

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1014B

Held January 16, 1996, continued 19**DEPUTY-MAYOR C. MARK KINGSEED**

Mr. Stone moved that C. Mark Kingseed be elected Deputy-Mayor for the two year term commencing January 1, 1996. Mr. Compton seconded the motion. The motion passed unanimously with Mr. Kingseed abstaining.

COUNCIL COMMITTEES, LIAISONS, CITY REPRESENTATIONS

Distributed prior to this meeting were the following assignments as proposed by Mayor Beals to Council Committees and Council Liaisons. Also outlined were representatives from the City of Centerville to various organizations.

COUNCIL COMMITTEES**COMMUNITY RELATIONS**

Brooks A. Compton, Chairman

J. V. Stone

Susan W. Lienesch

FINANCIAL AND LONG RANGE PLANNING

James E. Singer, Chairman

Brooks A. Compton

Susan W. Lienesch

LEGAL

J. V. Stone, Chairman

C. Mark Kingseed

James T. Reppert

PUBLIC HEALTH AND SAFETY

C. Mark Kingseed, Chairman

Susan W. Lienesch

J. V. Stone

STREETS AND HIGHWAYS

James E. Singer, Chairman

James T. Reppert

C. Mark Kingseed

ECONOMIC DEVELOPMENT

Brooks A. Compton, Chairman

James E. Singer

C. Mark Kingseed

INTERGOVERNMENTAL RELATIONS

Brooks A. Compton, Chairman

C. Mark Kingseed

Susan W. Lienesch

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Held January 16, 1996, continued19**COUNCIL LIAISON****BICYCLE COMMITTEE**

Susan W. Lienesch

BOARD OF ARCHITECTURAL REVIEW

James T. Reppert

CENTERVILLE ARTS COMMISSION

J. V. Stone

CENTERVILLE CITY SCHOOLS

Brooks A. Compton

CENTERVILLE HISTORICAL COMMISSION

James E. Singer

CENTERVILLE PROPERTY REVIEW COMMISSION

C. Mark Kingseed

CENTERVILLE WASHINGTON PARK DISTRICT

James T. Reppert

CITY BEAUTIFUL COMMISSION

Susan W. Lienesch

CITY PLANNING COMMISSION

C. Mark Kingseed

SISTER CITY COMMITTEE

J. V. Stone

WASHINGTON-CENTERVILLE PUBLIC LIBRARY

James E. Singer

WASHINGTON TOWNSHIP TRUSTEES

Sally D. Beals

CENTERVILLE REPRESENTATION**DAYTON AREA CITY MANAGERS ASSOCIATION**

Gregory B. Horn

Michael A. Haverland

MIAMI VALLEY CABLE COUNCIL

James E. Singer (Delegate)

J. V. Stone (Delegate)

Gregory B. Horn (Alternate)

Michael A. Haverland (Alternate)

Government Technology Committee

Gregory B. Horn

MIAMI VALLEY REGIONAL PLANNING COMMISSION

Sally D. Beals (Delegate)

James T. Reppert (Alternate)

Technical Advisory Committee

Alan Schwab (Delegate)

Norbert Hoffman (Alternate)

Transportation Committee

Sally D. Beals (Delegate)

James T. Reppert (Alternate)

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DAYTON LEGAL BLANK CO., FORM NO. 10148

Held January 16, 1996, continued19**MONTGOMERY AND GREENE COUNTY MAYORS AND MANAGERS ASSOCIATION**

Sally D. Beals

Gregory B. Horn

MONTGOMERY COUNTY DRUG ACTION COALITION

Brooks A. Compton

SENIORS INC.

Board of Trustees

Brooks A. Compton (Delegate)

Judith A. Gilleland (Alternate)

Long Range Planning

Michael A. Haverland

SOUTH METRO DAYTON AREA CHAMBER OF COMMERCE

Board of Trustees

James T. Reppert (Delegate)

C. Mark Kingseed (Alternate)

STATE OF OHIO

Solid Waste Management Advisory Council

Sally D. Beals

Ohio Municipal League Board of Trustees

Sally D. Beals

NATIONAL LEAGUE OF CITIES TRANSPORTATION AND COMMUNICATIONS**STEERING COMMITTEE**

Sally D. Beals

SYCAMORE MEDICAL CENTER

Citizens Advisory Council

Sally D. Beals

Gregory B. Horn

J. V. Stone

WASHINGTON TOWNSHIP FIRE DEPARTMENT

C. Mark Kingseed

James T. Reppert

WASHINGTON TOWNSHIP RECREATION BOARD

Susan W. Lienesch (Delegate)

C. Mark Kingseed (Alternate)

Mr. Compton moved that the foregoing Council Committees, Council Liaisons and City Representatives be approved. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

Mayor Beals gave the State of the City Address outlining accomplishments made in the City of Centerville during 1995 and her projections for the year 1996.

