

# RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *October 20*20 *03*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 20, 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  
 Finance Director Mark Schlagheck  
 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 - September 15, 2003.  
 Work Session Meetings - September 8, 2003.  
                                       - September 15, 2003.  
                                       - September 22, 2003.  
                                       - October 6, 2003.  
                                       - October 13, 2003.

Mr. Kingseed moved that the minutes of the foregoing meetings be approved, as distributed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote. However, Mr. Singer abstained from the minutes of the meeting of September 22, 2003.

Mrs. McLaughlin announced the receipt of letters of resignation from Sister City Committee Member, Nancy Bowlus and Centerville Arts Commission Member, Robert Cahill. Mr. Singer moved that the resignations of Mrs. Bowlus and Mr. Cahill be accepted, with regret. Mrs. Lienesch seconded the motion. The motion passed unanimously.

Mr. Robert Daley, President of the Centerville Washington Township Historical Society, introduced the new Executive Director Mary Kay Mabe and outlined some of her many accomplishments. Mrs. Mabe expressed her thanks for the opportunity to serve in said capacity.

Mrs. Maureen Russell Hodgson, Community Resources Coordinator, announced the City's receipt of 2 SAVVY awards from 3CMA (City-County Communications and Marketing Association). These awards were top honors selected from 700 entries from all areas of the United States, for the Town Crier and Create the Vision Comprehensive Planning Program. The

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Town Crier won first place in the External Newsletters Category, and Create the Vision won first place in the Visioning Process Category. Mr. Horn presented a Certificate of Congratulations to Sarah Rickman, Dennis Riggs, Erin Kennedy and Brenda Mullins for the Town Crier, to Douglas Cline, Joyce Young, Steve Feverston, David Douglas, Doris Ponitz, Robert Daley and Brooks Compton for Create the Vision, and to Maureen Russell Hodgson for preparing and submitting the applications.

Co-Chairman Brooks Compton was present to encourage electors to vote yes for the Recreation Center Operation Replacement Levy which will be on the November 4, 2003 election ballot. He outlined activities provided to all ages at the Recreation Center. Passage of this levy will cost a resident approximately \$7.00 per year.

City Beautiful Commission Chairman Linda Meily explained the Summer Landscape Awards program and introduced City Beautiful Commission members present at this meeting. Mrs. Meily along with Mayor Beals presented awards to the following winners:

|                              |                           |
|------------------------------|---------------------------|
| Randy and Glenda Shupert     | 6845 Montpelier Boulevard |
| Paula and Rich Blue          | 8269 Rhine Way            |
| Brian and Susan Fenner       | 56 Weller Avenue          |
| Bill and Shirley Feverston   | 9515 Shawnee Trail        |
| Janet and Mark Malenfant     | 5719 Rockingham Drive     |
| John Beals                   | 7875 Stonehouse Court     |
| Sue McDanel                  | 300 Alston Woods Court    |
| Jack and Elyse Kindler       | 9719 Greenside Court      |
| Manju and Rakesh Gupta       | 2156 Baldwin Drive        |
| Nancy and Ken Pingleton      | 8015 Brainard Woods Drive |
| Robertta and Joe Smith       | 215 Weller Avenue         |
| Marc and Judy Tebben         | 9171 Stephanie Drive      |
| Diane Tieman                 | 6411 Shirecliff Court     |
| Robert and Jeannine Osmanski | 7640 John Elwood Drive    |
| Dale and Bette Opela         | 110 Johanna Drive         |
| Ron and Susan James          | 1475 Courtyard Place      |
| Cindy and Guy Smallwood      | 6510 Staverton Drive      |
| Dave and Cindy Ginger        | 7860 Stonehouse Court     |
| Jo Ann Spangler              | 212 Prague Court          |
| Mark and Debbie Schumacher   | 9730 Rose Arbor Drive     |
| Don and Connie Monnin        | 5384 Royalwood Drive      |
| Dave and Yvonne Jacobson     | 1101 Ambridge Road        |
| Nancy and Bob Yowell         | 157 Bradstreet Road       |
| Ann Focke                    | 1120 Club View Drive      |

City Council recessed at this time for a short reception with the award winners.

Council reconvened at approximately 8:50 P.M.

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

On September 26, 2003, Graeter's Ice Cream and City Barbecue opened in the center of town. The City of Centerville in cooperation with these two businesses and the Cross Pointe Church have created public parking downtown.

A Joint Entities meeting was held on Monday, September 29, 2003 at Benham's Grove. State Senator Jeff Jacobson and State Representative John White were present to discuss concerns with some of the new state funding issues.

On October 4, 2003 the grave of Captain John Harris was rededicated in the Sugar Creek Baptist Church Cemetery behind Giovanni's on North Main Street.

Attention was brought to the Centerville-Washington Foundation for those people interested in charitable giving. There is currently approximately \$400,000.00 under management in various funds through the Centerville-Washington Foundation. The Foundation has awarded two \$500.00 grants each year for the past four years.

