

Held May 15

/19 2000

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 15, 2000, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Thomas Kuhn, City Chaplain and Pastor of the Church of the Incarnation, and the Pledge of Allegiance to the Flag with Mayor Sally Beals presiding. Councilmembers and City Staff present were as follows:

- Deputy-Mayor James Singer
- Councilmembers Douglas Cline
- Susan Lienesch
- Paul Gresham
- Roger Krass
- C. Mark Kingseed
- Clerk of Council Marilyn McLaughlin
- City Manager Gregory Horn
- Assistant City Manager Judith Gilleland
- Public Works Director Steve Weaver
- City Planner Steve Feverston
- Finance Director Mark Schlagheck
- Chief of Police Steve Walker
- Assistant to the City Manager Kelly Fackel
- Assistant to the Clerk of Council Debra James
- Acting Municipal Attorney Scott Liberman

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

- Council Meeting - April 17, 2000.
- Work Session Meetings - April 17, 2000.
- April 24, 2000.
- May 8, 2000.

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

Mrs. McLaughlin announced the receipt of an Appeal filed by Margaret Barclay, Principal, Magsig Middle School against a decision rendered by the Planning Commission on April 25, 2000 denying a Variance Request for an internal illuminated sign at 192 West Franklin Street. This matter has been set for Public Hearing on June 19, 2000.

National Merit Scholars, Finalists as well as Commended Students were recognized for their Achievement of Excellence as well as were the Science Olympiad Team.

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

June 14, 2000 National Flag Day was proclaimed in the City of Centerville.

Several new businesses opened their doors: Connie's in Independence Square, Kyle Kramer Fitness Center on East Spring Valley Road, and Prudential Residential Realty on North Main Street. The Evergreen Veterinarian Hospital celebrated their ground breaking in the Centerville Business Park.

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Two pre-concerts were held by the Centerville High School Orchestra in preparation for two performances in Washington, D.C. in celebration of the Nation's Capital Bicentennial.

A Sousa Concert was presented by Marcus Neiman with the Centerville High School Band.

Youth in Government Day was held on April 27, 2000.

Mayor Beals read some poems composed by fourth grade students at Cline Elementary School.

Arbor Day was celebrated in Centerville on April 20, 2000 with fourteen trees being planted along Bigger Road.

Congratulations were extended to Miss Gilleland for her 40 under 40 award.

Congratulations were also extended to the Cities of Bellbrook and Oakwood for their new facilities.

Residents were reminded that traffic patterns will change due to roadway construction and the close of the school year.

Dog walkers were reminded to leave only their foot prints behind.

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

Normandy Lane will be impacted by Montgomery County's water line reconstruction project; completion date is August 7, 2000.

Large item pick-up by the City took place during the past week. Due to some complaints relative to restrictions, City Staff will take a look at said restrictions prior to the 2001 Clean-Up Week

Work continues on the proposed new nine holes of golf at The Golf Club at Yankee Trace.

The new police facility is nearing the bid status.

Miss Gilleland gave the community calendar for the coming weeks.

**ORDINANCE NUMBER 3-00 ZONING ORDINANCE AMENDMENT
CITY INITIATED REZONING NEARING PROPERTY**

The Public Hearing was held concerning a City Initiated Rezoning for 4.874 acres, more or less, from R-PD, Residential-Planned Development and I-PD, Industrial-Planned Development to O-PD, Office-Planned Development. Mr. Feverston located the subject property on a map being situated on the west side of Clyo Road, south of the Deer Run Condominiums and owned by members of the Nearing family. He outlined adjacent neighborhood zone classifications and land uses. He explained how the proposed zoning of O-PD will provide a transition between adjacent zone classifications. A 100 foot buffer will be required when the property is developed where it abuts the Deer Run Condominiums. The Planning Commission, by unanimous vote, recommended approval of this Rezoning Request to City Council.

Upon question of Mr. Cline, Mr. Feverston advised that the property to the south is being developed as office space.

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In answer to a question of Mr. Singer, Mr. Feverston explained that the O-PD zone classification is the highest and best use of the subject property in consideration of the industrial land uses to the south and west and the residential uses on the east side of Clyo Road. Mr. Singer sponsored Ordinance Number 3-00, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 4.874 Acres, More Or Less, From R-PD, Residential-Planned Development And I-PD, Industrial-Planned Development Classification To O-PD, Office-Planned Development, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 4-00 REQUIRE TENANT INFORMATION

The Public Hearing was held concerning Ordinance Number 4-00. Mr. Horn reviewed this proposed Ordinance which obligates owners of real property in the City of Centerville to provide the City's Finance Department with names of tenants within thirty days following their first day of occupancy. It further provides that this information be supplied annually in October. Contained in the Ordinance is a penalty of up to \$500.00 per day of violation.

