

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *January 26**2004*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, January 26, 2004, 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 led by Boy Scout Pack 516, Cobra Patrol, with Mayor C. Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Councilmembers Susan Lienesch
 Paul Gresham
 James Singer
 Douglas Cline
 Robert Corbin

Clerk of Council Marilyn McLaughlin
 Assistant Clerk of Council Debra James
 City Manager Gregory Horn
 Assistant City Manager Judith Gilleland
 Finance Director Mark Schlagheck
 City Planner Steve Feverston
 Municipal Attorney Robert Farquhar
 Assistant to the City Manager Jesse Lightle
 Assistant City Engineer Michael Murray

Members of Boy Scout Pack 516 introduced themselves.

COUNCIL APPOINTMENT BROOKS COMPTON

Mayor Kingseed announced the vacant seat on City Council and recognized the nine applicants for said appointment. Dr. Gresham moved that Brooks Compton be appointed to the vacant seat on Council. Mr. Cline seconded the motion. The motion passed unanimously. Mayor Kingseed administered the Oath of Office to Brooks Compton and Mr. Compton took his seat. He thanked Council for said appointment, his wife Ruth and son Bret for their support.

Mayor Kingseed gave The State of the City Address emphasizing his intent and ways in which the City and Washington Township can jointly cooperate on projects and financially. He looks forward to the implementation of Create the Vision, to the revitalization of neighborhoods, and to improve communications with residents.

ELECTION OF DEPUTY-MAYOR DOUGLAS CLINE

Mayor Kingseed explained the duties of the Deputy-Mayor. Mr. Corbin moved that Councilmember Douglas Cline be elected as Deputy-Mayor for the City of Centerville. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote. Mr. Cline thanked Council for this election.

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

Council Meeting - December 15, 2003.

Work Session Meetings - December 15, 2003.

- January 5, 2004.

- January 19, 2004.

Mr. Cline moved that the minutes of the foregoing meetings be approved, as distributed. Dr. Gresham seconded the motion. The motion passed unanimously, with Mr. Compton abstaining.

Mrs. McLaughlin announced the resignation of Pierre Crease as a member of the Sister City Committee.

COUNCIL COMMITTEES, LIAISONS, REPRESENTATIVES

Mr. Kingseed recommended that the following appointments be approved:

COUNCIL COMMITTEES

NEIGHBORHOOD RELATIONS

Susan W. Lienesch, Chairman

Brooks A. Compton

Douglas C. Cline

ECONOMIC DEVELOPMENT

Douglas C. Cline, Chairman

Brooks A. Compton

Paul M. Gresham

FINANCIAL AND LONG RANGE PLANNING

James E. Singer, Chairman

Paul M. Gresham

Susan W. Lienesch

INTERGOVERNMENTAL RELATIONS

C. Mark Kingseed, Chairman

Douglas C. Cline

Brooks A. Compton

LEGAL

Brooks A. Compton, Chairman

Robert L. Corbin

Paul M. Gresham

PUBLIC HEALTH AND SAFETY

Paul M. Gresham, Chairman

Susan W. Lienesch

James E. Singer

STREETS AND HIGHWAYS

Robert L. Corbin, Chairman

James E. Singer

Susan W. Lienesch

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COUNCIL LIAISON TO COMMITTEES

BICYCLE COMMITTEE

Paul M. Gresham

BOARD OF ARCHITECTURAL REVIEW

James E. Singer

CENTERVILLE ARTS COMMISSION

Susan W. Lienesch

CENTERVILLE PROPERTY REVIEW COMMISSION

Brooks A. Compton

CITY BEAUTIFUL COMMISSION

James E. Singer

PLANNING COMMISSION

Susan W. Lienesch

SISTER CITY COMMITTEE

Paul M. Gresham

CENTERVILLE CITY SCHOOLS

Douglas C. Cline

CENTERVILLE-WASHINGTON TOWNSHIP HISTORICAL SOCIETY

Robert L. Corbin

CENTERVILLE-WASHINGTON PARK DISTRICT

Brooks A. Compton

WASHINGTON-CENTERVILLE PUBLIC LIBRARY

Robert L. Corbin

WASHINGTON TOWNSHIP TRUSTEES

C. Mark Kingseed

COUNCIL REPRESENTATION TO ORGANIZATIONS

MIAMI VALLEY COMMUNICATIONS COUNCIL

James E. Singer (Delegate)

