

**RECORD OF PROCEEDINGS**

Minutes of

**COUNCIL MEETING**

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held May 20, 1996

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 20, 1996, 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, Pastor of the Church of the Incarnation 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 J.V. Stone
- James Singer
- Susan Lienesch
- James Reppert

- Assistant Clerk of Council Peggy Whisman
- City Manager Gregory Horn
- Assistant to the City Manager Judith Gilleland
- City Engineer Norbert Hoffman
- Municipal Attorney Robert Farquhar

Mr. Singer moved that Councilmember Brooks Compton be excused from this meeting. Mr. Stone seconded the motion. The motion passed unanimously.

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

- Council Meetings - April 15, 1996.
- May 6, 1996.
- Council Work Session Meetings - April 8, 1996.
- April 15, 1996.
- April 22, 1996.
- May 6, 1996.
- May 13, 1996.

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

Mayor Beals presented a Certificate of Congratulations to Magsig Middle School Principal Margaret Barclay for the Odyssey of the Mind "Amusin' Cruisin" Team Taking the Ohio State Title in Mansfield, Ohio, on April 20, 1996. The Team Coaches are Mary Jo Maffie, Marcia Rose, and Kathy Dane. Mayor Beals introduced the Team, which consists of seven students: Jon Maffie, George Creech, Amber Rose, Natalie Vella, Becky Macejko, Brandt Waggoner, and Sachin Kamdar. The Team will compete in the World Competition in Ames, Iowa, at Iowa State University on May 29 - June 1, 1996. City medals "For Achievement of Excellence" were presented to members of the Team.

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Poster Contest in the State of Ohio. The Earth Day Poster Contest was sponsored by the Montgomery County Division of Waste Control. Emily took 1st place in Montgomery County, and 1st place in the State of Ohio at the eighth grade level. Her poster will become part of a larger poster and distributed Statewide. A City medal "For Achievement of Excellence" was presented to Emily.

Mayor Beals presented a Certificate of Congratulations to Phyllis Yeager, Centerville High School Guidance Counselor, David White, the Student Body President, Lyndsey Leonard, Co-Chairman of the Centerville High School Spirit Chain, and Students involved in the Spirit Chain. The Spirit Chain is a competition between Centerville High School and Fairmont High School. The week long event is a contest to see which school can raise the most money for their favorite local charity or foundation. The Centerville High School Spirit Chain raised \$26,100.00 for Children's Medical Center.

Scott Liberman, Chairman of the Centerville-Washington Township Bicentennial Commission was present at this Meeting to update Council on all upcoming Bicentennial events. The Bicentennial is one third over, however the busiest time of the celebration is coming. A calendar of events is available at both the City Municipal Building and the Township Government Center, or by calling the Bicentennial office at 291-1796.

Mayor Beals outlined the following activities which have occurred and will occur during the coming weeks:

April 24, 1996 - Youth in Government Day in Centerville. Students from Centerville High School spent the morning at the Municipal Building taking the place of the Mayor, Councilmembers, and Staff. The morning ended with a luncheon at Benham's Grove.

April 24, 1996 - The Solid Waste Advisory Committee held a reception to honor Shirley Heintz and Richard Haas, two former Mayors that were very active in the Solid Waste Advisory Committee.

April 24, 1996 - Centerville celebrated Arbor Day by planting ten trees along the newly installed sidewalk at Bethany Lutheran Village to represent the ten years that Centerville has been a Tree City. Tree seedlings were given to every 3rd grade student of the Centerville School District.

May 8, 1996 - Mayor Beals attended a meeting in Miamisburg held by General Motors to outline the reorganization of Delphi.

May 9, 1996 - Ribbon cutting ceremony for All Seal Window Company on Franklin Street was held.

May 19, 1996 - A Victorian Tea was held at Benham's Grove, sponsored by the Centerville Historical Society. The Tea was a huge success, with a style show presented by Goodwill Industries.

May 19, 1996 - William Yeck was honored at a reception held at Centerville High

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School for his four decades of service to the Centerville-Washington Park District. Mr. Yeck is responsible for starting the Park District in our Community.

Former Mayor Shirley Heintz has been selected as Centerville's CD '96 Champion and will be participating in the CD'96 Champions/Heroes festivities over the Memorial Day weekend.

The Summer Concert Series begins on June 16, 1996, with the Arts Festival and Jazz Concert at Leonard E. Stubbs Memorial Park. Every Sunday and Thursday of the summer there will be a concert at Stubbs Park at no charge to the public. In addition, Theatre Under The Stars will be presenting Oklahoma and Meet Me In St. Louie during this time.

A Photography Contest is being sponsored by the Centerville Washington Township Bicentennial Commission. For more information contact Bob Daley at 433-0811, or Eric Shriver at 433-1252.

Mayor Beals announced the issuance of the following Proclamations during the past month:

William S. Yeck Day in Centerville - May 19, 1996.

Erma Bombeck Day in Centerville - May 26, 1996.

Stand for Children Day in Centerville - June 1, 1996.

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

The environmental and soil tests are completed on the property located at the northwest corner of Spring Valley Road and Virginia Avenue, just west of the Centerville Library. The City will now move forward on their purchase option for the 2.2 acre property. Ownership should take place in mid November, 1996.

Summer paving contracts have been executed and work will begin on City streets soon.

Public Works Director, Steve Weaver, and City Engineer, Norbert Hoffman, met with officials from the Ohio Department of Transportation concerning the reconstruction of Clyo Road from Alexanderville-Bellbrook Road northeast to Bigger Road. Machinery and signage will be arriving at the beginning of June, with construction to start in mid June, 1996, and be completed September 15, 1996. One lane of north and south traffic will be maintained throughout the project.

