

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *March 17*20 *03*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, March 17, 2003, 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 Sally Beals presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor C. Mark Kingseed
 Councilmembers James Singer
 Roger Krass
 Susan Lienesch
 Paul Gresham
 Douglas Cline
 Clerk of Council Marilyn McLaughlin
 Assistant Clerk of Council Debra James
 City Manager Gregory Horn
 Assistant City Manager Judith Gilleland
 Finance Director Mark Schlagheck
 Economic Development Administrator Chris Pozzuto
 Public Works Director Robert James
 City Planner Steve Feverston
 City Engineer Norbert Hoffman
 Electrical Inspector Douglas Filaseta
 Municipal Attorney Robert Farquhar
 Assistant to the City Manager Jesse Lightle

The meeting was recessed at this time in order for those present to listen to the message from President George Bush.

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

Council Meeting - February 17, 2003.
 Work Session Meetings - February 17, 2003.
 - February 24, 2003.
 - March 3, 2003.

Joint City/Washington Township Meeting - March 3, 2003.

Mr. Cline pointed out that he was absent from the meeting held on February 24, 2003. Mr. Krass moved that the minutes of the foregoing meetings be approved, as distributed with the correction being made to the minutes of the February 24th meeting. Mr. Kingseed seconded the motion. The motion passed unanimously with Mr. Cline abstaining from the minutes of the meeting on February 24.

Mayor Beals administered the Oath of Office to Sister City Committee member Linda Bailey.

Mayor Beals presented a Proclamation to President Jerry Stahley designating March 19, 2003, as Centerville Noon Optimist Day in recognition of the club's 35th anniversary.

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Erik Collins was present at this meeting to define a Montgomery County countywide economic development initiative called the "Business First" program. This is a business expansion and retention program in order to retain business in the communities and to create future economic development. Mr. Collins explained the operations of the program and how it is conducted. He explained how, through Business First, businesses looking at relocating have been retained in Montgomery County. 19 Montgomery County communities have joined the Business First program and 474 companies have been interviewed countywide.

Mrs. McLaughlin announced the receipt of two letters of resignation, one from Centerville City School District Personnel Appeals Board member David Hall and one from Centerville Arts Commission member Judy Wenzler. Mr. Kingseed moved that the resignations of David Hall and Judy Wenzler be accepted, with regret. Mr. Cline seconded the motion. The motion passed unanimously.

Mayor Beals announced the following events which took place during the past month:

- Everyone was wished a Happy St. Patrick's Day.
- Mayor Beals corrected a statement made in her message printed in the Town Crier that the Centerville City School District Personnel Appeals Board had not met in 2002; they did meet in 2002.
- Appreciation was expressed to all Centerville residents who voted on February 25, 2003. Mayor Beals thanked those who supported her financially and personally, and to those who voted in her favor.
- The National League of Cities Annual Congressional City Conference was held in Washington, D.C., March 6-11, 2003. Attendees at this Conference had the opportunity to network with colleagues from other parts of the country. Mayor Beals advised that she is a NLC Board Member. Areas featured during the Conference were homeland security, early childhood education and dollars for transportation. While in Washington Mayor Beals, Mr. Horn and Dr. Gresham had the opportunity to visit Congressmen to discuss items of interest.

Dr. Gresham outlined some of the highlights of the NLC Conference which he attended and in which he was involved. He showed a video entitled "Why Early Childhood Matters".

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

- At the Conference in Washington, Miami Valley had a coalition formed to lobby for transportation legislation. Mr. Horn outlined the activities of this group of which he was a member. It is hoped that, as a result, some dollars will come to the Dayton area.
- City crews have been very busy cleaning up after a long winter season and preparing for the summer months.
- The Golf Club at Yankee Trace opened for play on Saturday, March 15, 2003.
- Upon question of Dr. Gresham, Mr. Horn advised that Alexandersville-Bellbrook Road should be completed by July of this year.

Mr. Pozzuto outlined Ohio House Bills HB40 and HB87, and HR362 on the Federal level.

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

ORDINANCE NUMBER 08-03 ZONING ORDINANCE AMENDMENT TEXT SIGNS

Mr. Krass moved that Ordinance Number 08-03, An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City of Centerville, Ohio To Amend Section 23, The Sign Section Of The Zoning Ordinance In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be set for Public Hearing on April 21, 2003. Mr. Kingseed seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 09-03 ZONING ORDINANCE AMENDMENT REZONING CENTERVILLE STORAGE INNS

Mr. Kingseed moved that Ordinance Number 09-03, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 0.109 Acres, More Or Less, From Centerville B-PD, Business-Planned Development To I-PD, Industrial-Planned Development, be set for Public Hearing on April 21, 2003. Mr. Cline seconded the motion. The motion passed by unanimous vote.

Mr. Cline gave an update on the Joint Long Range Comprehensive Plan for the City of Centerville and Washington Township. He announced the meeting scheduled for March 19, 2003 to be held at the Centerville High School at 7:00 P.M. for a presentation by Ronald Fleming, a Planner and President of the Townscape Institute of Cambridge, Massachusetts, to speak about the importance of the character of the physical environment in making communities of distinction. Mr. Cline also announced the meeting scheduled for Wednesday, April 23, 2003, in the South Unit of the High School for a public presentation on goal statements and goal strategies of the Create The Vision Committee. He encouraged the public to stay involved in this project.

