

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *June 16*20 *03*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, June 16, 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
 Public Works Director Robert James
 Finance Director Mark Schlagheck
 City Engineer Norbert Hoffman
 Chief of Police Steve Walker
 Municipal Attorney Robert Farquhar
 Assistant to the City Manager Jesse Lightle
 Assistant City Engineer Michael Murray

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

Council Meeting - May 19, 2003.

Work Session Meetings - May 19, 2003.

- June 2, 2003.

- June 9, 2003.

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

The following students, members of the Centerville High School Science Bowl Team and JETS Team "Junior Engineering Technology Society", were recognized for earning first place in the State of Ohio and second place in the Nation: Bryan Chen, Tiffany Chen, Jeffrey Daulton, Amanda Guise, Muhtadi Islam, David Knapp, Jason Meyer and Kevin Ponziani. Teacher Penny Valentini explained the competitions the teams entered.

Jerry Huffman, member of the City Beautiful Commission, explained the Centerville Business Pride Program and outlined issues considered for award winners. Mr. Huffman presented a plaque and a Yankee Trace Gift Certificate to Maryann Pollock Bhat, M.D., Family Medicine at 101 South Main Street; the May 2003 Business Pride award winner.

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Angela Addington, was present at this meeting to explain the services provided by Hannah's Treasure Chest located in Centerville. They provide clothing, furniture and equipment to underprivileged children in Montgomery and Warren Counties. The staff is 100 percent volunteer. They are looking for more community involvement.

Mr. Hoffman explained that issues at the State Route 48/ North Village Drive/Access Road intersection have been discussed for several years. He outlined pros and cons, and the status of the proposed access road connecting North Village Drive and the businesses to the north along the east side of State Route 48 (North China Restaurant, Woodbourne Library, Provident Bank and McDonald's). He pointed out that no engineering has been performed nor has any property been acquired. Mr. Hoffman cited options recommended by TCC and PKG Consultants and other options discussed through the years. He explained maneuverability at the North Village Drive median for traffic entering State Route 48. City Staff believes that the current situation should continue to be monitored and perhaps nothing done until the access road project can move forward.

Robert Corbin, 6388 Pebble Court, speaking for his wife, encouraged Council to move forward with the access road project.

Doug Galusha, 6381 Marshall Road, questioned traffic counts and times taken as quoted by Mr. Hoffman. Mr. Hoffman clarified traffic counts and the times when they were taken; counts were taken between 4:30 and 7:00 on Friday evening, which is considered to be the busiest day and time of the week for restaurants according to Mr. Galusha.

In answer to a question of Mr. Singer, Mr. Hoffman advised that details have not been worked out to determine how many businesses would participate in the access road project to connect driveways linking everything together. Mr. Horn pointed out that some property owners are not interested in participating in a connector north to Whipp Road.

Upon request of Mr. Kingseed, Mr. Horn outlined the public process which would be followed if this improvement was to move forward: financial assistance from the players as well as property acquisition.

Mr. Cline encouraged Staff to get all parties involved in order to find a solution for this project.

Dr. Gresham reported that he will not use the Woodbourne Library because of the dangerous left turn onto State Route 48 from the library parking lot.

Cynthia Klinck, Director of the Washington-Centerville Public Libraries, advised that many people are reluctant to use the Woodbourne Library because of the poor access problem, people are very fearful. The library is interested and willing to move forward with this project.

Mrs. Lienesch explained how she makes a right turn from the library and uses residential streets to finally proceed south on State Route 48. Mrs. Klinck advised that it is also a dangerous situation turning right.

Mr. Krass pointed out that one of the problems in this area is the fact that intersections are multi-jurisdictional. He suggested that the City study further into a master plan both for the east bound side and the west bound side for traffic moving north and south. Mr. Horn explained that as a result of a study performed a few years ago, the rear access road was determined to be the best remedy.

