

# RECORD OF PROCEEDINGS

Minutes of

COUNCIL MEETING

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held

September 16, 1996

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 16, 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	Susan Lienesch
	James Reppert
	James Singer
Clerk of Council	Marilyn McLaughlin
Assistant Clerk of Council	Peggy Whisman
City Manager	Gregory Horn
Assistant City Manager	Michael Haverland
City Planner	Steve Feverston
Public Works Director	Steve Weaver
Chief of Police	William Lickert
Municipal Attorney	Robert Farquhar
Assistant to the City Manager	Judith Gilleland

Mayor Beals advised that Councilmembers J. V. Stone and Brooks Compton would not be present at this meeting. Mr. Singer moved that Mr. J. V. Stone and Mr. Brooks Compton be excused from this meeting. Mr. Reppert seconded the motion. The motion passed unanimously.

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

Council Meeting - August 19, 1996.

Council Work Session Meetings - August 19, 1996.

- August 26, 1996.

Mr. Kingseed moved that the minutes of the foregoing meetings be approved, as distributed. Mrs. Lienesch seconded the motion. The motion passed unanimously; however Mr. Singer abstained from the minutes of the August 19 and August 26, 1996 meetings.

Mayor Sally Beals administered the Oath of Office to Centerville Arts Commission member Linda Stiles Smith.

Jeffrey Dundon, Vice Chairman of the Centerville-Washington Township Bicentennial Commission, was present at this meeting to update Council on Bicentennial activities. He outlined events to take place during the Bicentennial Community Picnic scheduled for Saturday, September 21, 1996.

Mayor Beals recognized retiring Chief of Police William Lickert in attendance at this meeting. Mr. Kingseed read a Certification of Congratulations presented to Chief Lickert by Mayor Beals listing tremendous growth in the Police Department during his tenure.

Mr. Jim McCutcheon, past member of the Centerville Arts Commission, was present at this meeting to review for Council his letter of nomination for the Centerville Arts Commission to

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receive the Culture Works Opus Award. Mr. Thomas Schorgel, President of Cultural Works, explained the creation of the Culture Works Opus Award resulting from the merger between Arts Dayton and the Miami Valley Arts Council. Nominations were reviewed by judges from all areas of the State of Ohio outside the Miami Valley Region. Out of 74 nominations, the Centerville Arts Commission won this distinctive award, meeting all criteria in terms of quality and diversity. The Arts Commission was also recognized by the Judges for their accessibility to the community, lots of children's programming, strong education component, grass-roots organization, they meet their mission and goals, establish feed back to the community, involved with local government and has elaborate organizational structure. This award was given to the Centerville Arts Commission in recognition of their contributions to the entire Miami Valley Region. Mr. Schorgel presented the first Opus Award to Centerville Arts Commission Chairman Anita Looper.

Mayor Beals announced the following events which occurred during the past month:

The week of September 17 through 23, 1996 was proclaimed as Constitution Week in the City of Centerville.

On October 10, 1996 between 2:00 and 3:45 P.M., flu shots will be administered in the Council Chambers of the Centerville Municipal Building by the Combined Health District of Montgomery County. The shots will be given on a first come, first serve basis.

The Centerville business community continues to expand with ground breakings and ribbon cuttings for new establishments.

Fire fighter, inspector and paramedic for the Washington Township Fire Department Roy Baver has retired.

Mayor Beals reviewed a meeting of the National League of Cities, Energy, Environment Natural Resource Committee, she recently attended in Fort Lauderdale, Florida. During this meeting the Committee developed a Policy Statement for the National League of Cities concerning energy, the environment and natural resources.

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

He emphasized the great service provided the Centerville community by retiring Chief of Police William Lickert.

Police Lieutenant Stephen Walker will replace William Lickert as Chief of Police, taking office on October 1, 1996.

Mystery Night Out in 1996 was most successful with 1082 participants.

Through the Joint Entity Auction sponsored by the Centerville-Washington Park District in conjunction with the Washington-Centerville Public Library, Washington Township and the City of Centerville, the City received \$8,466.00 for the sale of surplus properties.

Activities at The Golf Club at Yankee Trace were outlined.

The 1995 Post Audit Conference for the City of Centerville is scheduled for Tuesday, September 17, 1996 at 1:00 P.M. in the Law Library of the Centerville Municipal Building.

Best of luck was extended to Centerville's Custodian Merle Vulgamore.

The summer Street Repair and Resurfacing Program has been completed.

The Clio Road Improvement Project has been completed.

Mike Engler has been hired as the City's Arborist/Horticulturalist and will begin his employment on October 1, 1996.



