

RECORD OF PROCEEDINGS

Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 15,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 15, 2002, 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

Susan Lienesch

Paul Gresham

Douglas Cline

~~James Singer~~ Roger Krass

Assistant Clerk of Council Debra James

City Manager Gregory Horn

Finance Director Mark Schlagheck

City Engineer Norbert Hoffman

City Planner Steve Feverston

Public Works Director Robert James

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 - March 18, 2002.

Work Session Meetings - March 18, 2002.

- March 25, 2002.

Mr. Kingseed moved that the minutes of the foregoing meetings be approved, as distributed.

Mrs. Lienesch seconded the motion. The motion passed unanimously with Mr. Krass abstaining from the minutes of the March 18, 2002 Work Session and Council Meeting.

Mayor Beals introduced Centerville High School Basketball Coach Jim Staley who identified the team as a very dedicated group of young men. The team ended the 2002 season as District Champions, Regional Finalists and Centerville's First Dayton Area Ranking Champions. Each member of the team was recognized and presented with a "City of Centerville for Achievement of Excellence" key holder.

Mayor Beals introduced Centerville High School Teacher Jeri Neidhard who explained the Project Outreach Program. Centerville has participated in this program for six years. Project Outreach is a region wide competition encouraging students to think creatively to solve community problems. This is the first year Centerville had two teams and both teams won gold medals. Mrs. Neidhard identified the project of each team. Each student was introduced and presented with a "City of Centerville for Achievement of Excellence" key holder.

Mayor Beals announced the designation of May 5 - 11, 2002 as Nurses Week in the City of Centerville and presented a proclamation to Terri Harville, Administrative Director of Southview Hospital.

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Mayor Beals introduced the following Centerville High School Seniors participating in Youth in Government Day in the City of Centerville on Tuesday, May 23, 2002:

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| Mayor | Margaret Buckles |
| Deputy-Mayor | Brian Zapf |
| Councilmember | Anup Gampa |
| Councilmember | Kate Brown |
| Councilmember | Heather Brown |
| Councilmember | Ashlie Starling |
| Councilmember | Matt Thrasher |
| Clerk of Council | Cliff Peterson |
| City Manager | Robin Kim |
| Assistant City Manager | Dawn Felton |
| Assistant to the City Manager | Dave Paprocki |
| Director of Finance | Katherine Fyffe |
| City Planner | Laura McGinnis |
| City Engineer | Betsy Lienesch |
| Chief of Police | Nick Pavliga |
| Public Works Director | Charu Gupta |
| Economic Development Administrator | Dave Dipiero |
| Golf Professional | Ryan Bjorklund |
| Golf Maintenance Superintendent | Rachel Liotte |
| Director of Food Service/Executive Chef | Drew Boczon |

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

Elizabeth Hoy, the wife of previous Mayor Paul Hoy, passed away on March 31, 2002. Mrs. Hoy was a charter member of the Centerville Washington Township Historical Society. There is a park in the City of Centerville which bears her name.

Arbor Day was held in Centerville on Thursday, April 11, 2002. Sixteen Dwarf Korean Pear trees were planted along the east side of Bigger Road. This project is coordinated by the City Beautiful Commission, the Public Works Department and City's Horticulturist Michael Engler. Third grade students were given seedlings to plant at their residences.

The Volunteer Salute will be held April 18, 2002 to show appreciation to all volunteers serving the City of Centerville.

Congratulations were extended to Heartland of Centerville having been found in total compliance with all rules and regulations for nursing homes.

Rets Tech Center has met all qualifications to offer a paralegal program at their Centerville campus.

A Citywide Garage Sale will be held on May 2 - 4, 2002 for which the City of Centerville will provide advertising in the newspaper as well as provide the property owner with a sign. Sign-up is required at the Centerville Municipal Building.

Operation Clean Sweep will be held May 6 - 9, 2002 in the City of Centerville at which time the City will pick up discarded items. Construction materials and old paint can be taken to MCMRF (Montgomery County Material Recovery Facility) located at 2550 Sandridge Drive.

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The Centerville Washington Township Annual Victorian Tea will be held on May 5, 2002. Tickets can be obtained at the Asahel Wright House or the Walton House.

The Garden Fest will return in June, 2002. Proceeds from this event are used for improvements at Benham's Grove.

The BUY.COM Dayton Open will be held at The Golf Club at Yankee Trace July 8 - 14, 2002. Volunteer applications can be obtained at the Centerville Municipal Building.

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

The City's new Public Works Director Rob James was introduced. Mr. James began his employment on Monday, April 1, 2002.

The new nine holes at The Golf Club at Yankee Trace is being prepared for a late June, 2002 opening. Restroom facilities are currently being constructed at hole number fifteen of the existing course and at hole number five of the new nine holes. Road work continues with the widening of Paragon Road where the old course and new course join.