On October 12, 2003 Christ the King Lutheran Church celebrated their 40<sup>th</sup> anniversary. A Proclamation was issued for them designating said day as Christ the King Lutheran Church Day in Centerville.

Beggar's Night will be October 30, 2003 between 6:00 and 8:00 P.M.

On October 23, 2003, Bill's Donut Shop will have a special celebration at which time they will present the 900<sup>th</sup> Make-a-Wish. A Proclamation has been issued designating October 23<sup>rd</sup> as Bill's Donut Shop Day in Centerville.

Dr. Adkins Family Chiropractic located at the northwest corner of South Main Street and West Spring Valley Road was welcomed to the community.

Oakwood Massage Clinic has relocated to 450 North Main Street in the City of Centerville.

Kid's Day, sponsored by Dr. Goffe, a local Chiropractor, was held September 20, 2003 at the Police Station. Emphasis was placed on crime prevention.

The City's budget process will begin on Monday, October 27, 2003. Those planning to attend should call ahead so that ample space can be provided.

Sympathy was extended to the family of Joanna Clay upon her passing. Mrs. Clay was a very active member of the Sister City Committee and participated on many of the exchange trips to Waterloo, Ontario Canada and Bad Zwischenahn, Germany.

Mayor Beals and Dr. Gresham attended the Ohio Municipal League October 1 and 2, 2003, in Cincinnati. Energy aggregation was a topic of much discussion.

Dr. Gresham recently hosted the Human Development Committee of the National League of Cities in the City of Centerville. Dr. Gresham reviewed the NLC Human Development Committee meeting and expressed appreciation to all that participated.

The following Proclamations have been issued:

October 20, 2003 - Weatherization Day in Centerville, to make sure that homes are properly insulated to conserve on energy.

October 20, 2003 - Fitness Day for Stingley Elementary School in Centerville, to call the youths' attention to physical fitness.

November 20, 2003 - Feed America Day in Centerville, to encourage citizens to help the homeless and poor by contributing to food banks.

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On November 11, 2003 at 11:00 A.M. there will be a ceremony at the Veterans' Memorial in the Leonard E. Stubbs Memorial Park on Spring Valley Road. The Washington-Centerville Public Library in conjunction with the Centerville Washington Township Historical Society will provide refreshments and a display of war memorabilia following the ceremony in the Library on Spring Valley Road.

Holiday Tree lighting will be held at Benham's Grove on Sunday, November 23, 2003. A Hometown Holiday Walk will be held prior to this event with 22 businesses participating. On December 1, 2003, a Holiday Walk will be sponsored by the Centerville Washington Township Historical Society.

Electors were reminded to vote on November 4, 2003, Election Day.

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

Drafts of the Capital Improvement Program for 2004-2008 will be available on Friday, October 24, 2003, and the City's Operating Budget shortly thereafter.

Bids have been received for the renovation of the Municipal Building. Two or three bids are within budget.

Appreciation was expressed to community businesses, visitors, and residents for their patience during the recent resurfacing of State Route 48, as well as everyone involved in its construction.

Due to a drainage issue on Alexandersville-Bellbrook Road at the bridge, some reconstruction will take place by the Ohio Department of Transportation.

The Miami Valley Communications Council has advised that approximately 2,500 area wide households have taken advantage of natural gas aggregation with Shell Petroleum.

Business owners were reminded that the Cross Point Church parking lot is now public.

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

Mrs. Lienesch, speaking as Vice President of the National Organization to Insure a Sound Controlled Environment and as Co-Chair of the Centerville-Washington Township Aircraft Noise Task Force, reviewed an Action Alert received from N.O.I.S.E. relative to Congress' reconsideration of the FAA Reauthorization Bill HR 2115.

Mr. Singer reviewed the meeting held October 16, 2003, of the Stormwater Drainage Task Force, at which time drainage improvements made in 2003 and projections for 2004 were discussed. He advised that the Capital Improvement Program 2004-2008 and the 2004 Operating Budget for the City of Centerville will be reviewed by the Council Finance Committee of the Whole on October 27, November 3, and November 10.

#### ORDINANCE NUMBER 21-03 2003 APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 21-03. Mr. Schlagheck explained this proposed Ordinance which makes changes in three funds increasing the grand total appropriations for the year 2003 from \$26,973,100.00 to \$27,244,100.00. Mr. Kingseed

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sponsored 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, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

Mr. Roy Wilson, 34 Peach Grove Avenue, was present to suggest that an overlay be placed on Irongate Park Drive in honor of fallen fireman Robert James O'Toole. Mayor Beals thanked Mr. Wilson for his suggestion and indicated that this will be taken under advisement.

Adrian Rose, 104 Cushwa Drive, thanked City Council for their action relative to natural gas aggregation, the State Route 48 improvement, and the revitalization of community areas.

