

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 15*20<sup>03</sup>

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 15, 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  
                               James Singer  
                               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  
 City Engineer Norbert Hoffman  
 Public Works Director Robert James  
 Assistant City Engineer Michael Murray  
 Municipal Attorney Robert Farquhar  
 Assistant to the City Manager Jesse Lightle

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

Council Meeting - August 18, 2003.  
 Work Session Meetings - August 18, 2003.  
   - August 25, 2003.

Mr. Singer moved that the minutes of the foregoing meetings be approved, as distributed. Mr. Cline seconded the motion. The motion passed by unanimous vote.

Mrs. McLaughlin announced the receipt of a letter of resignation from Sister City Committee Member, Allen Haveman. Dr. Gresham moved that the resignation of Mr. Haveman be accepted, with regret. Mr. Krass seconded the motion. The motion passed unanimously.

Sister City Committee Member Nancy Bowlus, explained a Young Artists Competition sponsored by Sister Cities International in which Centerville High School Student Kristina Etson won an award. Mayor Beals, Mrs. Bowlus, and Centerville High School Art Teacher Francine Riley presented the award and a check to Kristina's Mother, Margaret Etson.

Mrs. Vicki Pegg, Montgomery County Commissioner, gave a brief overview of the Human Services Issue which will be on the November, 2003 election ballot. She explained how these levy monies help children, the elderly, the handicapped, and families. These dollars are raised in Montgomery County and spent in Montgomery County, they go no where else. She asked that Council support this levy on November 4, 2003 and encourage residents to do the

## RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 1520 03

same. Dr. Gresham stressed the need for the Human Services Levy. Mayor Beals pointed out that years ago, City Council established a policy not to endorse nor take a position against an issue as a Council of the whole body.

City Beautiful Commission Member Jerry Huffman, presented to Tom and Tommy Routsong, 81 North Main Street, the Centerville Business Pride Award for the month of September, 2003. Tom Routsong reviewed the history of the Funeral Home.

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

On Monday, September 8, 2003, the street just east of the Centerville Municipal Building was dedicated and named "Officer J.P. Kalamán Way" in memory of Officer John Kalamán who was killed in the line of duty in the City of Centerville. She explained the scholarships which have been established, funded primarily by an annual golf tournament held at The Golf Club at Yankee Trace.

The Centerville-Washington Township Historical Society will be hosting their annual Bicentennial Dinner Dance on Saturday, October 11, 2003. This is an annual fund raising event for the Society.

Kid's Day will be celebrated at the Centerville Police Facility on Saturday, September 20, 2003.

Halloween in Centerville will be October 30, 2003 between 6:00 P.M. and 8:00 P.M. This date has been established as suggested by the Mayors and Managers Association of the Miami Valley. Mayor Beals encouraged pranksters to enjoy Halloween decorations, don't destroy them.

The leaf pick-up schedule will be in the Town Crier, leaf pick-up will begin on October 13, 2003.

A ribbon cutting ceremony was held on August 22, 2003, for Hannah's Treasure Chest located in Spanish Village.

A ribbon cutting will be held at Dr. Adkin's Chiropractic practice on Thursday, September 18, 2003.

Graeter's Ice Cream and City Barbecue's grand opening is scheduled for Friday, September 26, 2003 to begin at 2:00 P.M.

Congratulations were extended to Christ the King Lutheran Church on their 40<sup>th</sup> Anniversary.

The Centerville-Washington Foundation has awarded two \$500.00 grants, one to the Washington-Centerville Public Library and one to the Centerville-Washington Park District for special programs.

October 1 - 3, 2003, the Annual Ohio Municipal League Conference will be held in Cincinnati, Ohio.

Congratulations were extended to Dr. Gresham and Dayton Commissioner Idotha Bootsie Neal for hosting the Human Development Steering Committee of the National League of Cities in the City of Centerville October 2-5, 2003.

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 15*20 *03*

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

Grinding of State Route 48 will begin on September 22, 2003, from Alexandersville-Bellbrook Road to Edenhurst Drive and will take approximately one week. Crack sealing and paving will follow and will take another week to complete.

Leaf pick-up in Centerville will begin on October 13, 2003. The schedule will be on the Centerville web site and in the Town Crier.

The City of Centerville has won two first place Savvy Awards, one for the Town Crier publication for communities under 25,000 population and one for the Create the Vision Program for communities 200,000 or less in population.

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

### ORDINANCE NUMBER 19-03 ZONING ORDINANCE AMENDMENT TEXT

Mr. Horn reviewed a proposed Ordinance to change the maximum gross floor area of the ground level of any one individual building in the O-S, Office Service, and the Business zone classifications from 5,000 square feet to 10,000 square feet. Mr. Singer moved that Ordinance Number 19-03, An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio To Amend Sections 10, 12, 13, 17 And 20 In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be set for Public Hearing on November 17, 2003. Mr. Cline seconded the motion. The motion passed by unanimous vote.