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Mr. Weaver gave the following status report relative to two major street projects: Changes should begin to take place rapidly with the Spring Valley Road Improvement Project. The Contractor has projected an opening date of November 1, 1996.

The Yankee Street Underpass Project is well underway. The first section of the bridge is in place. Yankee Street will be closed to traffic on September 23 and 24 to provide safety for the Dayton Power & Light Company to relocate a gas main.

### ORDINANCE NUMBER 9-96 ZONING ORDINANCE TEXT AMENDMENT RESIDENTIAL PARKING RESTRICTIONS

Mr. Feverston reviewed the Planning Commission meeting held August 27, 1996. The Commission, by unanimous vote, recommended approval to City Council of an Ordinance restricting the number of vehicles parked in the rear of residential properties to three. Mr. Singer moved that Ordinance Number 9-96, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1996, The Zoning Ordinance By Adding Restrictions For The Parking Of Vehicles In Residential Districts, be set for Public Hearing on October 21, 1996. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

### YANKEE TRACE SECTION 6-A RECORD PLAN

Mr. Feverston reviewed the Planning Commission meeting held September 10, 1996. The Commission by a vote of 4-1-1, recommended approval to City Council of the Record Plan for Yankee Trace, Section 6-A. Mr. Feverston located the subject property on a map being situated north of Social Row Road and east of Yankee Street. Included on this Record Plan are those areas previously known as Yankee Trace, Sections 4 and 6. Proposed is the division of 11.692 acres into 26 single family residential lots. The Replat is made necessary due to the conversion of private streets into public roadways. The recommendation of the Planning Commission was conditioned upon the following:

1. The City shall receive from the developer and approve a detailed plan for the skin improvements (mounding, white horse park fencing, entranceway, limestone walls, landscaping, etc.) along the east side of Yankee Street adjacent to this plat.
2. If required by the City Engineer, the developer shall submit plans approved by the City Engineer and construct a temporary left turn lane and/or walkway(s) along Yankee Street at the entrance road to this plat.
3. A street light shall be installed at the intersection of Yankee Street and Winding Green Way subject to approval by the City Engineer.
4. The easement extending to the east from the cul-de-sac of Winding Green Way shall be labeled as a public utility and private driveway easement.
5. The Record Plat be amended to show the two landscape islands, situated within the turn-around of Winding Green Way and Greenside Court, as separate reserve areas, subject to approval by the City Planner.
6. The City receive a letter from the developer requesting a reduction in their Letters of Credit for the original plats, Yankee Trace, Sections 4 and 6, for work that has been completed as a part of these plats. This reduced amount, subject to approval by the City Engineer, shall be applied to the replatted Section 6-A.



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Mr. Kingseed moved that the Record Plan for Yankee Trace, Section 6-A, be approved as recommended by the City Planning Commission subject to all conditions included in their recommendation. Mr. Singer seconded the motion. The motion passed unanimously.

Mr. Singer, speaking as Chairman of the Stormwater Drainage Task Force, briefly reviewed a meeting held September 12, 1996 with good representation from the Task Force and City Staff. He outlined the accomplishments made during 1996 relative to drainage improvements in the City of Centerville.

### ORDINANCE NUMBER 8-96 DISPOSAL OF SURPLUS PROPERTY

The Public Hearing was held concerning Ordinance Number 8-96. Mr. Horn reviewed this proposed Ordinance which provides an alternate procedure for the disposal of surplus property of the City of Centerville having an estimated value of more than \$1,000.00. There are times when the City would be better served with other methods to dispose of property no longer of use to the City. Mr. Reppert sponsored Ordinance Number 8-96, An Ordinance Adopting An Alternative Procedure For The Disposal Of Surplus Property Of The City Having An Estimated Value Of More Than One Thousand Dollars (\$1,000.00), and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

### RESOLUTION NUMBER 45-96 ST. LEONARD ANNEXATION

Mrs. McLaughlin placed before City Council the original transcript of the proceedings of the Board of County Commissioners of Montgomery County, Ohio, in the matter of the proposed annexation of 70.328 acres, more or less, situated in Section 24, Town 3, Range 5, M.R.s., Washington Township, Montgomery County, Ohio, to the City of Centerville, Ohio. Mr. Kingseed sponsored Resolution Number 45-96, A Resolution Accepting The Application Of The Franciscan Medical Center-Dayton Campus, Inc., An Ohio Corporation, Formerly Known As Saint Elizabeth Corporation, For Annexation Of Territory, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote. Mr. Singer pointed out that this annexation approved by the Montgomery County Commissioners was not appealed by Washington Township. Mayor Beals advised that this annexation puts all land owned by the Franciscan Medical Center-Dayton Campus, Inc, formerly known as St. Leonard Center within the corporate limits of the City of Centerville, thus making all services to the St. Leonard Center being provided by one entity.

