

## RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 18

20 03

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, August 18, 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 Roger Krass  
 Susan Lienesch  
 Paul Gresham  
 Douglas Cline  
 Jim Singer  
 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  
 Public Works Director Robert James  
 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 - July 21, 2003.  
 Work Session Meetings - July 21, 2003.  
 - August 4, 2003.  
 - August 11, 2003.

Mr. Kingseed moved that the minutes of the foregoing meetings be approved, as distributed. Mr. Krass seconded the motion. The motion passed by unanimous vote with Mr. Cline abstaining from the meetings on July 21, 2003; and Mr. Singer abstaining from the meetings of July 4, 2003 and July 21, 2003.

Mrs. James announced the receipt of a letter of resignation from Centerville Property Review Commission Member James Brunner. Mayor Beals advised that Mr. Brunner has taken the Oath of Office as a member of the Planning Commission.

Mr. Mark Case, of the Combined Health District, Montgomery County, gave a presentation regarding West Nile Virus. He explained that the virus has been found this summer in various areas of Montgomery County and is a mosquito-borne disease. Mr. Case stated that probably the most important message the Combined Health District would like to get out to the public is that there are some simple things citizens can do to protect themselves and their families. He outlined recommendations and options residents should consider to protect themselves against the virus. This disease has received a lot of media attention, people with questions should contact the Combined Health District, 225-4362.

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Mr. Mike Robinette, Executive Director of the Miami Valley Regional Planning Commission, was present at this meeting to give Council the opportunity to ask questions regarding the proposed MVRPC Reorganization. Council was given a copy of the Executive Summary and Mr. Robinette gave an overview of the proposed changes. He mentioned that the clear message throughout the Visioning process was that MVRPC can play a significant leadership role in advancing the region's agenda, but that the organization needs to become more effective, efficient and representative of the member jurisdictions served. MVRPC provides two legal functions: it serves as a regional planning commission to provide support services to local communities and to provide for transportation planning and transportation funding for all jurisdictions in the Metropolitan Planning Organization. Mr. Kingseed moved that Council support the MVRPC reorganization. Mrs. Lienesch seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Joseph Beyerle, Americana Festival Chairman, speaking on behalf of the Americana Festival Committee, thanked Council for their participation in helping to make the Fourth of July celebration fantastic. He expressed appreciation to the Police Department for their assistance during the festival and the fireworks display which was held on Sunday evening, July 6, 2003. It was estimated that there were 70,000 people in attendance during the festival.

Mayor Beals administered the Oath of Office to Centerville Arts Commission member, Richard Schierloh.

Mayor Beals presented to the following Centerville Business Pride winners a plaque and brunch certificates for Yankee Trace:

GB Orthodontics, 55 North Main Street  
Centerville Shell, Inc., 899 South Main Street

Mayor Beals mentioned that it has been a very special summer thanks to the many volunteers, sponsors of Inventing Flight, Americana Festival, the Dayton Open and other numerous events that have occurred. The Region has come together to commemorate Ohio's 200<sup>th</sup> Birthday and to celebrate 100 years of flight. She expressed sincere thanks to all who have participated.

Mayor Beals announced the following events which took place during the past month and will take place in the coming weeks:

Americana Festival was outstanding-despite two delays for the fireworks display.

Mystery Night Out was held August 5, 2003 and was a great success. This event is always held the first Tuesday of August in cooperation with Police Departments throughout our nation to call attention to Crime Prevention.

On August 10, 2003, the Firemen's Ice Cream Social was held; this was their 55<sup>th</sup> year for this event. A great time was had by all.

The Dayton Open was held at Yankee Trace the week of July 21, 2003. It was the largest crowd ever with about 40,000 people in attendance for the week.

There are several concerts remaining at the Leonard E. Stubbs Memorial Park.

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School will soon be starting. Motorists were reminded to be aware of changes in traffic patterns.

Beggar's Night will be held Thursday, October 30, 2003, from 6:00-8:00 P.M.

On August 10, 2003, the Employee Family Picnic was held behind the Centerville Police facility.

Congratulations were expressed to Doug Cline and to his son, Dan, for being named captain of the Centerville High School Football Team.

Acknowledgment was made of three Centerville graduates currently attending Ohio State University, A. J. Hawk, Mike Nugent and Nick Mangold.

A ribbon cutting was held for Centerville's first hotel, Holiday Inn Express, located on the corner of Wilmington and Whipp Road.

Hannah's Treasure Chest will have a ribbon cutting on August 22, 2003. This is a not for profit organization that collects and distributes clothing, furniture and toys for those in need. It is located in Spanish Village on North Main Street.

Our new motorcycle police officer is John Davis.

Congratulations to Christina Etson for being selected as the winner of the Sister City Art Contest held in Washington, D.C. There were 70 art pieces and 17 countries represented.

Centerville's Sister City Committee is planning a trip to Europe along with a trip to Bad Zwischenahn next summer. More details will follow.

