

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 16

20 04

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, August 16, 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, with Mayor C. Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor	Douglas Cline
Councilmembers	Susan Lienesch
	Paul Gresham
	James Singer
	Robert Corbin
	Brooks Compton
Clerk of Council	Marilyn McLaughlin
Assistant Clerk of Council	Debra James
City Manager	Gregory Horn
Public Works Director	Robert James
City Planner	Steve Feverston
Finance Director	Mark Schlagheck
Economic Development Administrator	William Covell
Assistant to the City Manager	Jesse Lightle
Public Works Operations Manager	Mary Lou Pence
Assistant City Engineer	Aaron Zonin
Municipal Attorney	Scott Liberman

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

Council Meeting - July 19, 2004.
 Work Session Meetings - July 19, 2004.
 - August 2, 2004.
 - August 9, 2004.

Mr. Singer moved that the minutes of the foregoing meetings be approved, as distributed. Mr. Cline seconded the motion. The motion passed unanimously; however, Mr. Compton abstained from the minutes of the July 19, 2004 Work Session and Regular Meeting, and Mayor Kingseed from the minutes of the Work Session held August 9, 2004.

Mayor Kingseed recognized the following Eagle Scouts and presented them with a Certificate of Congratulations:

Christopher Wood.
 Dustin Fisher.
 Josh Wilson.

Mr. Compton emphasized the importance and commitment boys make to become Eagle Scouts.

Mayor Kingseed administered the Oath of Office to Personnel Appeals Board member Frank Masterson.

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City Beautiful Commission member Donald Eadie presented the Business Pride Awards for August - and tickets to the Yankee Trace Brunch; to China Cottage, 6290 Far Hills Avenue and to Siebenthaler's Garden Center, 6000 Far Hills Avenue. He outlined this program sponsored by the City Beautiful Commission.

Mrs. McLaughlin announced the receipt of a letter of resignation from Sister City Committee member Mary Pizza.

Mayor Kingseed reviewed the Neighborhood Information meeting recently held. He advised that Council will be considering a smoking ban in restaurants and will be analyzing whether the City should establish a rental inspection program.

On July 31, 2004, part of Irongate Park Drive was dedicated to Robert O'Toole, a fallen Washington Township fire fighter.

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

In the September issue of Golf Magazine, The Golf Club at Yankee Trace was listed as one of the top 50 golf courses under \$50.00 green fees.

The City is currently accepting applications and interviewing for the position of Assistant to the City Manager.

The City has also advertised for the position of City Engineer and Assistant Finance Director. Appreciation was expressed to Ken Moyer, Assistant Finance Director, for his services with the City of Centerville.

It is possible that the Record Plan for Yankee Trace, Parcel 29, The Woodlands at Yankee Trace, will be an agenda item for the September 20, 2004, Council Meeting. The City has received notice that the U.S. Army Corp of Engineers has established this area as jurisdictional wetlands and will now be under the authority of the Ohio EPA.

Its not yet known whether a fixed rate for natural gas will be offered, the Miami Valley Communications Council is collecting proposals for consideration.

The second Neighborhood Improvement meeting will be held on Thursday, October 14, 2004, to begin at 7:00 P.M. in the Centerville Police facility. The area to be involved will be Rose Estates and the area to the east.

Miss Lightle outlined code violations and resolutions for the month of July, 2004, as well as the community calendar for the coming month.

Mr. Compton, Co-Chair of the Create the Vision Implementation Task Force, advised that the Task Force meets monthly; the dates of meetings are on the City web site. Citizen participation is appreciated at these meetings.

Joseph Koussa, 1537 Beaver creek Lane, congratulated Dr. Gresham on his presentation before the Kettering City Council relative to bicycle helmet legislation. He asked that troops overseas come home safely.

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ORDINANCE NUMBER 10-04 REAPPROPRIATION

Mr. Singer moved that Ordinance Number 10-04, An Ordinance To Amend Ordinance 26-03 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, be set for Public Hearing on September 20, 2004. Mr. Cline seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 24-04 CAPITAL SOUTH DEMOLITION

Mr. Covell reviewed a proposed Resolution to authorize the demolition of three buildings in the Capital South area in order to provide additional parking and redevelopment at the northwest corner of Main and Franklin Streets. Demolition will take place after environmental reviews are complete by the Ohio EPA and co-pay by Washington Township for the parking lot is agreed upon. Mr. Covell recommended that the bid submitted by Charles Jergens Construction be accepted. Mr. Corbin sponsored Resolution Number 24-04, A Resolution Accepting The Bid Submitted By Charles Jergens Construction For The Capital South Building Demolition - 2004, For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 25-04 GENERAL INSURANCE MVRMA

Mr. Horn outlined the procedure used by the City for the past several years to obtain property and casualty insurance. For the 2003-2004 policy year the City had insurance with a traditional insurance provider. Over the past several years, coverage was on a year to year basis, which took a great deal of staff time each year. Mr. Schlagheck advised that bids were received from 7 carriers, 4 from commercial carriers and 3 from pool-type providers. These bids have been reviewed by City staff and consultant Harry Brooks. He outlined issues considered to make the decision to accept the bid submitted by Miami Valley Risk Management Association in the amount of \$174,412.00. This is a pool consisting of 19 other Cities all in southwest Ohio that pool their risks together and self fund their insurance.