Mayor Beals brought attention to correspondence received from Montgomery County Commissioner Vicki Pegg commending the City Service Department for excellent snow removal during the recent heavy snow storm experienced in Montgomery County.

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

He expressed appreciation to members of the City Staff for excellent services during the recent snow storm and emphasized the fact that refuse continued to be collected regardless of weather conditions.

He thanked Council for input and direction for City Staff resulting from the recent Council Retreat.

The federally required ODOT testing program for safety sensitive personnel has been instituted in the City of Centerville.

Mr. Horn encouraged all in the community to visit and use the indoor golf academy at The Golf Club at Yankee Trace.

Plans are underway for the renovation of the City of Centerville annex building on South Suburban Road.

Mr. Horn introduced Public Works Director Steve Weaver to the listening audience.

ORDINANCE NUMBER 1-96 ZONING ORDINANCE AMENDMENT CHRIST COMMUNITY CHURCH REZONING REQUEST

Mr. Schwab reviewed the Planning Commission Meeting held January 9, 1996. He reviewed a Rezoning Request filed by Christ Community Church to rezone 0.8098 acres, more or less, located at 6020 Bigger Road, from R-PD, Residential Planned Development to O-S, Office Service. The Planning Commission recommended that this Rezoning Request be set for Public Hearing before City Council. Mr. Compton moved that Ordinance Number 1-96, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 0.8098 Acres More Or Less, From R-PD, Residential Planned Development to O-S, Office-Service, be set for Public Hearing on March 18, 1996. Mr. Stone seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 34-95 ZONING ORDINANCE AMENDMENT CITY INITIATED REZONING REQUEST

The Public Hearing was held concerning Ordinance Number 34-95. Mr. Schwab reviewed two Rezoning Requests initiated by the City of Centerville to rezone properties included and adjacent to the Yankee Trace residential development. Properties included in the requests are 66.74 acres of land located along the east side of Yankee Street and north of the Yankee Trace residential development, and 0.985 acres of land included in a residential pod in the Yankee Trace development currently under construction. Mr. Schwab located said property on a map and identified density requested as 20,000 square foot single family lots. The Planning Commission, by unanimous vote, recommended approval of both Rezoning Requests. These zoning changes are consistent with the City of Centerville Master Plan for the areas in question.

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Mr. Ed Rogerson, Vice President of Development for Great Traditions Development Group, explained the fact that the 66.74 acres of land has been included in their plan for the total residential development at Yankee Trace. The zoning is consistent with that of other residential areas. He advised that said acreage is partially owned by Great Traditions. Mr. Kingseed sponsored Ordinance Number 34-95, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 66.74 Acres More Or Less, From Washington Township A-1 Classification To Centerville R-1c Classification, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 35-95 ZONING ORDINANCE AMENDMENT
CITY INITIATED REZONING REQUEST

The Public Hearing was held concerning Ordinance Number 35-95 Mr. Kingseed sponsored Ordinance Number 35-95 An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 0.985 Acres More Or Less, From Washington Township A-1 Classification To Centerville R-1c Classification, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 37-95 1995 APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 37-95. Mr. Horn reviewed this proposed Ordinance which revises appropriations for 1995 reducing them by \$3,370,525.00. He outlined some of the reductions included in various funds due to projects being completed in 1994 and other projects anticipated for 1995 but not instituted and materials not utilized. Mr. Compton sponsored Ordinance Number 37-95, An Ordinance To Repeal Ordinance 27-94 In Its Entirety And To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1995, and moved that it be passed. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 39-95 1996 APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 39-95. Mr. Horn reviewed this proposed Ordinance to make appropriations for the year 1996 to provide those funds necessary to carry out plans outlined in the City's Budget: the Finance Plan for the Centerville community for the current year. He outlined improvements, equipment purchases, maintenance, and services included in the 1996 Budget and the City's Capital Improvement Program for the City of Centerville. The Budget includes no increase in municipal property tax, income tax, or waste collection fees. In consideration of resources and expenditures, the City projects an ending balance of \$4,237,100.00 for

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1996. A very comprehensive slide presentation was given at this time to afford the listening audience a better understanding of the City's financial plan for 1996. Mr. Singer, recognizing this as a very balanced Budget, sponsored Ordinance Number 39-95, An Ordinance To Make Appropriations For The Current And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1996, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 41-95 PERSONNEL