The National League of Cities recognizes that early treatment of Breast Cancer and Prostate Cancer can save lives. A Proclamation was issued designating October 2003 as Breast Cancer and Prostate Cancer month in Centerville.

Ever since September 11, 2001, cities all over the nation have been working diligently on their Emergency Management Plans. With the black-out that recently occurred, the City's plan was called into action.

A Happy Labor Day and a happy end of the summer was wished to all.

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

The black-out which occurred Thursday, August 14, 2003, was in some respects a beneficial day for the City and Washington Township Emergency Operations planning efforts. Not knowing what was going to happen the Emergency Operations Center was activated and was up and running within 20-25 minutes. The joint plan that was adopted about two years ago was an excellent move on the part of both entities.

Centerville continues to work with other communities through the Miami Valley Communications Council to provide for electric and natural gas aggregation. It was hoped that the City would have an aggregation plan together for natural gas in time for this year's heating season. Due to the time table established in the legislation passed by the electorate it will not be possible to have an opt-out plan in place at this particular time. MVCC is authorizing Buckeye Energy to prepare an opt-in plan for member communities. Information concerning an opt-in voluntary plan will be placed in the Town Crier and on Channel 10.

On September 8, 2003 at 6:30 P.M., Council will have a ceremony dedicating the street east of the Municipal Building as Officer J. P. Kalaman Way. A Reception will follow and members of our Police Department and residents are invited to attend.

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The 2003 summer street resurfacing program is running behind schedule due to the Contractor being delayed by the weather and will not be completed by the beginning of the school year. Mr. Horn asked residents for their patience.

State Route 48 (Main Street) will be resurfaced shortly after Labor Day from Alexandersville-Bellbrook Road south to Bristol Drive. This project should take two to three weeks.

In answer to a question of Mr. Cline, Mr. Horn advised that the Dayton Power & Light Company felt that their service area was in better shape than many other areas relative to the black-out situation due to the fact that they have invested heavily in the last decade in peaking generators.

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

Mr. Horn advised that the Bond Estimate has not been received for The Links at Yankee Trace, Section Two. Mr. Singer moved that the Record Plan for The Links at Yankee Trace, Section Two, be tabled. Mrs. Lienesch seconded the motion. The motion passed unanimously.

Mr. Cline announced that the next public meeting concerning Create the Vision has been scheduled for Wednesday, September 24, 2003, at 7:00 P.M., at the Centerville High School, South Commons. He encouraged everyone in Centerville and Washington Township to attend. It is anticipated that the Comprehensive Plan process will culminate sometime in early 2004.

### ORDINANCE NUMBER 15-03 INCREASE BID LIMIT

The Public Hearing was held concerning Ordinance Number 15-03. Mr. Schlagheck reviewed a proposed Ordinance to increase the City's bid limit from \$20,000.00 to \$30,000.00. The State of Ohio recently increased the limit for competitive bids for non-charter Cities and Townships from \$15,000.00 to \$25,000.00. Providing that competitive bids be taken for the purchase of supplies and materials when the cost exceeds \$30,000.00 instead of \$20,000.00 will cause a cost savings and time savings for the City of Centerville. Mr. Krass sponsored Ordinance Number 15-03, An Ordinance To Amend Chapter 210, Contracts And Purchasing Of The Centerville Municipal Code To Provide That Competitive Bids Be Taken For The Purchase Of Supplies And Materials When The Cost Exceeds \$30,000.00, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

Mr. Adrian Rose, 104 Cushwa Drive, was present at this meeting to extend congratulations to Mayor Beals, Members of Council and City Staff for the improvements at the northeast corner of Main and Franklin Streets.

Mr. Joseph Koussa, 1537 Beaver creek Lane, was present to encourage citizens to conserve on the use of gasoline. He asked that the military return safely.

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## ORDINANCE NUMBER 16-03 I-675/SR48 ENHANCEMENT

Mr. Horn reviewed a proposed Ordinance to enable the City of Centerville to cooperate with the Ohio Department of Transportation to enhance the visual appearance of the interchange area of Interstate 675 and State Route 48. Some Federal-aid and State funds have been set aside by the Director of Transportation for the financing of this improvement. Mr. Singer moved that Ordinance Number 16-03, An Ordinance Enacted By The City Of Centerville To Cooperate With The State Of Ohio, Director Of Transportation To Enhance The Visual Appearance Of The Intersection Area Of Interstate Route 675 And State Route 48, be set for Public Hearing on September 15, 2003. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

## ORDINANCE NUMBER 17-03 CLYO ROAD REPAIR AND RESURFACE

Mr. Horn reviewed a proposed Ordinance to enable the City of Centerville to cooperate with the Ohio Department of Transportation for the repair and resurfacing of Clyo Road from Centerville Station Road to the junction of State Route 725. Dr. Gresham moved that Ordinance Number 17-03, An Ordinance Enacted By The City Of Centerville To Cooperate With The State Of Ohio, Director Of Transportation To Repair And Resurface The Existing Roadway Of Clyo Road From Centerville Station Road To The Junction Of State Route 725, be set for Public Hearing on September 15, 2003. Mrs. Lienesch seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 18-03 MUNICIPAL CODE UPDATE