Paul M. Gresham (Delegate)

MIAMI VALLEY REGIONAL PLANNING COMMISSION

C. Mark Kingseed (Delegate)

Douglas C. Cline (Alternate)

Transportation Committee

C. Mark Kingseed (Delegate)

Douglas C. Cline (Alternate)

The Lower Greater Miami River Basin Council

Susan W. Lienesch

MONTGOMERY COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT

C. Mark Kingseed

MONTGOMERY COUNTY DRUG ACTION COALITION

Susan W. Lienesch

MONTGOMERY COUNTY SOLID WASTE

Susan W. Lienesch

Solid Waste Management Advisory Council

Susan W. Lienesch

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SENIORS, INC.

Board of Trustees

Douglas C. Cline (Alternate)

SOUTH METRO REGIONAL CHAMBER OF COMMERCE

Board of Trustees

Robert L. Corbin

Douglas C. Cline (Alternate)

WASHINGTON TOWNSHIP FIRE DEPARTMENT

Brooks A. Compton

WASHINGTON TOWNSHIP RECREATION BOARD

Brooks A. Compton (Delegate)

Susan W. Lienesch (Alternate)

Mr. Singer moved that the above listed assignments be approved. Mr. Cline seconded the motion. The motion passed unanimously.

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

The City has been attempting to purchase 6.6 acres of land located on South Suburban Road and owned by the Pyper Construction Company. All environmental issues have been cleared and the City should close on the purchase of said land during the following week at a purchase price of \$580,000.00.

The City's annual report is being developed and should be ready for circulation mid March.

City Staff is currently working on the following three areas of study to be discussed during an upcoming Council Retreat:

Housing maintenance and inspection programs.

Sidewalk improvements.

Municipal waste collection operations.

Mr. Horn announced the retirement of Centerville's Income Tax Administrator Charlene Flick. Appreciation was expressed to Mrs. Flick.

Miss Gilleland outlined code violations and resolutions for the month of December, 2003, as well as the community calendar for the coming month.

Mr. Cline gave an update on the Create the Vision Long Range Comprehensive Plan for the City of Centerville and Washington Township. The Steering Committee is in the final phases of completing the Plan. The Plan will be presented to the elected officials, the City Planning Commission, and the Township Zoning Commission at a meeting to be held on February 9, 2004, in the Centerville Police facility. Within 60 to 90 days, the Commissions will present their recommendations to the elected bodies for formal adoption of the Plan. Mr. Cline encouraged residents to attend the meeting on February 9.

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**ORDINANCE NUMBER 19-03 ZONING ORDINANCE AMENDMENT
TEXT SQUARE FOOTAGE OF BUILDINGS**

Dr. Gresham moved that Ordinance Number 19-03, An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio To Amend Sections 10, 12, 13, 17 And 20 In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be removed from the table. Mr. Cline seconded the motion. The motion passed by unanimous vote.

Mr. Horn pointed out that this Ordinance has had much discussion and thought. It has been considered by the Planning Commission on two separate occasions. Mr. Feverston explained that City Council sent the original Ordinance back to the Planning Commission for further study. The Planning Commission recommended approval of Ordinance Number 19-03, subject to the following:

- A. Eliminate the minimum ground floor area standard in Section 20, C., 3, Design Requirements for Buildings where the Ground Floor Area Exceeds 5,000 Square Feet.
- B. Inclusion of Option B which reads: Maximum gross floor area of the ground level of any one individual building:
 - 1. A parcel that is contiguous to a single-family residence or parcel zoned as single-family residential: 7,500 square feet.
 - 2. A parcel that is contiguous to a single-family residence or parcel zoned as single-family residential and provides a principal building setback of 75 feet or greater to said single-family residence or parcel: 10,000 square feet.
 - 3. A parcel that is not contiguous to a single-family residence or parcel zoned as single-family residential: 10,000 square feet.
- C. In addition to required landscaping/screening, screening of parking areas abutting single-family residential zoning shall include a seven (7) foot brick or stone masonry wall.