### ORDINANCE NUMBER 20-03 ZONING ORDINANCE AMENDMENT TEXT

Mr. Horn reviewed a proposed Ordinance to make changes in landscape requirements in large parking areas. Mr. Kingseed moved that Ordinance Number 20-03, An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio To Amend Sections 21 And 37 In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be set for Public Hearing on November 17, 2003. Dr. Gresham seconded the motion. The motion passed unanimously.

Mr. Cline announced the public meeting to be held relative to the Create the Vision Comprehensive Plan on Wednesday, October 24, 2003 in the South Commons of the Centerville High School. The meeting will begin at 7:00 P.M. The purpose of the meeting is for the Steering Committee to get feedback from the residents in Centerville and Washington Township relative to the concept plan.

Mr. Singer announced the meeting scheduled for the Stormwater Drainage Task Force on October 16, 2003 to begin at 7:00 P.M. in the Centerville Municipal Building. He reviewed the charge of this Task Force and asked for input from residents if there is a drainage problem.

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held *September 15*20<sup>03</sup>

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

The Public Hearing was held concerning Ordinance Number 16-03. Mr. Hoffman outlined improvements to be made at the Interstate Route 675 and State Route 48 interchange to enhance the visual appearance by providing landscape features, decorative fencing and stone walls. This is a 80/20 match (80% federal dollars, 20% local dollars) with federal dollars received through the Miami Valley Regional Planning Commission with a cap of \$330,000.00. Implementation of the project should take place in July, 2005, by the Ohio Department of Transportation. Mr. Krass sponsored 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, and moved that it be passed. Mr. Cline seconded the motion. The motion passed by unanimous vote.

## ORDINANCE NUMBER 17-03 CLYO ROAD IMPROVEMENTS

The Public Hearing was held concerning Ordinance Number 17-03. Mr. Murray advised that the City of Centerville applied for federal monies through the Miami Valley Regional Planning Commission for the resurfacing of Clio Road from Centerville Station Road to Alexandersville-Bellbrook Road. This is a 80/20 split (80% federal dollars, 20% local dollars) with a cap of 478,000.00. The beginning date for this project is July, 2006. Upon question of Mr. Krass, Mr. Murray explained that the federal dollars committed are for this particular project. There is a need for this asphalt overlay; the City is not doing this just because federal dollars are available. Mr. Singer sponsored 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 Clio Road From Centerville Station Road To The Junction Of State Route 725, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 18-03 CODE RECODIFICATION

The Public Hearing was held concerning Ordinance Number 18-03. Mr. Horn advised that the Centerville Municipal Code is revised annually through the coordination of the Clerk's Office and a Codifier. Incorporated into the Code are Ordinances and Resolutions recently passed and to bring the Code in compliance with State Law. Mr. Kingseed sponsored 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, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 15*20<sup>03</sup>

## ORDINANCE NUMBER 21-03 REAPPROPRIATIONS

Mr. Schlagheck reviewed three changes which need to be made to the 2003 Appropriation Ordinance: Friends of Benham's Grove Fund, Insurance Deductible Fund and Special Assessment Improvement Fund for a total increase of \$295,000.00. Mr. Kingseed moved that Ordinance Number 21-03, An Ordinance To Amend Ordinance 20-02 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, 2003, be set for Public Hearing on October 20, 2003. Mr. Krass seconded the motion. The motion passed by unanimous vote.

## RESOLUTION NUMBER 40-03 CERTIFY TAX LEVIES

Mr. Schlagheck reviewed a proposed Resolution to authorize Montgomery County to levy 2.35 mills of property tax for the City of Centerville inside the 10 mill limitation. Inside millage is not voted upon and will bring to the City's General Fund approximately \$1,200,000.00. Dr. Gresham sponsored Resolution Number 40-03, 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 NUMBERS 41-03, 42-03, 43-03 44-03, 45-03, 46-03 PUBLIC DEPOSITORIES

Mr. Schlagheck explained Resolution Numbers 41-03, 42-03, 43-03, 44-03, 45-03 and 46-03. These Resolutions provide the City the opportunity to place monies in various financial institutions over a five year period. During this five year period other financial institutions can be added. Each of these banks have a branch in the City of Centerville. The Resolution Numbers and financial institutions are as follows:

Resolution Number 41-03, A Resolution Designating A Public Depository And Awarding Public Monies. (U.S. Bank)

Resolution Number 42-03, A Resolution Designating A Public Depository And Awarding Public Monies. (Bank One, NA)

Resolution Number 43-03, A Resolution Designating A Public Depository And Awarding Public Monies. (Key Bank)

Resolution Number 44-03, A Resolution Designating A Public Depository And Awarding Public Monies. (Fifth Third Bank)

Resolution Number 45-03, A Resolution Designating A Public Depository And Awarding Public Monies. (Cornerstone Bank)

Resolution Number 46-03, A Resolution Designating A Public Depository And Awarding Public Monies. (The Community National Bank)