Reminder letters will be sent to all residents with trees and shrubs they may be obstructing the view or causing a safety hazard over the public streets and sidewalks throughout the City. Residents are asked to trim their trees or shrubs they may be causing a problem. The City will give ample time to correct any obstructions and then will move forward in trimming the plantings.

The Centerville Police Department has three new police cruisers painted a little differently than the older ones. The Motorcycle Patrol Program is on the road, and the Police Department has increased traffic patrol enforcement of SR 48, south of Franklin Street.

The trees planted along I-675 from SR 48 to Wilmington Pike that have died will

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be replaced per the contract held by the City and by the State of Ohio.

As the Centerville Representative for the Edge Program, Mr. Horn participated in the ranking of the 32 proposed projects from 17 jurisdictions. There is approximately 5 million dollars available for these projects. The final ranking and recommendation will be presented to the County Commissioners by June 7, 1996.

Upon question of Mr. Singer, Mr. Horn reported that Jake, the City's drug detecting dog has graduated from the Middletown Police Training Academy and has already been called in on two searches.

## TAX BUDGET 1997

Mr. Horn advised that the Tax Budget for the City of Centerville for the year 1997 to be submitted to the Montgomery County Auditor requires a Public Hearing. Mr. Singer moved that the City of Centerville Tax Budget for 1997 for submission to the Auditor of Montgomery County be set for Public Hearing on June 17, 1996. Mr. Kingseed seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 5-96

### RESERVATION POLICIES FOR GAZEBO AT BENHAM'S GROVE

Mrs. Lienesch moved that Ordinance Number 5-96, An Ordinance To Establish Reservation Policies For The Use Of The Open Air Gazebo At Benham's Grove, be set for Public Hearing on June 17, 1996. Mr. Reppert seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 33-96 CARDINGTON ROAD LANDFILL NEGOTIATED SETTLEMENT

Mr. Horn reviewed a proposed Resolution to acknowledge support and receipt of a Resolution passed by the Montgomery County Commissioners. The Montgomery County Solid Waste District and County Staff agreed upon a one million dollar (\$1,000,000) settlement with the Cardington Road Coalition for the cleanup of the Cardington Road Superfund site. The settlement will be paid by the Solid Waste District Members on a per capita fair share amount. In turn, each settlement payment will be offset by the release of one million dollars (\$1,000,000) from Montgomery County that had been collected and held in a separate fund for the purchase of land for a future landfill. Mr. Reppert sponsored Resolution Number 33-96, A Resolution Acknowledging Receipt Of Resolution Number 96-358 Passed By The Board Of County Commissioners, Montgomery County, And Concurring With The Negotiated Settlement With The Cardington Road Landfill Coalition, and move that it be passed. Mr. Stone seconded the motion. The motion passed by a vote of 6-0. Mr. Kingseed abstained from discussion or voting on this issue due to a potential conflict of interest.

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## NESTLE CREEK II, SECTION 1, SECTION 3 BOND RELEASE

Mr. Horn reviewed a recommendation of City Engineer, Norbert Hoffman, that the Letters of Credit for Nestle Creek II, Sections 1 and 3 in the amount of \$14,000.00 and \$15,000.00 respectively, be released subject to a one year Maintenance Bond in the amount of \$5,000.00. The public improvements have been completed for the better part of a year or more, therefore the City Engineer is recommending only a nominal Maintenance Bond. Mr. Stone moved that the Letters of Credit posted on Nestle Creek II, Sections 1 and 3 be released, as recommended by the City Engineer. Mr. Kingseed seconded the motion. The motion passed unanimously.

## NESTLE CREEK II, SECTION FOUR, SECTION FIVE BOND RELEASE

Mr. Horn reviewed a recommendation of City Engineer, Norbert Hoffman, that the Letters of Credit for Nestle Creek II, Section 4 and 5 in the amount \$8,050.00 and \$5,250.00 respectively, be released. The public sidewalk improvements have been completed. Mr. Singer moved that the Letters of Credit posted on Nestle Creek II, Section 4 and 5 be released as recommended by the City Engineer. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

## NESTLE CREEK III BOND REDUCTION

Mr. Horn reviewed a recommendation of City Engineer, Norbert Hoffman, that the Letter of Credit for Nestle Creek III, in the amount of \$128,000.00 be reduced to \$35,000.00. A substantial portion of storm drainage (sewers and catch basins), grading, curbs, and pavement (except the final course of asphalt) has been completed. The reduced amount is sufficient to cover repair work, the remaining plat improvements and final lift of asphalt. Mr. Kingseed moved that the Letter of Credit posted on Nestle Creek III be reduced from \$128,000.00 to \$35,000.00 as recommended by the City Engineer. Mrs. Lienesch seconded the motion. The motion passed unanimously.

Mr. Stone excused himself at this time due to a potential conflict of interest concerning the next Agenda item.

CITY PLANNING COMMISSION  
REAPPOINT SCOT STONE AND JACK KOSTAK

Mayor Beals announced the term expirations of Scot Stone and Jack Kostak as members of the City Planning Commission. Mr. Kingseed moved that Scot Stone and Jack Kostak be reappointed as members of the City Planning Commission. Mr. Singer seconded the motion. The motion passed unanimously.

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Mr. Stone returned to the meeting at this time.

SISTER CITY COMMITTEE REAPPOINT JOANNA CLAY

Mayor Beals announced the term expiration of Joanna Clay as a member of the Sister City Committee. Mr. Stone moved that Joanna Clay be reappointed as a member of the Sister City Committee. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals  
Mayor

ATTEST:

Peggy S. Whisman  
Assistant Clerk of Council