

# RECORD OF PROCEEDINGS

Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 20*

20 04

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 20, 2004, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilmember James Singer, 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  
 Assistant City Engineer Aaron Zonin  
 Municipal Attorney Scott Liberman

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

Council Meeting - August 16, 2004.

Work Session Meetings - September 13, 2004.

Joint City/Washington Township Meeting - September 13, 2004.

Mrs. Lienesch requested that the following be added to the Minutes of the September 13 Work Session Minutes:

Mrs. Lienesch asked for a status report relative to Time Warner concerns received from residents in the Walnut Hills Area. Mr. Horn advised that the two parties were having difficulty reaching each other by telephone.

Mrs. Lienesch notified City Council that the Aircraft Noise Task Force would be objecting at the Montgomery County Dayton Port Authority regarding funding concerns for DHL. Mr. Cline moved that the minutes of the foregoing meetings, as distributed and amended, be approved. Mr. Compton seconded the motion. The motion passed unanimously; however, Dr. Gresham abstained from the minutes of the September 13, 2004, Work Session and Joint Meeting.

Mayor Kingseed presented a Certificate of Recognition to National All-American Tennis Player Justin Kronauge. He outlined the many accomplishments made by Mr. Kronauge. Mr. Compton explained that the Kronauge family has been a true tennis dynasty in this area.

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A Certificate of Congratulations was prepared for the following Eagle Scouts in recognition of their Eagle Court of Honor:

Michael Alvarado.  
 Ryan Eslinger.  
 Dylan Kamm.  
 Albert Suprenant.  
 Matthew Yux.

Mayor Kingseed presented the Certificate to Michael Alvarado, Ryan Eslinger, and Matthew Yux, and outlined their accomplishments to become Eagle Scouts.

Police Chief Steve Walker was present at this time to review the Annual Memorial John P. Kalamian Golf Tournament held this day, and explained that money received for this tournament is used for young men and women scholarships. He introduced Officer Scott Thomas, partner of Canine Officer Jake, the family of Officer Thomas, and his entire watch. Chief Walker presented a badge and a retirement plaque to Jake. He outlined the many services Jake has provided for the City of Centerville over the years.

City Beautiful Commission Chairman Linda Meily presented the Business Pride Awards for September - and tickets to the Yankee Trace Brunch; to Majestic Real Estate, 84 North Main Street, and Wind Fine Art Gallery, 7266 Far Hills Avenue.

Mayor Kingseed reported the following events soon to take place:

The second Neighborhood Improvement Program will take place on Thursday, October 14, 2004, in the Centerville Police facility, involving residents in Rose Estates, Centerville Woods and Centerville.

An Ordinance banning smoke<sup>ing</sup> in Centerville Businesses will be unveiled at the October 18, 2004, Council Meeting. The Public Hearing on this legislation will be set for the November 15, 2004, Council Meeting.

The City of Centerville has been considering an Inspection Program for rental properties within the Centerville community. Mr. Horn is working with members of the Greater Dayton Mayors and Managers Association for the drafting of an Ordinance for this purpose.

The City of Centerville and Washington Township continue to work co-operatively on several matters; they are working jointly on the parking and site improvements for the northwest corner of Main and Franklin Streets.

Mrs. Lienesch read a Proclamation issued by Mayor Kingseed designating the month of October as National Breast Cancer Awareness Month and October 15 as National Mammography Day in the City of Centerville. Mayor Kingseed stressed the importance of regular examinations from a personal experience.

Mr. Compton read a Proclamation issued by Mayor Kingseed designating September 18, 2004, as Kids Day America in the City of Centerville. Mayor Kingseed opened this annual event on Saturday, September 18.

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

Condolences were expressed to the family of Dave Foell, former City Manager of the City of Oakwood, who passed away a few days ago.

The Miami Valley Communications Council has announced that a natural gas aggregation program will not be available this year through the member Cities. There will be no fixed rate natural gas program endorsed by the City for this winter season. However, there are some fixed rate natural gas programs available, residents are encouraged to look at those options.

Congratulations were extended to the golfers who participated in the Annual Memorial John P. Kalamian Golf Tournament.

The wetlands issue, Yankee Trace, Parcel Twenty-Nine, continues to be in the hands of the Ohio EPA.

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

#### LAKWOOD AT THE COMMONS AT YANKEE TRACE, SECTION ONE RECORD PLAN

Mr. Feverston reviewed a Record Plan for Lakewood at the Commons at Yankee Trace, Section One. This is a replat of the eastern portion of Bethany Commons at Yankee Trace, Section One, to create one lot and to establish utility and access easements. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council, subject to the following conditions:

1. A subtitle shall be placed on the Record Plan that indicates this is a replat of a portion of Bethany Commons at Yankee Trace, Section 1.
2. The easement for Holes Creek Trace, Little Yankee Run and a yet un-named street shall be labeled as a private access and utility easement to permit the City access to the retention/detention basins for emergency purposes subject to approval by the City.