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Adrian Rose, 104 Cushwa Drive, complimented City Staff on jobs well done and made comments relative to improved East Alexandersville-Bellbrook Road. He encourage motorists to take trash and cigarette butts home, not throw them out of the car windows. He proposed the erection of cameras at various intersections to detect violators. Chief Walker pointed out that the use of cameras does not fall under the criminal section of Ohio law for traffic offenses. Cameras are very expensive and it would be difficult to determine at which intersections they should be placed. In answer to a question of Mrs. Lienesch, Chief Walker explained how the Police Department enforces litter control.

Mayor Beals announced the following events which have taken place and will take place in the coming weeks:

Bicyclers were reminded that they are permitted to ride upon sidewalks and are encouraged to do so in Centerville.

According to State Law, the fine for violating the seat belt law is \$80.00 to \$120.00.

Tackwondo World, a martial arts school opened its doors in Centerville on Clio Road.

A ground breaking ceremony was held at The Franciscan at St. Leonard on June 8, 2003.

Congratulations were extended to Sycamore Hospital for their 25th Anniversary; to Wendy's School of Dance for 40 years in the City of Centerville; to Centerville Schools for placing in the top 700 nationally; to John and Betty Sweeney for their 60th Wedding Anniversary; and to the Washington-Centerville Public Library for the erection of flag polls.

On July 2, 2003 a patriotic concert will be held at The Leonard E. Stubbs Memorial Park featuring the Centerville Community Band and a Bell Choir from Germany.

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

A Zoning, Building and Property Maintenance Publication developed by City Staff will be available in about 30-45 days. This will be a great help to residents who are planning home improvements.

The City of Kettering is interested in looking at alternate sites for the location of the Kettering Municipal Court facility.

The Kalamam Memorial Golf Tournament will be held at The Golf Club at Yankee Trace on Monday, September 22, 2003. Anyone interested in participating should contact the Centerville Police Department.

Appreciation was expressed to residents and businesses for their patience with the South Main Street improvement project.

Centerville is working with other jurisdictions and with the Miami Valley Communications Council relative to utility aggregation.

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

Madeline Breslin, 178 Poinciana Drive, asked City Council to take a stand on the health and safety of residents of Centerville and Montgomery County by passing a Resolution to prevent VX hydorlysate from coming to the Perma-Fix facility in Jefferson Township; no one knows the long term effect of this nerve gas agent. She advised that other jurisdictions except the Cities of Oakwood and Centerville have taken such action.

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Mary Johnson, 4925 Tinslow Drive, Jefferson Township, defined VX hydrolytate as a toxic chemical and explained methods used in other areas of the United States to destroy this nerve gas agent and the effect it has had on products and will have on the health of people in the future.

Willa Bronston, 841 Creekside Drive, Jefferson Township, pointed out that the Army has reported that community acceptance is important, over fourteen jurisdictions have supported opposition to the transportation of VX hydrolytate to the Perma-Fix facility. She outlined comments made by scientists that findings are unacceptable, people are getting sicker and sicker, there are too many unknowns. Mr. Kingseed and Mayer Beals pointed out that the study being conducted through Montgomery County has not been completed relative to this matter. Mr. Kingseed suggested that this be discussed during a future Council Work Session.

ORDINANCE NUMBER 13-03 REFUND BOND ISSUES

Mr. Schlagheck reviewed a proposed Ordinance to replace a similar Ordinance which was passed in March of this year. This Ordinance is necessary due to the fact that some dates have changed which were included in the previous Ordinance. By taking advantage of low interest rates at this time, the City will experience a cost savings of approximately \$750,000.00. Mr. Kingseed sponsored Ordinance Number 13-03, 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. Cline seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 14-03 NAME STREET KALAMAN WAY