## RESOLUTION NUMBER 51-03 PUBLIC DEPOSITORY

Mr. Schlagheck reviewed a proposed Resolution to designate National City Bank as a potential depository for public monies. Mr. Krass sponsored Resolution Number 51-03, A Resolution Designating A Public Depository and Awarding Public Monies, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

Mrs. Lienesch left the meeting at this time.

## RESOLUTION NUMBER 52-03 PAYMENT OF ATTORNEYS' FEES

Mr. Horn reviewed a proposed Resolution authorizing the payment of Attorneys' fees relative to civil actions taken against the City and certain City of Centerville employees while acting within the scope of their employment. Mr. Kingseed sponsored Resolution Number 52-03, A Resolution Authorizing And Directing The Payment Of Attorneys' Fees For City Of Centerville Employees Who Have Been Named As Individual Defendants In Civil Actions Filed By Joseph And Jo Anne Reno In Connection With Activities Undertaken By Said Employees While Acting Within The Scope Of Their Employment With The City, and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 53-03 AUTO LICENSE FACILITY LEASE

Mr. Horn advised that a portion of the building located behind the Municipal Building owned by the City of Centerville has been leased to Rodney R. Richley, II for the Auto License facility. Due to the fact that the ownership of the lease has changed, the assignment of lease must be changed. Dr. Gresham sponsored Resolution Number 53-03, A Resolution Ratifying the Action Taken By the City Manager To Enter Into An Assignment Of Lease Between Rodney Richley, II, Wendie Kocol, And the City of Centerville, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

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## RESOLUTION NUMBER 54-03 GOLF COURSE FERTILIZER

Mr. Horn advised that each year Golf Superintendent John Miller goes to bid for the purchase of fertilizer for The Golf Club at Yankee Trace. It is recommended that the bid be awarded to three different suppliers: Turfgrass Inc. in the amount of \$14,017.20, to Green Velvet Sod Farms \$29,949.50, and to Advanced Turf Solutions in the amount of \$14,199.50. Mr. Cline sponsored Resolution Number 54-03, A Resolution Accepting The Bids Submitted By Turfgrass Inc., Green Velvet Sod Farms And Advanced Turf Solutions For The Purchase Of Fertilizer For The Golf Course At Yankee Trace And To Authorize The City Manager To Enter Into Contracts In Connection Therewith, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with six ayes in favor of the motion. Mrs. Lienesch abstained. Mrs. Lienesch returned to the meeting during this item on the agenda.

## RESOLUTION NUMBER 55-03 SURPLUS PROPERTY

Mr. Horn reported that the City has some equipment no longer needed in various departments. In order for this equipment to be sold it must be declared as surplus. Equipment no longer operational will be destroyed. The sale will be publicly advertised. Mrs. Lienesch sponsored Resolution Number 55-03, A Resolution Declaring Specific Equipment No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines As Stated Herein, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 56-03 NATURAL HAZARD MITIGATION PLAN

Mr. Horn reviewed a Natural Hazard Mitigation Plan assembled by the Montgomery County Office of Emergency Management for the entire County. This Plan is required by FEMA and sets the tone for future grant applications if funds become available for natural hazard mitigation. A Resolution has been prepared to offer Centerville's endorsement of the Plan. Mr. Horn listed several projects which could be considered in the City. Mr. Krass sponsored Resolution Number 56-03, A Resolution Approving The Montgomery County All Natural Hazard Mitigation Plan, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

## PLANNING COMMISSION APPOINT JOHN CARR

Mr. Cline moved that John H. Carr be appointed as a member of the Planning Commission. Mr. Kingseed seconded the motion. The motion passed unanimously.

## PLANNING COMMISSION APPOINT CAROLYN MEININGER

Mr. Cline moved that Carolyn Meininger be appointed as a member of the Planning Commission to a term commencing on November 17, 2003. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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BOARD OF ARCHITECTURAL REVIEW APPOINT ALOK K. KHARE

Dr. Gresham moved that Alok K. Khare be appointed as a member of the Board of Architectural Review to fill the seat vacated by John Carr. Mrs. Lienesch seconded the motion. The motion passed unanimously.

BOARD OF ARCHITECTURAL REVIEW APPOINT HEIDI MILLER CHAIRMAN

Mrs. Lienesch moved that Heidi Miller be appointed as Chairman of the Board of Architectural Review. The motion was passed unanimously.

CENTERVILLE PROPERTY REVIEW COMMISSION APPOINT RICHARD MORRISON

Mr. Cline moved that Richard M. Morrison be appointed as a member of the Centerville Property Review Commission. Dr. Gresham seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION APPOINT CAROL ECHOLS

Mr. Kingseed moved that Carol Echols be appointed as a member of the City Beautiful Commission. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

Mr. Cline moved that Council Convene into Executive Session to discuss matters involving litigation and personnel. Dr. Gresham 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: Marie J. Saughell  
Clerk of Council