haber
6785 Penridge Drive

Dennis and Lisa McDaniel
1350 Harewood Court

Arthur and Alma Miller
144 Tuxworth Road

Jim and Suzanne Finke
9753 Rose Arbor Drive

Barbara Johnson
840 Vintage Lake Court

Wayne and Becky Moore
6121 Park Ridge Drive

Nella Dovel
1235 Deer Run Road

Geri Weber
161 Lakeview Drive

Jerry and Samantha Pressel
9261 Amchar Court

MAYOR'S AWARD
Carmine and Marietta D'Amico
1090 Clintshire Drive

Dan Foley, Montgomery County Clerk of Courts, was present at this meeting to outline some important customer service initiatives which they have implemented in their six Automobile Title Divisions located throughout Montgomery County. He thanked the City for providing their location in Centerville. Mr. Foley explained that now a resident of the State of Ohio can go to any County to get their auto title; for this reason they need to be the best that they can be. He asked the City of Centerville to help market the Automobile Title Division in Centerville and in the other locations in Montgomery County. Mr. Foley outlined strengths and weaknesses in the Auto Title Division field. He explained that they offer full passport service.

Sister City Committee Chairman Sandy Baver introduced students present at this meeting who have returned from Bad Zwischenahn, Germany. German Teacher at Centerville High School Christina Wassmann and two of the students reviewed their trip and their activities while abroad.

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Maureen Russell-Hodgson gave an overview of Centerville's First Relay for Life which was held at the Centerville High School on July 15 and 16, 2005. This was an eighteen hour walk-a-thon to raise money for Cancer Awareness. Forty City employees and family members participated in this event in honor of three City employees who have passed away because of cancer. The City of Centerville's Relay for Life raised the largest amount of money of the seventeen teams present.

Deputy-Mayor Cline reported the following information:

Former Washington Township Trustee for many years, Walter Buchanan, has passed away. Condolences were expressed to the family from Council and the residents of the City of Centerville.

Benham's Grove Administrator Anita Besco is seriously ill. Council and the City of Centerville wants she and the family to know that thoughts and prayers are with them.

The Rental Inspection program and the Property Maintenance Code Task Force is on schedule.

He asked motorists to be extra careful with schools opening.

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

Centerville is so pleased to have the Automobile Title Division back in the City.

He assured Mr. Foley that Centerville will support using auto title services in Montgomery County as much as possible.

Appreciation was expressed to those who participated in the Relay for Life event.

The FEMA flood maps have been updated. Many residents who have never had to have flood insurance in the past are now being informed that they must subscribe. City Staff is helping residents to sort through this requirement.

The City is moving forward with other communities with the Rental Inspection program.

An inventory is being taken of all trash dumpsters at businesses in Centerville, to determine screening of same.

The School Resource Officer Agreement with the Centerville City Schools is being renewed.

Mr. Horn wished Anita Besco and her family the best at this difficult time of serious illness.

Mrs. Wilder outlined code violations and resolutions for the month of July, 2005, 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, The Zoning Ordinance Of The City of Centerville, Ohio To Amend Sections That Apply To Home Occupations And Land Uses Associated With Home Occupations In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, has been recommended for consideration by City Council. Mr. Corbin moved that said Ordinance be set for Public Hearing. Mrs. Lienesch seconded the motion. The motion passed unanimously.

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Mrs. Lienesch explained the purpose of the Property Maintenance Task Force. Complaints have been received that Centerville's Code is not being enforced. The Task Force has broken the issues into six categories: outside storage, driveway conditions, parking of recreational vehicles, construction and remodeling equipment, landscaping and grasses, and exterior condition of residences. At the last meeting of the Task Force, outside storage was discussed. Pictures were shown of conditions observed in various areas of Centerville. During the upcoming meeting, the Task Force will consider driveway standards and the parking of vehicles. Mrs. Lienesch explained that the Task Force is made up of two Councilmembers, five residents and City Staff members.

Mr. Singer announced the passing of former Centerville Councilmember Jeffrey Siler, who provided outstanding service to the Centerville community.