ELC-SV-LLC APPEAL TO COUNCIL

Dr. Gresham moved that an Appeal filed by ELC-SV-LLC for property located at the southeast corner of Far Hills Avenue and Fireside Drive, against a decision rendered by the Planning Commission during their meeting on Tuesday, December 10, 2002, to deny a Variance Application for the erection of an off premise sign, be removed from the table. Mayor Beals advised that a request to withdraw this Appeal has been received from the Applicant. Mr. Krass seconded the motion. The motion passed unanimously. Mr. Cline moved that the request to withdraw the Appeal filed by ELC-SV-LLC for property located at the southeast corner of Far Hills Avenue and Fireside Drive, against a decision rendered by the Planning Commission during their meeting on Tuesday, December 10, 2002, to deny a Variance Application for the erection of an off premise sign, submitted by Connor & Murphy Properties, be accepted. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

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Mr. Joseph Koussa, 1537 Beaver Creek Lane, was present at this meeting to encourage citizens to conserve on the use of gasoline. He thanked the military for going abroad to defend our country.

ORDINANCE NUMBER 10-03 PERMIT FEES

Mr. Singer moved that Ordinance Number 10-03, An Ordinance to Amend Ordinance Number 20-93, And Chapter 1442 "Permit Fees" In The Centerville Municipal Code, be set for Public Hearing on April 21, 2003. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 11-03 REFUNDING BONDS

Mr. Schlagheck reviewed a proposed Ordinance which authorizes the City to advance refund of some of the bonds issued in 1993 and 1995. The current interest rates are at a historical low. This Ordinance gives the City the opportunity to buy back some of the existing bonds and reissue them at a lower interest rate. This is enabling legislation so that the City can do this when the market is right. Dr. Gresham sponsored Ordinance Number 11-03, An Ordinance Providing For The Issuance And Sale Of Bonds In The Maximum Principal Amount Of \$17,000,000 For The Purpose Of Refunding Bonds Issued By The City For The Purposes Of (I) Paying Costs Of Constructing A Municipal Golf Course, Including A Club House, Maintenance Building, Pump House, Utilities, Parking Facilities, Landscaping, Equipment, And All Necessary Appurtenances, (II) Acquiring Real Property For Municipal Recreational Facilities, (III) Paying Costs Of Constructing A Municipal Golf Course, Including A Clubhouse, Parking Facilities, Landscaping, Equipment, Acquiring Rights To The Use Of Sanitary Sewers, Together With All Necessary Appurtenances And (IV) Paying Costs Of Reconstructing And Widening South Main Street Between Certain Termini, Including Providing Curbs, Storm Sewers, Sidewalks, Water Main Adjustments, Street Lighting, Traffic Signals And Traffic Signal Improvements, And Providing Right-of-Way, Together With All Necessary Appurtenances And Declaring An Emergency, and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 09-03 AUSTIN ROAD INTERCHANGE

Mr. Pozzuto reviewed a proposed Resolution to amend the Intergovernmental Agreement between various jurisdictions relative to the Austin Road interchange land use and development plan sponsored by the Montgomery County Transportation Improvement District. This Resolution authorizes the City Manager to execute the Agreement on behalf of the City of Centerville. Mr. Krass sponsored Resolution Number 09-03, A Resolution Authorizing The City Manager To Execute An Intergovernmental Agreement, Between The City Of Centerville, City Of Miamisburg, Miami Township, City Of Springboro, Washington Township And The Montgomery County Transportation Improvement District For The Austin Road Interchange Land Use And Development Plan, And Repealing Resolution Number 04-03 In Its Entirety, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

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RESOLUTION NUMBER 10-03 PARAGON ROAD IMPROVEMENTS

Mr. Horn reviewed a proposed Resolution to ratify the payment for change orders one and two and to authorize payment for change order three to close out costs relative to the Paragon Road Construction project. The three change orders total \$51,837.40; change order number three represents \$29,510.22 of the total amount. Mr. Krass sponsored Resolution Number 10-03, A Resolution Ratifying The Action Taken By The City Manager To Execute Payment For Change Order One And Two, And Authorizing Payment For Change Order Three To R. B. Jergens Contractors, Inc. To Close Out Costs Relative To The Paragon Road Construction Project, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 11-03 NORTH MAIN/BRADSTREET TRAFFIC SIGNAL

Mr. Hoffman identified the location of an easement from a property owner on North Main Street at Bradstreet Road for the upgrade of a traffic signal pole and loop detectors in the public right-of-way. Dr. Gresham sponsored Resolution Number 11-03, A Resolution Accepting An Easement From Greg Lee Realty, Inc. Of Montgomery County, Ohio, For The Construction, Maintenance, And Access To A Traffic Control Device On Said Property, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

Mayor Beals advised that Graeter's Ice Cream has requested that A Resolution Authorizing The City Manager To Enter Into An Agreement Between The City Of Centerville And Superior Tasting Products, Inc. Doing Business As Graeter's Ice Cream, be withdrawn from the Agenda. Mr. Singer moved that the request of Graeter's Ice Cream be honored. Mr. Kingseed seconded the motion. The motion passed unanimously.

INVESTMENT COMMITTEE

Mr. Krass moved that Councilmembers Douglas Cline, Paul Gresham and Mark Kingseed be appointed as members of the Investment Committee for the City of Centerville. Mrs. Lienesch seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION REAPPOINT LINDA MEILY CHAIRMAN

Mr. Kingseed moved that Linda Meily be reappointed as Chairman of the City Beautiful Commission. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals
Mayor

ATTEST: Marie Jane Sausfeld
Clerk of Council