### RESOLUTION NUMBER 46-96 ADVANCE OF SPECIAL ASSESSMENT TAXES

Mr. Horn reviewed a proposed Resolution to request an advance of special assessment taxes from the Auditor of Montgomery County. These monies were collected after the last semi-annual disbursement from the County Treasurer to the City of Centerville. Mr. Reppert sponsored Resolution Number 46-96, A Resolution Requesting An Advance Of Forty Thousand Dollars (\$40,000.00) Out Of The Current Collection Of Special Assessment Taxes Levied And Collected On Behalf Of The City Of Centerville, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.



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## RESOLUTION NUMBER 47-96 CERTIFY TAX RATES

Mr. Horn reviewed a proposed Resolution to accept and certify necessary tax levies in the City of Centerville to the County Auditor. The inside and outside 10 mill limitations remain the same as in previous years which total \$2.64 per \$1,000.00 of assessed evaluation. This is one of the lowest if not the lowest tax rate of any entity in Montgomery County. Mr. Singer sponsored Resolution Number 47-96, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

## RESOLUTION NUMBER 48-96 QUIT CLAIM DEED FROM REALTY INCOME

Mr. Horn reviewed a proposed Resolution to accept a Quit Claim Deed from Realty Income Corporation for 0.039 acres of land for additional right-of-way along South Main Street in front of Jiffy Lube. Mr. Kingseed sponsored Resolution Number 48-96, A Resolution Accepting A Quit Claim Deed For Additional Road Right Of Way Along South Main Street From Realty Income Corporation, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

## RESOLUTION NUMBER 49-96 GRANT RIGHT OF WAY TO CONTINENTAL CABLEVISION

Mr. Horn reviewed a proposed Resolution to grant Continental Cablevision a right of way and easement to bury underground distribution lines along Yankee Street across property owned by the City of Centerville. This is a segment of the plans to streamline the installation of utility lines in preparation of the widening of Yankee Street in the future. Mr. Singer sponsored Resolution Number 49-96, A Resolution Authorizing The City Manager To Grant A Right Of Way And Easement, On Behalf Of The City Of Centerville, To Continental Cablevision To Bury Distribution Lines Along Yankee Street In The City of Centerville, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 50-96 ALCOHOLISM

Mr. Horn outlined a proposed agreement between the Combined Health District of Montgomery County and the City of Centerville for the operation and maintenance of a program for the prevention and treatment of alcoholism and chemical dependency. Each year since 1974, the City has entered into a contract with the Health District for this purpose. In January of 1996, the City contributed \$1,550.74 to the Health District representing ten percent of the funds received from the State of Ohio for Liquor Permit Fees received in 1995. It is estimated that ten percent for 1996 will be approximately \$1,790.00. Mrs. Lienesch sponsored Resolution Number 50-96, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With The Combined Health District Of Montgomery County For The Implementation, Operation And Maintenance Of A Program For The Prevention And Treatment Of Alcoholism And Chemical Dependency And Providing For The Payment Of

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Fees, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

## RESOLUTION NUMBER 51-96 PAVEMENT MARKING PROGRAM

Mr. Horn reviewed the following bids received for the pavement marking program for the City of Centerville:

Kneisel Contracting	\$20,378.00
The Barbour Company	\$23,935.00

He advised that City Engineer Norbert Hoffman has recommended acceptance of the bid submitted by Kneisel Contracting in the amount of \$20,378.00. Mr. Singer sponsored Resolution Number 51-96, A Resolution Accepting The Bid Submitted By Kneisel Contracting, Mason, Ohio, For The Pavement Marking Program - 1996 For The City Of Centerville And To Authorize The City Manager To Enter Into An Agreement In Connection Therewith, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

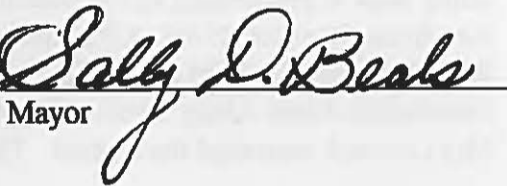
## SISTER CITY COMMITTEE REAPPOINT RAYMOND JOHNSON

Mayor Beals advised that Raymond Johnson has indicated interest in serving an additional term as a member of the Sister City Committee. Mr. Kingseed moved that Raymond Johnson be reappointed as a member of the Sister City Committee. Mr. Singer seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved

Mayor



ATTEST:

Clerk of Council