Mr. Horn reviewed a proposed Ordinance to name an unnamed dedicated street Officer J. P. Kalaman Way. He identified the location of the subject street immediately east of City owned property previously referred to as Beerman Drive. This name has been recommended by the parents of Centerville's fallen police officer John P. Kalaman. Mr. Singer moved that Ordinance Number 14-03, An Ordinance Naming A Newly Dedicated Street In The City Of Centerville As Officer J. P. Kalaman Way, be set for Public Hearing on July 21, 2003. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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RESOLUTION NUMBER 24-03 AGREEMENT WITH PGA TOUR

Mr. Horn reviewed a proposed facilities agreement between the City of Centerville and PGA Tour, Inc. for the use of The Golf Club at Yankee Trace for the 2003 Nationwide Tour Golf Tournament being held July 21 - 27, 2003. The rental fee remains the same as in previous years, \$65,000.00. Yankee Trace will derive revenue from food concessions. Dr. Gresham sponsored Resolution Number 24-03, A Resolution Authorizing the City Manager On Behalf Of The City Of Centerville To Execute A Facilities Agreement With PGA Tour, Inc., and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 25-03 MIAMI VALLEY COMMUNICATIONS COUNCIL

Mr. Horn reviewed a proposed Resolution for the City of Centerville to recognize the name change of the Miami Valley Cable Council to the Miami Valley Communications Council. Mr. Singer sponsored Resolution Number 25-03, A Resolution To Approve The Second Amended Agreement For Participation In The Miami Valley Communications Council (Regional Council Of Governments) And To Authorize The City Manager To Sign Said Agreement, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 26-03 WAR MEMORIAL

Mr. Horn advised that a committee was formed a few months ago to look at either modifying the War Memorial located in the Leonard E. Stubbs Memorial Park or replacing it with a new one. A proposed Resolution has been prepared to ratify the execution of an agreement with Earl Reeder Associates, Inc. for professional assistance to design and implement a new and improved war memorial. \$50,000.00 has been pledged by the City of Centerville and \$50,000.00 from Washington Township for this endeavor; \$75,000.00 is needed through private funding. Mr. Kingseed pointed out that this is Phase One of a Two Phase project. He explained both phases of the project which will take three to four years to complete. The total cost of the entire project is estimated to be approximately \$400,000.00. Mr. Kingseed sponsored Resolution Number 26-03, A Resolution Ratifying The Action Taken By The City Manager To Enter Into An Agreement Between The City Of Centerville And Earl Reeder Associates, Inc. For Architectural Services For The Veterans' Memorial To Be Located In The Leonard E. Stubbs Memorial Park, and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 27-03 SIGNAGE INVENTORY

Mr. Horn reviewed an agreement which has been executed between the City of Centerville and TEC Engineering, Inc. to develop an inventory, update, and plan for traffic signage needs to ensure that all road signage in the City of Centerville are identified and meet minimum maintenance and installation requirements. The cost of this project will be paid for by grant money; it is a one time inventory. Upon question of Mr. Krass, Mr. Horn advised that this only pertains to City owned signs. Mrs. Lienesch sponsored Resolution Number 27-03, A Resolution

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Ratifying The Action Taken By The City Manager To Enter Into An Agreement Between The City Of Centerville And TEC Engineering, Inc. For A Signage Inventory Study, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION APPOINT DONALD EADIE

Mrs. Lienesch moved that Donald Eadie be appointed as a member of the City Beautiful Commission for the City of Centerville. Mr. Krass seconded the motion. The motion passed by unanimous vote.

PLANNING COMMISSION APPOINT PAUL CLARK CHAIRMAN

Mr. Cline moved that Paul Clark be appointed as Chairman of the Planning Commission. He recognized the fine performance of James Durham as Chairman for the past several years. Dr. Gresham seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE REAPPOINT SANDRA BAVER

Dr. Gresham moved that Sandra Baver be reappointed as a member of the Sister City Committee for a period of one year. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

Mayor Beals expressed appreciation to all volunteers.

There being no further business, the meeting was adjourned.

Approved: *Rally D. Beals*
Mayor

ATTEST: *Maril Meserup*
Clerk of Council