Deputy-Mayor Cline, calling for a motion to consider the Consent Agenda, Mr. Corbin moved that the following items be passed:

1. Resolution Number 33-05, A Resolution Authorizing The City Manager To Enter Into A Supplement To An Agreement Between The City Of Centerville And American Communities Partnership, LTD. For Professional Services.
2. Resolution Number 34-05, 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 Programs And To Execute Contracts As Required. (MOT-675 and Alexandersville-Bellbrook Road Intersection)
3. Resolution Number 35-05, 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 Programs And To Execute Contracts As Required. (Wilmington Pike from Clys Road to MOT-675)
4. Resolution Number 36-05, A Resolution Accepting The Bid Submitted By The R. A. Miller Construction Company, For The APD Site Improvement Project - 2005, In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
5. Resolution Number 37-05, A Resolution Accepting The Bid Submitted By Flora Excavating, For The Village South Ditch and Iron Horse Park Detention Improvement Project - 2005, In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
6. Appoint Joe Harmon as a member of the Create the Vision Implementation Task Force.

Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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ORDINANCE NUMBER 06-05 TOILET FACILITIES AT BUILDING SITES

Mr. Singer moved that Ordinance Number 06-05, An Ordinance Amending The Municipal Code To Require Access To Toilet Facilities At Building Sites, be removed from the table. Dr. Gresham seconded the motion. The motion passed unanimously.

John Field, 8761 Normandy Creek Drive, President of Kitchen Direct, 9130 Dayton Lebanon Pike, stated his objection to the lack of thought by the City before the drafting of this Ordinance. He thanked the City for making the language in the Ordinance clearer as to who is required to provide access to toilet facilities. He suggested that when an Ordinance of this type is considered, input be received from organizations which would be affected. Mr. Horn advised that the Home Builders Association of Dayton and the Miami Valley was contacted and that several complaints have been received. Mrs. Lienesch moved that Ordinance Number 06-05, An Ordinance Amending The Municipal Code To Require Access To Toilet Facilities At Building Sites, be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

Joseph Koussa, 1537 Beavercreek Lane, asked that troops come home safely and urged motorists to conserve on the use of gasoline. He listed items made in foreign countries and asked that people bring the factories back to America.

ORDINANCE NUMBER 09-05 WASTE COLLECTION

Mr. Horn explained that the City's waste collection service has been discussed over the past several months and how a pilot program by a private company was held in an area to help in the decision making process. The City requested proposals from private companies and they have been reviewed. Dr. Gresham moved that Ordinance Number 09-05, An Ordinance Amending Section 1060.05 Of The Municipal Code Of The City Of Centerville, Ohio To Set Fees For Municipal Waste Collection Services, be set for Public Hearing on September 19, 2005. Mr. Singer seconded the motion. The motion passed by unanimous vote.

Mr. Horn explained that the next three Resolutions on the Agenda pertained to the project at the northwest corner of Main Street and Franklin Street in the center of town. The first two accept easements necessary for this development and the third Resolution authorizes an agreement between the City of Centerville and Centerville Investors, LLC. This agreement provides for the Panera project. Mr. Horn identified all the improvements to be made in this area and pointed out that over one hundred parking spaces will be provided.

RESOLUTION NUMBER 38-05 EASEMENT FROM MULAY HOLDINGS

Mr. Corbin sponsored Resolution Number 38-05, A Resolution Accepting An Easement From Mulay Holdings, LLC, By David M. Mulay Of Montgomery County, Ohio, In Order To Access A Public Parking Area, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 39-05 EASEMENT FROM HOUCK

Mr. Singer sponsored Resolution Number 39-05, A Resolution Accepting An Easement From Ronnie R. And Marjorie A. Houck, Of Montgomery County, Ohio, In Order To Access A Public Parking Area, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 40-05 AGREEMENT WITH CENTERVILLE INVESTORS

Dr. Gresham sponsored Resolution Number 40-05, A Resolution Authorizing And Directing The City Manager To Enter Into An Easement Agreement With Centerville Investors, LLC For Grant Of Utility, Ingress, Egress Parking And Related Easements For The Area North Of West Franklin Street And West Of Main Street In The APD, and moved that it be passed. Mr. Corbin seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: *C. Mark Knapp*
Mayor

ATTEST: *Maui J. S. S. S.*
Clerk of Council