Progress on the Alexandersville-Bellbrook Road improvement project has been slowed due to weather conditions.

The bid for the City's street resurfacing project for various streets in the City of Centerville will be accepted later during this meeting. Work is expected soon after award of the bid.

Ron and Leslie Newcomb are Chairing the BUY.COM Dayton Open Charity Auction. New committee members have displayed a lot of interest and enthusiasm for this event which will be held on Tuesday, July 9, 2002, during the golf tournament.

In the May issue of the Golf Digest The Golf Club at Yankee Trace was listed in the top ten (7th) golf courses in America.

Miss Lightle outlined code violations and resolutions for the month of March, 2002, as well as the community calendar for the coming month.

YANKEE TRACE SECTION 25A RECORD PLAN (REPLAT)

Mr. Shrimplin reviewed the Record Plan for Yankee Trace Section 25A, for property located at the northeast corner of Yankee Trace Drive and Kenworthy Place. The replat consisting of a .736 acre lot and a reserve area is zoned R-1c, Single-Family Residential. The purpose of this replat is to combine a portion of Reserve Area BO with existing Lot 211 which increases the overall size of the newly created lot. Mr. Shrimplin located the subject property on a map. The property owners are receptive to the addition of a portion of the Reserve Area to their lot. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council as submitted. Upon question of Mr. Singer, Mr. Shrimplin advised that the subject acreage was designated as part of the Reserve Area on the Record Plan, for Section 25; due to the configuration of the Street, it is more appropriate for the acreage to become a residential lot. Mr. Singer moved that the Record Plan for Yankee Trace, Section 25A be approved as recommended by the Planning Commission. Dr. Gresham seconded the motion. The motion passed unanimously.

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Mr. Cline reported that the Long Range Comprehensive Plan Committee held a kick off meeting of the Steering Committee. Washington Township is considering joining the City of Centerville in this venture. The City's Consultant ACP made a presentation to the Washington Township Trustees, the Planning Board and the Board of Zoning Appeals. Cost figures will be revised by the Consultant to include Washington Township. Action by the Washington Township Trustees hopefully will be taken during the first part of May. Mr. Cline is very optimistic that Washington Township will join the City of Centerville for the development of a Comprehensive Plan for the entire area.

ORDINANCE NUMBER 6-02 0.161, 0.137 ANNEXATION

The Public Hearing was held concerning Ordinance Number 6-02. Mr. Horn explained this proposed Ordinance to annex two small parcels of land consisting of 0.161 acres and 0.137 acres owned by the City of Centerville in the area of Paragon Road. The purpose of this petition for annexation is to square off the City's right-of-way along the Paragon Road corridor. Mr. Kingseed sponsored Ordinance Number 6-02, An Ordinance Authorizing The Annexation Of Contiguous Territory Owned By The City Of Centerville And Directing The Municipal Attorney To Prosecute The Proceedings Necessary To Effect Said Annexation, and moved that it be passed. Mr. Krass seconded the motion. The motion passed with six ayes in favor of the motion, Mr. Singer abstained.

RESOLUTION NUMBER 15-02 ROADWAY REPAIRS
AGREEMENT WITH MONTGOMERY COUNTY

Mr. Horn reviewed a proposed Agreement between the City of Centerville and Montgomery County which grants the City the authority to arrange for permanent repairs to City roadways made necessary by County repairs to water main breaks, sewer maintenance, and manhole and valve box grade adjustments. He explained how these repairs are made by the City's contractor improving the response time and the quality of the needed repairs. Dr. Gresham sponsored Resolution Number 15-02, A Resolution Authorizing The City Manager To Enter Into An Agreement Between The City Of Centerville And The Board Of County Commissioners Of Montgomery County For Permanent Repair Of Roadways Necessitated By Water And Sewer Repairs, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 16-02 AGREEMENT WITH ROBERT FARQUHAR

Mr. Horn reviewed a proposed Resolution in order to settle an issue involving the City of Centerville, the Public Employees Retirement System and the City's Law Director Robert Farquhar. The City has been working with PERS for the past several months relative to Mr. Farquhar's employment and service to the City of Centerville. Conflicting opinions have been received from PERS relative to whether or not Mr. Farquhar was an independent contractor or an employee of the City. Mr. Horn outlined conditions agreed to between the City of Centerville and Mr. Farquhar. Mr. Kingseed sponsored Resolution Number 16-02, A Resolution Ratifying

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The Action Taken By The City Manager To Execute An Agreement Between The City Of Centerville and Robert N. Farquhar, Esq., and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 17-02 DAYTON OPEN FACILITIES AGREEMENT