Mr. Corbin moved that the Record Plan for Lakewood at the Commons at Yankee Trace, Section One, be approved as recommended by the Planning Commission, subject to listed conditions. Mr. Compton seconded the motion. The motion passed unanimously.

Mr. Singer advised that the Stormwater Drainage Task Force will be meeting on Thursday, October 21, 2004 at 7:00 P.M. in the Law Library.

Mr. Compton announced that the meeting scheduled for October 13, 2004, for the Create the Vision Implementation Task Force, has been rescheduled for October 27, 2004, in the Washington Township Government Center.

Mrs. Lienesch advised that, concerning the Neighborhood Improvement meeting scheduled for October 14, 2004, she has received questions from other residents in different neighborhoods. She pointed out that there are topics which are of interest to all residents. Mrs. Lienesch extended an invitation to all, even if they do not live in the neighborhood.

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## ORDINANCE NUMBER 10-04 AMEND APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 10-04. Mr. Schlagheck reviewed this proposed Ordinance to amend amounts in three funds in the 2004 Annual Appropriation Ordinance passed in December, 2003. He explained the following changes and explained why they are necessary:

Hospital Insurance Fund from 0 to \$20,000.00.

Golf Course Expansion Fund from \$27,450.00 to \$87,450.00.

Special Assessment Improvements Fund from 0 to \$20,000.00.

Dr. Gresham sponsored 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, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

Adrian Rose, 104 Cushwa Drive, asked City Council and Staff to observe the good condition of the rental property at 92 Alexandersville-Bellbrook Road. He asked Council to take the proposed Ordinance to ban smoking seriously. Mr. Rose complimented the Washington Township Fire Department on their actions at a tragedy which occurred on August 30, 2004, near his residence.

Joseph Koussa, 1537 Beavercreek Lane, asked that troops overseas come home safely, and that people be recognized who have family members who lost their lives on September 11, 2001.

## RESOLUTION NUMBER 30-04 CERTIFY TAX RATES

Mr. Schlagheck reviewed a proposed Resolution to certify tax rates as determined by the Budget Commission to the Montgomery County Auditor. Mr. Corbin brought attention to the fact that there is no voted millage on taxes collected from residents of Centerville. All taxes levied are inside the 10 mil limitation. Mr. Corbin sponsored Resolution Number 30-04, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 31-04 APD PARKING, SITE IMPROVEMENT

Mr. Horn reviewed a proposed Resolution to accept a bid from the RA Miller Construction Company for the APD Parking Lot and Site Improvements. City Staff has been working with property owners in the northwest portion of the AP District for the development of additional parking and site improvements. Mr. Horn outlined some of the improvements to be made. The bid price received from the RA Miller Company is \$288,709.00. A verbal commitment has been received from Washington Township for their share of the project, their cost to be spread over a three year period. Mr. Horn pointed out that an Agreement with the contractor will not be executed until all issues are complete and in place. Upon question of Mr. Singer, Mr. Horn advised that this phase does not include all improvements; the drainage system

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will not be complete but will be better than is it presently. Mr. Covell explained that this is phase one of the project. The acquisition of necessary property and the improvements as recommended by the Stormwater Drainage Task Force are included in phase two. In answer to a question of Mrs. Lienesch, Mr. Horn explained that moneys for this project will have to be appropriated, but costs can be spread over a three year period. In answer to a request of Mayor Kingseed, Mr. Horn reviewed the overall development plans; parking spaces will be increased by approximately sixty. Mr. Cline sponsored Resolution Number 31-04, A Resolution Accepting The Bid Submitted By The RA Miller Construction Company, For The APD Parking And Site Improvement Project - 2004, In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 32-04 ROCK SALT

Mr. James explained that the City of Centerville cooperated in a joint bid of Southwest Ohio Purchaser's for Government for the purchase of roadway rock salt for the coming year. A total of ninety-six local governments participated in this bid. Five bids were received with the bid from the North American Salt Company being the low and best bid for the City of Centerville. Mr. James recommended acceptance of the bid from the North American Salt Company in the amount of \$34.58 per ton, plus a \$2.50 piling charge, for a total cost of \$37.08 per ton. The total estimated cost, based on a purchase of 2000 tons of rock salt, is \$74,160. Mr. Singer sponsored Resolution Number 32-04, A Resolution Accepting The Bid From The North American Salt Company And Authorizing The City Manager To Enter Into An Agreement With The North American Salt Company For The Purchase Of Highway Rock Salt For Snow And Ice Control For The City Of Centerville For the Year 2005, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: *E. Mark Kingseed*  
Mayor

ATTEST:

*Wanda J. W. Sengle*  
Clerk of Council