Mr. Horn reviewed a proposed Ordinance to update the Centerville Municipal Code by adding Ordinances passed since the last update as well as changes in the State Code that affect Centerville's Code. Mr. Kingseed moved that Ordinance Number 18-03, An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And Resolutions As Parts Of The Various Component Codes Of The Codified Ordinances; Providing For The Adoption And Publication Of New Matter In The Updated And Revised Codified Ordinances; And Repealing Ordinances And Resolutions In Conflict Therewith, be set for Public Hearing on September 15, 2003. Mr. Cline seconded the motion. The motion passed by unanimous vote.

## RESOLUTION NUMBER 34-03 BUSINESS FIRST PROGRAM

Mr. Horn reviewed a proposed Resolution to amend the Intergovernmental Cooperation Agreement between Montgomery County and other jurisdictions relative to the Business First Program. Through this program Montgomery County encourages entities throughout Montgomery County to call upon businesses to receive information relative to their current and future needs. This amendment allows the City of Troy to come into the program as well as provides that the Advisory Committee can consider other jurisdictions outside the County to become members in the program without passing additional enabling legislation. Mr. Cline sponsored Resolution Number 34-03, A Resolution Authorizing The City Manager To Enter Into An Intergovernmental Cooperation Agreement, Amendment Number One, On Behalf Of The City Of Centerville With Other Member Jurisdictions, and moved that it be passed. Mr. Kingseed

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seconded the motion. The motion passed unanimously.

### RESOLUTION NUMBER 35-03 INSURANCE

Mr. Schlagheck reviewed a proposed Resolution to renew the City's property, liability and casualty insurance policy with Wichert Insurance Services, the City's current carrier. The renewal contract includes a 18 ½ percent increase which includes terrorism coverage as well and the same coverage as before. Mrs. Lienesch suggested that bids be received in 2004 for the City's insurance coverage. Mrs. Lienesch sponsored Resolution Number 35-03, A Resolution Authorizing The City Manager To Enter Into A Contract In The Amount of \$191,724 For Property, Liability And Casualty Insurance With Wichert Insurance Services, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

### RESOLUTION NUMBER 36-03 PUBLIC DEPOSITORIES

Mr. Schlagheck reviewed a proposed Resolution which is the first step in seeking public depositories for City monies in various financial institutions. Mr. Krass sponsored Resolution Number 36-03, A Resolution Estimating The Probable Amount Of Public Monies To Be Deposited, Setting A Date For The Designation Of Public Depositories And Authorizing Notice, and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

### RESOLUTION NUMBER 37-03 CENTERVILLE STATION ROAD IMPROVEMENT

Mr. Murray reviewed a proposed Resolution to accept the proposal received from M-E Companies, Inc., for engineering services to prepare construction plans for curve improvements to Centerville Station Road from Park East Court to Centerville's eastern corporation limits. The City's Engineering Department solicited proposals for this improvement from nine firms with six responding. M-E Companies, Inc. submitted the low and best proposal. A portion of the cost for this project will be paid through Issue Two funds. Mr. Murray outlined the improvements to be made. Dr. Gresham sponsored Resolution Number 37-03, A Resolution Accepting A Proposal For Engineering Services Submitted By M-E Companies, Inc., To Prepare Construction Plans For The Centerville Station Road Curve Improvements, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

### RESOLUTION NUMBER 38-03 PURCHASE DUMP BODIES AND HYDRAULICS

Mr. James advised that the two truck cabs and chassis purchased several months ago have been received by the Public Works Department. Bids were received for two dump bodies and hydraulics to be installed on these trucks along with other miscellaneous items. Mr. James recommended that the bid be awarded to the K. E. Rose Company for their low and best bid of \$28,900.00 for both trucks. Mr. Singer sponsored Resolution Number 38-03, A Resolution Accepting The Bid Submitted By the K.E. Rose Company For The Purchase Of Dump Bodies And Hydraulics And Miscellaneous Items For Two Trucks Owned By The City Of Centerville, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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RESOLUTION NUMBER 39-03 CITY MANAGER'S CONTRACT

Mr. Horn advised that his present employment contract will expire on June 20, 2004. Mayor Beals outlined the many accomplishments the City has made during Mr. Horn's tenure. Mr. Krass sponsored Resolution Number 29-03, A Resolution To Amend Resolution Number 1-95 By Renewing The City Manager's Employment Contract For An Additional Five Year Term Commencing July 1, 2004, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

Mr. Kingseed moved that Council convene into Executive Session for the purpose of 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: Sally D. Beals  
Mayor

ATTEST: Debra A. James  
Assistant Clerk of Council