Mr. Horn reviewed a proposed Resolution to authorize him to execute an Agreement on behalf of the City of Centerville with Dayton Open for the use of The Golf Club at Yankee Trace for the 2002 BUY.COM Dayton Open Golf Tournament. The dates of the tournament are July 8 through July 14, 2002; the rental of the facility will cost the Dayton Open \$65,000.00 for the entire term. Mr. Krass sponsored Resolution Number 17-02, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Execute A Contract With Dayton Open, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 18-02 DAYTON OPEN MANAGEMENT AGREEMENT

Mr. Horn reviewed a proposed Agreement between the City of Centerville and Dayton Open to provide for the management of day to day tasks and other services necessary to assure the success of the 2002 BUY.COM Dayton Open Golf Tournament at The Golf Club at Yankee Trace. The City will provide for the operation of the tournament as well as food service. Dr. Gresham sponsored Resolution Number 18-02, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Execute A Contract With Dayton Open, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 19-02 STREET RESURFACING PROGRAM

Mr. Horn advised that the City received quality competitive bids for the 2002 Road Improvement Project. Mr. James reviewed the following three bids received for asphalt overlay and concrete repairs to various streets in the City of Centerville:

Shelly Company	\$737,982.40
John R. Jurgensen Company	750,926.38
Barrett Paving Materials, Inc.	796,942.50

The lowest bid was received from the Shelly Company formerly known as the L. P Cavett Company. City Staff recommended acceptance of the bid received from the Shelly Company in the bid amount plus \$62,017.60 for contingencies and overruns for a total of \$800,000.00. The completion date has been set for August 23, 2002. Mrs. Lienesch sponsored Resolution Number 19-02, A Resolution Accepting The Bid Submitted By The Shelly Company For The 2002 Concrete Repair And Asphalt Resurfacing Road Improvement Project In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 20-02 YANKEE TRACE IMPROVEMENTS SAF 7

Mr. Horn advised that bids were received for improvements to be made in the final areas

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of Yankee Trace, Sections 28, 29 and 30 through Special Assessment Financing. Mr. Hoffman reviewed the following two bids received:

Kelchner Environmental Inc.	\$489,478.26
R. B. Jergens, Inc.	526,021.70

This projects includes providing labor, equipment and materials for the construction of approximately 1,800 lineal feet of three cul-de-sacs within the Yankee Trace Development including curbs, storm sewer, pavement, sanitary sewer and water mains with this roadway construction. Mr. Hoffman recommended acceptance of the bid received from Kelchner Environmental Inc. in the bid amount plus \$25,000.00 additional if extra work becomes necessary. Mr. Cline sponsored Resolution Number 20-02, A Resolution Accepting The Bid Submitted By Kelchner Environmental, Inc. For Yankee Trace Improvements Yankee Trace Sections 28, 29 & 30 For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

PLANNING COMMISSION APPOINT PAUL CLARK, ROBERT ST.PIERRE

Mr. Cline moved that Paul Clark and Robert St.Pierre be appointed as members of the Planning Commission for the City of Centerville. Mr. Singer seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION APPOINT NICHOLAS GERREN, PATRICIA WILLIAMS, LEILA OLIVER

Mr. Singer moved that Nicholas L. Gerren, Jr., Patricia S. Williams and Leila M. Oliver be appointed as members of the City Beautiful Commission. Mr. Cline seconded the motion. The motion passed by unanimous vote of City Council.

CENTERVILLE ARTS COMMISSION APPOINT BETTY LOU TOWNLEY

Dr. Gresham moved that Betty Lou Townley be appointed as a member of the Centerville Arts Commission. Mrs. Lienesch seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE REAPPOINT NANCY BOWLUS, PIERRE CREASE

Mr. Singer moved that Nancy Bowlus and Pierre Crease be reappointed as members of the Sister City Committee. Dr. Gresham seconded the motion. The motion passed unanimously.

CENTERVILLE PROPERTY REVIEW COMMISSION REAPPOINT FREDERICK DIETRICH

Mrs. Lienesch moved that Frederick Dietrich be reappointed as a member of the Centerville Property Review Commission. Mr. Krass seconded the motion. The motion passed by unanimous vote.

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PERSONNEL APPEALS BOARD REAPPOINT JAMES BRUNNER

Mrs. Lienesch moved that James Brunner be reappointed as a member of the Personnel Appeals Board for the City of Centerville. Dr. Gresham seconded the motion. The motion passed unanimously.

Mrs. Lienesch brought attention to the following two Proclamations issued by Mayor Beals during the past month:

- March 27, 2002 as Youth Arts Day in the City of Centerville
- March 28, 2002 as India Foundation Day in the City of Centerville

There being no further business, the meeting was adjourned.

Approved: *Sally D. Beals*
Mayor, City of Centerville

ATTEST: *Wanda McLaughlin*
Clerk of Council