

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 16*

20 02

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 16, 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 Deputy-Mayor C. Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Councilmembers James Singer
 Douglas Cline
 Roger Krass
 Susan Lienesch
Clerk of Council Marilyn McLaughlin
Assistant Clerk of Council Debra James
City Manager Gregory Horn
Assistant City Manager Judith Gilleland
City Planner Steve Feverston
Public Works Director Robert James
Finance Director Mark Schlagheck
Municipal Attorney Robert Farquhar
Assistant to the City Manager Jesse Lightle

Mr. Kingseed advised that Mayor Sally Beals and Councilmember Paul Gresham would not be present at this meeting. Mr. Krass moved that Mayor Sally Beals and Councilmember Paul Gresham be excused from this meeting. Mr. Singer seconded the motion. The motion passed by unanimous vote.

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

Council Meeting - August 19, 2002.
Work Session Meetings - August 19, 2002.
 - August 26, 2002.
 - September 9, 2002.

Mr. Krass moved that the minutes of the foregoing meetings be approved, as distributed. Mr. Cline seconded the motion. The motion passed unanimously.

Mr. Kingseed recognized Judge Mary Kate Huffman in attendance at this meeting, she explained how the Montgomery County Common Pleas Court serves the Centerville community and how residents serve the court as jurors.

Mr. Kingseed expressed gratitude to all people who provide service to the community as volunteers. He administered the Oath of Office to Centerville Arts Commission member Karrie R. Parrett, to Centerville Arts Commission member Julius Brewster, Jr. and to City Beautiful Commission member Shubhra Goel.

City Beautiful Commission member Jerry Huffman presented a plaque and a Yankee Trace Gift Certificate to September Business Pride recipient the Far Hills Animal Clinic, represented by Dr. Douglas Coatney and Dr. Emily Coatney-Smith.

RECORD OF PROCEEDINGS

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Mr. Kingseed briefly outlined the process which will be followed relative to a Petition submitted on Friday, September 13, 2002, to recall Mayor Sally Beals. He encouraged citizens to pay close attention to information brought forth concerning this matter.

Mr. Kingseed advised that the following Proclamations were issued by Mayor Beals during the past month:

The designation of September 21, 2002 as Kids Day America.

The designation of October 1, 2002 as Nigerian Day.

The observance of October 6, 2002 in recognition of the patriotic service and dedicated efforts of fire and emergency services personnel. This Proclamation was read by Mr. Cline.

Mr. Kingseed explained the meaning behind these Proclamations.

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

A fire occurred on Saturday, September 14, 2002, early in the morning which totally destroyed an eight unit apartment in the Revere Village community. There were no deaths or injuries. Mutual Aid was received from the Cities of Bellbrook and Kettering.

Centerville's earning tax is down approximately 2.6 percent through August of this year as compared to August, 2001. Revenue received from other governmental earnings have also been reduced; however, the City of Centerville is in a good financial position.

Negotiations continue relative to a Perpetual Lease Agreement between E. G. Lewis, Hertz Rent-A-Car, and the Centerville City School District. This Lease Agreement includes 9.45 acres of land to remain undeveloped of the 10.95 acre tract of land located on the north side of Loop Road across from the existing Infiniti dealership, property being developed by E. G. Lewis.

The law suit involving the City of Centerville and professional golfer Richard Johnson has been dropped. Mr. Johnson allegedly slipped on a bridge at The Golf Club at Yankee Trace during the 2001 Dayton Open.

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

Mr. Cline gave a brief update relative to the Steering Committee for the development of a Joint Long Range Comprehensive Plan for Centerville and Washington Township. Sub-committees have been formed and will begin work on Wednesday, September 18, 2002. He asked for community input and advised that Public Hearings will begin during the month of November.

Mrs. Lienesch left the meeting at this time due to a potential conflict of interest in the next agenda item.

MARTIAL ARTS STUDIO COUNCIL REQUEST FOR REVIEW

The Public Hearing was held concerning a Planning Commission Special Approval Application submitted by Paul L. Sampson for the construction of a 5000 square foot Martial Arts Studio on Clyo Road, east of Bigger Road. Mr. Feverston advised that Council Requested a

RECORD OF PROCEEDINGS

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Held September 1620 ⁰²

Review of this Application which was approved unanimously by the Planning Commission with conditions. He located the subject property on a map and explained that the use is permitted according to its zone classification. Mr. Feverston pointed out that City Council, during a Work Session, discussed with the applicant the architecture of the building to which no changes were made. Mr. Cline moved that Council ratify Planning Commission's approval of this Special Approval Application for the construction of a Martial Arts Studio on Clyo Road. Mr. Krass seconded the motion. The motion passed unanimously.