Mr. Kingseed Sponsored Resolution Numbers 41-03, 42-03, 43-03, 44-03, 45-03 and 46-03, Resolutions Designating A Public Depository And Awarding Public Monies, and moved that they be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

## RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 15

20 03

## RESOLUTION NUMBER 47-03 PARKING LOT LEASE

Mr. Horn reviewed a Land Lease Agreement between the City of Centerville and the Cross Point Church located at 38 North Main Street. This is a ten year lease for approximately ninety parking spaces which can be utilized by the public except at specified times as requested by the Church. The Agreement provides for the City to pave the lot, provide on-going maintenance, and pay a lease fee of \$6,000.00 per year. City Staff is close to an agreement with Washington Township to cooperate with the City in this project and to pay approximately one-half of the cost. Upon question of Mr. Krass, Mr. Horn explained the improvements to be made on and along the pathway which leads from the church parking lot to the business area. Mr. Singer sponsored Resolution Number 47-03, A Resolution Ratifying The Action Taken By The City Manager, On Behalf Of The City Of Centerville, To Enter Into A Parking Lot Lease Agreement With Cross Point Church, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

## RESOLUTION NUMBER 48-03 NATURAL GAS AGGREGATION

Miss Gilleland explained the Opt-out Program (residents are automatically included unless they Opt-out) and the Opt-in Program (residents must Opt-in to be included) for the City to aggregate natural gas and electricity for residents. An Opt-out Program will not be available until the spring. There will be an Opt-in Program beginning November 1, 2003 for natural gas only. Proposals have been received from two suppliers; the City should have a supplier soon. Residents will have approximately thirty days to make a decision. All residents will be notified and receive information relative to the Opt-in Program. The price for natural gas could be ten cents lower per CCF than the eighty five cents per CCF from Vectren Source, these prices are fixed rates for the winter months. City Staff will continue to work on the Opt-out Program which would begin in the spring of 2004 for both natural gas and electricity. Five or six other communities will probably provide an Opt-in Program for their residents. Mr. Singer pointed out that the proposed Resolution provides for an Opt-in Natural Gas Program and authorizes the Miami Valley Communications Council to perform administrative services for an Opt-out Program for natural gas and electricity in the spring. Dr. Gresham sponsored Resolution Number 48-03, A Resolution Authorizing All Actions Necessary To Effect A Governmental Natural Gas Aggregation Program With Opt-In Provisions Pursuant To Article XVIII, Section 4, Ohio Constitution And Authorizing The Miami Valley Communications Council To Perform Administrative Services For Such Purposes Including Opt-Out Aggregation Program Administration Pursuant To Ohio Revised Code Sections 4929.26 And 4928.20, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 49-03 POLICE PARKING LOT EXPANSION

Mr. Murray advised that four bids were received for the expansion of the parking lot for the new Police facility. He located the parking lot on a map being situated west of the current lot and explained the improvements to be made. Created will be twenty-nine additional parking spaces plus a lighting option. Mr. Murray recommended acceptance of the low and best bid

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 15*20 <sup>03</sup>

submitted by Booher Blacktop in the amount of \$40,861.15. Mr. Krass sponsored Resolution Number 49-03, A Resolution Accepting The Bid Submitted By Booher Blacktop For The Centerville Police Department Parking Lot Expansion And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

### RESOLUTION NUMBER 50-03 HIGHWAY ROCK SALT

Mr. James advised that the City of Middletown handled a joint bid for highway rock salt through Southwest Ohio Purchaser's for Government. The low bid for Centerville was received from the North American Salt Company in the amount of \$32.62 per ton, plus a piling charge of \$2.50 per ton. Mr. James recommended the purchase of 2,000 tons for the winter season for a total cost of \$70,240.00. In answer to a question of Dr. Gresham, Mr. James explained that the cost per ton for highway rock salt is determined by location. Mr. Kingseed sponsored Resolution Number 50-03, 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 2004, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

### SISTER CITY COMMITTEE REAPPOINT JOHN BEALS

Mr. Kingseed presided for this Agenda item. Mr. Krass moved that John Beals be reappointed as a member of the Sister City Committee for an additional year. Dr. Gresham seconded the motion. The motion passed with five ayes in favor of the motion. Mrs. Lienesch voted no; Mayor Beals abstained.

### SISTER CITY COMMITTEE REAPPOINT CAROLYN BASFORD

Mr. Kingseed moved that Carolyn Basford be reappointed as a member of the Sister City Committee for an additional year. Mr. Singer seconded the motion. The motion passed unanimously.

### SISTER CITY COMMITTEE REAPPOINT JOHN MORAITES

Mr. Singer moved that John Moraites be reappointed as a member of the Sister City Committee for an additional year. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

Mr. Horn advised that Council needed to convene into Executive Session to discuss real estate and litigation. Mr. Singer moved that Council convene into Executive Session to discuss real estate and litigation. Mr. Kingseed seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 15 2003

There being no further business the meeting was adjourned.

Approved: *Sally D. Beals*  
Mayor

ATTEST: *Maui J. McLaughlin*  
Clerk of Council