City Council concurred that recommendations A and B be included in the proposed Ordinance, but not recommendation C. The Ordinance as drafted includes only recommendations A and B. In answer to a question of Mrs. Lienesch, Mr. Feverston advised that the maximum height of a building in O-S, Office-Service and B-1, Neighborhood Business zoning classifications is 35 feet. Mr. Cline sponsored Ordinance Number 19-03, An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio To Amend Sections 10, 12, 13, 17 And 20 In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 26-03 2004 APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 26-03. Mr. Horn and Mr. Schlagheck reviewed the budget for the City of Centerville for the year 2004. Mr. Schlagheck outlined major revenue sources while Mr. Horn explained the budget breakdown in various categories. Upon question of Mr. Corbin, Mr. Horn explained that based upon weather conditions, golf income at The Golf Club at Yankee Trace will be as good as the revenue received from the Dayton Open. Mr. Corbin emphasized the fact that the City of Centerville has no voted

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millage. Mr. Corbin sponsored Ordinance Number 26-03, 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, 2004, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 28-03 CITY PERSONNEL

The Public Hearing was held concerning Ordinance Number 28-03 and Ordinance Number 30-03. Miss Gilleland reviewed the few changes made to these Ordinances for operations at the City of Centerville and Yankee Trace. Deleted from the Ordinance is the provision for automatic adjustments to pay ranges. The Ordinances also make changes in the compensation for certain positions as well as a 3.25 percent increase for certain personnel. Mr. Corbin sponsored Ordinance Number 28-03, An Ordinance To Repeal Ordinance Number 22-02 In Its 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. Cline seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 30-03 YANKEE TRACE PERSONNEL

Dr. Gresham sponsored Ordinance Number 30-03, An Ordinance To Repeal Ordinance Number 24-02 In Its 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 unanimously.

RESOLUTION NUMBER 1-04 C.A.N.E.

Mr. Horn reviewed a proposed Resolution which accepts changes to the Agreement for Combined Agencies for Narcotic Enforcement (C.A.N.E.) in which the City of Centerville is involved. C.A.N.E. was established several years ago to provide a multi-jurisdictional way of fighting narcotic crimes. The Agreement includes upgrades and revisions and creates a more flexible method of making changes as they become necessary. Centerville's involvement in this program is recommended by the Chief of Police. Mr. Cline sponsored Resolution Number 1-04, A Resolution Authorizing The City Manager To Accept As Submitted By The Montgomery County Prosecutor's Office The Revised Directives Governing The Combined Agencies For Narcotic Enforcement Task Force (CANE); Provided, However, That Any Provision Relating To Indemnification Shall Be Binding Upon The City Of Centerville, Ohio Only To The Extent Permitted By Law, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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RESOLUTION NUMBER 2-04 SPRING VALLEY/SR48

Mr. Murray reviewed a proposed Resolution to provide for the acceptance of a reimbursable grant from the Ohio Department of Safety/Governor's Highway Safety Office for a safety study at Spring Valley Road and State Route 48. This is a Federal grant in the amount of \$5,000.00. In answer to a question of Mr. Corbin, Mr. Murray advised that this intersection has a high accident rate, thus the need for a safety study. Dr. Gresham sponsored Resolution Number 2-04, A Resolution Authorizing The City Manager To Accept A Reimbursable Grant, And Implement An Intersection Safety Study Of South Main Street (State Route 48) And Spring Valley Road, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 3-04 SPRING VALLEY/SR48 STUDY

Mr. Horn reviewed a proposed Resolution to authorize an agreement with TEC Engineering, Inc., for the safety study at the Spring Valley Road and State Route 48 intersection. Mr. Singer sponsored Resolution Number 3-04, A Resolution Authorizing The City Manager To Enter Into An Agreement Between The City Of Centerville And TEC Engineering Inc., For An Intersection Improvement Study Of Main Street (State Route 48) And Spring Valley Road, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

Dr. Gresham moved that Council convene into Executive Session to discuss real estate acquisition and litigation. Mr. Cline seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business the meeting was adjourned.

Approved: C. Mark Kenopress
Mayor

ATTEST: Wendell J. Saughel
Clerk of Council