Mrs. Lienesch returned to the meeting at this time.

ZONING ORDINANCE AMENDMENT GOLDEN TRIANGLE REZONING

The Public Hearing was held concerning Ordinance Number 12-02, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 13.538 Acres, More Or Less, From Washington Township Planned Development Business, To Centerville B-2, General Business. Mr. Feverston advised that this Rezoning Request was filed by the City of Centerville on behalf of Everett E. Schafer, Bob Evans Farms, Inc, and Patricia A. Wilson, Trustee, for 13.538 acres of land situated at the northwest corner of State Route 48 and West Alexandersville-Bellbrook Road. The subject property was recently annexed to the City of Centerville. Requested is a change from Washington Township Planned Development Business to Centerville B-2, General Business Zone Classification. Uses permitted in Centerville B-2 zone classification are compatible with Washington Township Planned Development Business. Mr. Feverston located the subject property on a map and identified adjacent and current land uses. The Planning Commission, by unanimous vote, recommended approval of this Rezoning Request to City Council. Upon question of Mr. Krass, Mr. Feverston advised that there are no development plans for the vacant property which is part of this rezoning. Mr. Kingseed complimented Washington Township for not opposing this annexation. Mr. Singer sponsored Ordinance Number 12-02, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 13.538 Acres, More Or Less, From Washington Township Planned Development Business, To Centerville B-2, General Business, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

Joseph Koussa, 1537 Beaver Creek Lane, was present at this meeting to ask that members of the armed forces return home safely and that motorists conserve on the use of gasoline.

Pete Flaherty, 170 South Village Drive, was present at this meeting to bring Council's attention to thin spots and holes which exist in the 100 foot buffer strip between the Voss Chevrolet property and Village South. He asked that the owner of the property be required to provide additional shrubs, trees, etc. in the buffer zone.

RESOLUTION NUMBER 39-02 CITY INSURANCE

Mr. Schlagheck explained that in 2001, the City awarded insurance coverage to two carriers: Brower Insurance Agency/St. Paul Insurance and Wichert Insurance Agency/Westfield Insurance. These policies expired August 31, 2002. Quotes were received from both carriers for

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 16

20 02

renewals. Based on the evaluations, Mr. Schlagheck recommended that the City award the insurance package to Wichert Insurance Services/Selective Insurance. Due to the expiration date of the current policies, Mr. Horn entered into a contract with Wichert Insurance Services on September 1, 2002, in the amount of \$158,794.00 for property, casualty and liability insurance. Mr. Cline sponsored Resolution Number 39-02, A Resolution Ratifying The Action Of The City Manager In Executing A Contract In The Amount of \$158,794.00 For Property, Liability And Casualty Insurance With Wichert Insurance Service, and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 40-02 LEASE AGREEMENT
CENTERVILLE-WASHINGTON TOWNSHIP HISTORICAL SOCIETY

Mr. Horn outlined conditions included in a lease agreement between the City of Centerville and the Centerville-Washington Township Historical Society for the use of the buildings and land known as the Asahel Wright Complex which will expire on October, 2002. Miss Gilleland advised that a new lease agreement has been negotiated which includes the following conditions:

\$1.00 per year lease payment.

A \$2,000.00 per repair deductible to be paid by the Society. The City will pay anything over the \$2,000.00 deductible or anything over the \$8,000.00 annual Society cap.

City will pay for any exterior painting of the buildings and for any charges in connection with the sewer service.

The terms of this lease are very agreeable to the Historical Society. Mr. Krass sponsored Resolution Number 40-02, A Resolution Authorizing The City Manager To Enter Into A Lease Agreement Between The City Of Centerville And The Centerville-Washington Township Historical Society, and moved that it be passed. Mr. Cline seconded the motion. The motion passed by unanimous vote.

SISTER CITY COMMITTEE REAPPOINT MARILYN HOBACK.

Mr. Singer moved that Marilyn Hoback be reappointed as a member of the Sister City Committee for an additional term. Mr. Cline seconded the motion. The motion passed unanimously.

CENTERVILLE ARTS COMMISSION REAPPOINT TOM BRADRICK

Mr. Krass moved that Tom Bradrick be reappointed as a member of the Centerville Arts Commission. Mr. Cline seconded the motion. The motion passed by unanimous vote.

In answer to a question of Mrs. Lienesch, Mr. Feverston advised that City Engineer Norbert Hoffman and Economic Development Administrator Chris Pozzuto are working with the project manager at the Voss Chevrolet development site. Mr. Horn reported that the owner of the property has not invaded into the buffer, it remains untouched.

There being no further business, the meeting was adjourned.

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Approved: Sally D. Bink

Mayor

ATTEST:

Marie M. Saughli
Clerk of Council