Upon question of Mr. Singer, Mr. Horn advised that this penalty can be enforced for each and every day of offence. Dr. Gresham sponsored Ordinance Number 4-00, An Ordinance Enacting Section 880.101 Of The Centerville Municipal Code To Require Owners And Property Management Companies Of Rental Property In The City To Supply The Name And Mailing Address Of All Tenants To The City And Providing A Penalty, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 5-00 GAS FRANCHISE D P & L

Mr. Horn reviewed a proposed Ordinance which grants to the Dayton Power and Light Company a franchise to supply natural gas to the residents of the City of Centerville for a period of five years, which will automatically renew for additional five year periods unless notice is given by either party. The Ordinance provides for the assignment of this franchise agreement to Vectren, Inc. upon reasonable written notice to the City. Mr. Kingseed moved that Ordinance Number 5-00, An Ordinance Granting To The Dayton Power And Light Company, Its Successors And Assigns, A Gas Franchise In The City Of Centerville, State Of Ohio, For A Period Of Five (5) Years, Automatically Renewing For Additional Periods Of Five (5) Years Unless Notice Is given, Commencing On The Effective Date Of This Ordinance, be set for Public Hearing on June 19, 2000. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 17-00 POLICE COMMUNICATIONS

Chief Walker reviewed a proposed agreement with P & R Communications, Inc. for the upgrading of the current communications system in the Centerville Police Department and the relocation of the system in the new police facility when constructed. Upon question of Mr. Singer, Chief Walker explained the fact that no other company is capable of supplying this equipment. With this upgrade, the Centerville communication system will be compatible with that of Montgomery County. Mr. Cline sponsored Resolution Number 17-00, A Resolution Authorizing A Contract With P&R Communications, Inc. For A Police Department

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Communications System Without Competitive Bidding, and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 18-00 MUTUAL AID

Mr. Horn reviewed a proposed Resolution to provide for the execution of a Mutual Aid Agreement with entities in Greene County for police services in the event of an emergency. Mr. Krass sponsored Resolution Number 18-00, A Resolution Authorizing And Directing The City Manager To Execute A Mutual Aid Assistance Contract With The Municipalities, Townships And Board Of County Commissioners Of Greene County, Ohio, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

CENTERVILLE ARTS COMMISSION APPOINT VIRGINIA HESS

Mr. Singer moved that Virginia Krause Hess be appointed as a member of the Centerville Arts Commission. Mr. Cline seconded the motion. The motion passed by unanimous vote of City Council.

CENTERVILLE CITY SCHOOL PERSONNEL APPEALS BOARD
REAPPOINT JUDY STANG

Mrs. Lienesch moved that Judy Stang be reappointed as a member of the Centerville City School Personnel Appeals Board. Mr. Kingseed seconded the motion. The motion passed unanimously.

PLANNING COMMISSION REAPPOINT RAND OLIVER

Mr. Singer moved that Rand Oliver be reappointed as a member of the Planning Commission. Mr. Krass seconded the motion. The motion passed unanimously.

CENTERVILLE ARTS COMMISSION REAPPOINT MARY ANN GASIOR CHAIRMAN

Mr. Singer moved that Mary Ann Gasior be reappointed as Chairman of the Centerville Arts Commission for an additional year. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

PLANNING COMMISSION APPOINT JAMES BRIGGS AND JOE WEINGARTEN

Mr. Singer advised that six applicants were interviewed to fill two seats on the Planning Commission for the City of Centerville. Mr. Singer moved that James Briggs and Joe Weingarten be appointed to the two vacant seats on the Planning Commission. Mr. Cline seconded the motion. The motion passed with six ayes in favor of the motion; Mayor Beals abstained.

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2000 TAX BUDGET

Mr. Schlagheck advised that the City's 2001 Tax Budget must be submitted to the Montgomery County Auditor for consideration by the Montgomery County Budget Commission on or before July 15, 2000. Mrs. Lienesch moved that the Tax Budget for the City of Centerville, year 2001, be set for Public Hearing on June 19, 2000. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

There being no further business the meeting was adjourned.

Approved: Sally D. Beak
Mayor

ATTEST:

Marie J. Saughlin
Clerk of Council