The Public Hearing was held concerning Ordinance Number 41-95. Miss Gilleland reviewed Ordinances to provide class titles, pay ranges, grades, rates of pay and regulations for regular employees of the City of Centerville and for those employees associated with food service, maintenance and/or golf operations at Yankee Trace. Some very minor housekeeping changes have been included in these Ordinances in consideration of previous personnel Ordinances. Included in the Ordinances are deletions of unfilled positions and a few new and reclassified positions. Also changed in the Ordinance for regular employees is the provision under "Supplemental Retirement Plan", that to receive said benefits, the employee must have accrued 80 hours of sick leave for each year of service with the City up to a maximum of 600 hours accrued sick leave, Miss Gilleland recommended that one minor change be made to the "Classified Regular Full-time Employees Class III" section of Ordinance Number 41-95 and Ordinance Number 43-95 as follows: Each employee shall receive six month evaluations and will be eligible for a merit step increase at any time during the year instead of once each year. Some incentive plans have been included in the Ordinance for employees associated with food service, maintenance and/or golf operations at Yankee Trace. Included in the Ordinances is a 3.75 percent increase for certain employees of the City of Centerville. Mr. Compton sponsored Ordinance Number 41-95, An Ordinance To Repeal Ordinances Number 31-94 And 11-95 In Their Entirety, To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City of Centerville, Ohio, and moved that it be passed as amended per recommendation of City Staff. Mr. Kingseed seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 43-95 PERSONNEL YANKEE TRACE

The Public Hearing was held concerning Ordinance Number 43-95. Upon question of Mr. Singer, Mr. Horn advised that presently there is no intention to fill the position of Director of Golf and Parks, a position included in this particular Ordinance.

Mr. Kingseed sponsored Ordinance Number 43-95, An Ordinance To Repeal Ordinances Number 33-94 And 9-95 In Their Entirety, To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Associated With The Food Service, Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace,

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City Of Centerville, Ohio, and moved that it be passed as amended per recommendation of City Staff. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 44-95 COMPENSATION FOR GOLF PROFESSIONALS

The Public Hearing was held concerning Ordinance Number 44-95. Mr. Horn reviewed this proposed Ordinance which provides compensation for Golf Professionals when providing outdoor golf instructions. The Ordinance provides that the professional be entitled to an amount equal to no more than 75 percent of the gross lesson revenue generated. The exact percentage will be determined by the City Manager in consideration of the amount of lessons and activity levels. All fees will be collected by the City and properly accounted for as golf operations revenues. Mr. Reppert sponsored Ordinance Number 44-95, An Ordinance Establishing Compensation Rates For Outdoor Lessons Given By Golf Professionals At The Golf Club At Yankee Trace, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 45-95 DP&L SUPPLY ELECTRICITY

The Public Hearing was held concerning Ordinance Number 45-95. Mr. Horn in reviewing this proposed Ordinance, pointed out the fact that the City has not had a valid Franchise Agreement authorizing the Dayton Power & Light Company to supply electricity in the City of Centerville for a short period of time. It is in the best interest of the City and the Dayton Power & Light Company to execute a short term Agreement at this time in consideration of the fact that the Miami Valley Cable Council is studying the creation of model legislation for right-of-way purposes as well as Franchises in view of the many changes currently taking place in the telecommunication industry. Mr. Horn recommended that proposed Ordinance Number 45-95 be amended to provide for automatic renewal for successive one year periods for up to two renewal terms, thus providing for an Agreement up to three years. He identified this Franchise Agreement as an interim measure providing the City and the Dayton Power & Light Company with a valid franchise relationship until the matter is resolved in Cable Council.

Mr. Jeff Nini, Manager for the Dayton Power & Light Company Centerville Service Center, solicited City Council's passage of Ordinance Number 45-95 as amended. Mr. Singer sponsored Ordinance Number 45-95, An Ordinance Granting To The Dayton Power And Light Company, Its Successors And Assigns, Authorization To Supply Electricity In The City Of Centerville, State Of Ohio, For A Period Of One (1) Year, Automatically Renewing For Successive Term Of One (1) Year Unless Notice Is Given Commencing On The Effective Date Of This Ordinance, and moved that it be passed as amended. Mr. Stone seconded the motion. The motion passed by unanimous vote.

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ORDINANCE NUMBER 46-95 SOUTH METRO PARKWAY NAME CHANGE

The Public Hearing was held concerning Ordinance Number 46-95. Mr. Schwab reviewed this proposed Ordinance to change the name of South Metro Drive to South Metro Parkway. He located the subject roadway on a map and explained the fact that this name change is in agreement with all property owners affected as well as the developer of South Metro Park. Upon question of Mr. Singer, Mr. Schwab advised that this name change is in agreement with the Montgomery County Planning Staff. Mr. Kingseed sponsored Ordinance Number 46-95, An Ordinance Naming A Newly Constructed Street Dimco Way, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 47-95 DIMCO WAY

The Public Hearing was held concerning Ordinance Number 47-95. Mr. Horn thanked the Centerville City School Board of Education and Dimco Way for their cooperation to provide land transfers and land dedication so that a connector roadway could be constructed from South Suburban Road east to Clys Road. Mr. Schwab advised that employees of Dimco Way suggested that the roadway be named Dimco Way. Mr. Compton sponsored Ordinance Number 47-95, An Ordinance Naming A Newly Constructed Street Dimco Way, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote. Discussion followed relative to the possible extension of Dimco Way west to the Centerville High School at some future date.