Thomas Wichert, Wichert Insurance Services, the City's current provider, outlined reasons why the City should stay with them and not join a pool type provider such as the Miami Valley Risk Management Association. He pointed out that in 1998 the City rejected the MVRMA proposal and went with traditional insurance.

Larry Johnson, Swartzel Insurance Agency representing the Ohio Plan, thanked the City for the opportunity to submit a proposal. He explained the Ohio Plan and identified it as not being a pool.

Dale Dixon, Wichert Insurance Services, questioned financial security with the Miami Valley Risk Management Association. He believes there will be problems in future years.

Mr. Schlagheck explained that in 1998 the City did not go with MVRMA because Mr. Brooks did not recommend a pool provider. This time Mr. Brooks did not give a recommendation, he helped the City analyze the bids for their coverage. In 1998 the City was able to get a 3 year contract which was not available with Miami Valley Risk Management

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Association. Since 1998 MVRMA has not lost a member. Mr. Schlagheck further explained the operations of pool insurance coverage.

Craig Blair, MVRMA, in answer to a question of Mr. Singer, advised that they have had only four claims that exceeded their self insured intention level. He outlined safety training programs and meetings which they provide for their member Cities. Mr. Blair explained the shock loss fund and its purpose; money in this fund is money the City owns.

Mr. Horn pointed out that of the 19 Cities in the MVRMA pool, 6 have been in the pool for 16 years and 10 have been in the pool for 10 years. As a result of discussions during this meeting, City staff did not change their recommendation. Mr. Corbin sponsored Resolution Number 26-04, A Resolution Accepting The Bid Submitted By The Miami Valley Risk Management Association For General Insurance For The City Of Centerville And Authorizing The City Manager To Enter Into Agreements In Connection Therewith, and moved that it be passed. Dr. Gresham seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mrs. Lienesch and Mr. Compton voted no.

RESOLUTION NUMBER 26-04 ISSUE 2 FUNDS CENTERVILLE STATION ROAD AND CLYO ROAD

Mr. James reviewed a proposed Resolution to authorize the submission of an application for funding for reconstruction and widening of Centerville Station Road and Clio Road in the area of The Franciscan at St. Leonard. The cost of engineering for this project is \$416,000 from the City of Centerville, \$384,000 from St. Leonard's, and \$579,307 from the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs. Mr. Cline sponsored Resolution Number 26-04, 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, and moved that it be passed. Mr. Corbin seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 27-04 ISSUE 2 FUNDS MOT-675 AND ALEXANDERSVILLE-BELBROOK ROAD

Mr. James reviewed a proposed Resolution to authorize the submission of an application for funding for the reconstruction and widening of the north bound exit ramp of I-675 at Alexandersville-Bellbrook Road and traffic signalization. The cost of this project is \$170,447 from the City of Centerville, \$45,840 from the Ohio Department of Transportation, and \$144,192 from the Ohio Public Works Commission State Capital Improvement Program. Dr. Gresham sponsored Resolution Number 27-04, 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, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 28-04 SURPLUS PROPERTY

Mr. Horn advised that 3 vehicles utilized by the Centerville Police Department need to be declared surplus so that they can be sold at public auction. Mr. Singer sponsored Resolution Number 28-04, A Resolution Declaring Specific Equipment No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines As Stated Herein, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 29-04 LAURELHURST/MILLBANK DITCH

Mrs. Pence advised that 3 bids were received for the Laurelhurst/Millbank Ditch Improvement Project. This project provides for the replacement of failed headwalls at the 72 inch pipe crossing of the Millbank ditch at Laurelhurst Lane. It also includes placing the broken concrete removed at the headwalls and placing it as erosion protection at the Iron Horse outlet pipe. She recommended acceptance of the bid submitted by Flora Excavating in the amount of \$66,836.98. Mr. Singer sponsored Resolution Number 29-04, A Resolution Accepting The Bid Submitted By Flora Excavating For The Laurelhurst/Millbank Ditch Improvement Project - 2004, For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE REAPPOINT JOHN BEALS

Dr. Gresham moved that John Beals be reappointed as a member of the Sister City Committee. Mr. Corbin seconded the motion. The motion passed by unanimous vote.

SISTER CITY COMMITTEE REAPPOINT CAROLYN BASFORD

Mr. Cline moved that Carolyn Basford be reappointed as a member of the Sister City Committee. Dr. Gresham seconded the motion. The motion passed unanimously.

BOARD OF ARCHITECTURAL REVIEW REAPPOINT MARTHA SHELEY

Mrs. Lienesch moved that Martha Sheley be reappointed as a member of the Board of Architectural Review. Mr. Cline seconded the motion. The motion passed unanimously.

PLANNING COMMISSION APPOINT JEFFREY GAMMELL

Mr. Singer moved that Jeffrey Gammell be appointed as a member of the Planning Commission. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

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There being no further business, the meeting was adjourned.

Approved: C. Mark Kengseed
Mayor

ATTEST:

Marilee M. Baugh
Clerk of Council