ORDINANCE NUMBER 2-96 YANKEE TRACE ISSUANCE OF NOTES

Mr. Horn advised that the Fiscal Officer's Certificate was presented to Council certifying that, in connection with the proposed issuance of notes in the maximum aggregate amount of \$2,475,000 to be issued in anticipation of the issuance of bonds for the purpose of paying costs of acquiring real property for municipal recreational facilities, the estimated life or usefulness of the improvement is at least five years. Mr. Horn reviewed a proposed Ordinance to provide for the issuance and sale of notes in the maximum aggregate principal amount of \$2,475,000, in anticipation of the issuance of bonds for the purpose of paying the costs as stated in the Fiscal Officer's Certificate. Mr. Horn pointed out the fact that this is a reissue of notes dated February 2, 1995 in the amount of \$2,730,000. Mr. Stone sponsored Ordinance Number 2-95, An Ordinance Providing For The Issuance And Sale Of Notes In The Maximum Aggregate Principal Amount Of \$2,475,000, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Acquiring Real Property For Municipal Recreational Facilities, And Declaring An Emergency, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 1-96 YANKEE TRACE DRIVE

Mr. Horn reviewed a proposed Resolution to authorize payment to Bayer Becker Engineers for the construction staking and related engineering services for Yankee Trace Drive from Social Row Road north for approximately 2200 lineal feet in the amount of \$28,200.00 for the construction of the roadway and installation of off-site utilities. Mr. Singer sponsored Resolution Number 1-96, A Resolution Authorizing The City Manager On Behalf Of The City Of Centerville To Pay Bayer Becker Engineers For Yankee Trace Drive Construction Staking And Related Engineering Services, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 2-96 YANKEE TRACE DRIVE

Mr. Horn advised that in order for off site utilities to be installed and the construction of the first phase of Yankee Trace Drive to begin in a timely manner in consideration of the assessment process required, Bond Counsel recommended that engineering services be defined by the City, that Great Traditions Development Group contract and proceed with said work, and that the City then purchase the plans from Great Traditions. A Resolution has been prepared to authorize the expenditure not to exceed \$36,000.00, for the purchase of detailed construction plans prepared by Bayer Becker Engineers, to Great Traditions. Mr. Horn pointed out the fact that costs authorized by this Resolution as well as Resolution Number 1-96 are assessment costs and will not ultimately be born by the City of Centerville. Upon question of Mr. Singer, Mr. Horn advised that the Plans have been reviewed and approved by the City Engineer. Mr. Singer sponsored Resolution Number 2-96, A Resolution Authorizing The City Manager On Behalf Of The City Of Centerville To Purchase Detailed Construction Plans For Yankee Trace Drive Improvements, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 3-96 ADVANCE OF TAXES

Mr. Horn reviewed a proposed Resolution to request an advance of real estate taxes assessed and collected for and on behalf of the City of Centerville by the Montgomery County Treasurer in an amount of \$300,000.00. This sum will be held and treated as an advance payment on the current collection of taxes due the City of Centerville. Mr. Singer sponsored Resolution Number 3-96, A Resolution Requesting An Advance Of Three Hundred Thousand Dollars (\$300,000.00) Out Of The Current Collection Of Real Estate Taxes Assessed And Collected On Behalf Of Centerville, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

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DAYTON LEGAL BLANK CO. FORM NO. 10148

Held January 15, 1996, continued

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CENTERVILLE PROPERTY REVIEW COMMISSION REAPPOINT JAMES WASSON

Mr. Compton moved that James Wasson be reappointed as a member of the Centerville Property Review Commission. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

CENTERVILLE PROPERTY REVIEW COMMISSION REAPPOINTMENT OF JAMES WASSON AS CHAIRMAN

Mr. Stone moved that James Wasson be appointed as Chairman of the Centerville Property Review Commission for an additional year. Mr. Singer seconded the motion. The motion passed by unanimous vote.

BOARD OF TAX APPEALS REAPPOINT STEPHEN MIKULA

Mr. Kingseed moved that Stephen Mikula be reappointed as a member of the Board of Tax Appeals. Mr. Compton seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE REAPPOINT SUZANNE HOLLOWAY AND JOHN SPOOR

Mr. Stone moved that Suzanne Holloway and John Spoor be reappointed as members of the Sister City Committee. Mr. Singer seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals
Mayor

ATTEST:

Maureen J. Scaybell
Clerk of Council