

## RECORD OF PROCEEDINGS

Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10141B

Held

October 17,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 17, 1994 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 Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor J.V. Stone

Councilmembers C. Mark Kingseed

Brooks Compton

Sally Beals

James Singer

Mark Beasley

Assistant Clerk of Council Peggy Whisman

City Manager Gregory Horn

Assistant City Manager Michael Haverland

Municipal Attorney Robert Farquhar

Assistant to the City Manager Judith Gilleland

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

Council Meeting - September 19, 1994.

Council Work Session Meetings - September 12, 1994.

- September 19, 1994.

- September 26, 1994.

- October 3, 1994.

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

Mr. Doug Fritz, Board Member for Theater Under the Stars, and Mr. Jim Weeks, President of the Board for Theater Under the Stars, were present at this meeting to present City Council with an award of appreciation for the outstanding job done this past summer by Darin Haas, Sandra Hyde and the Centerville Arts Commission in helping prepare the Amphitheater for the Theater Under the Stars productions. Mr. Fritz explained that the Arts Commission, appointed by City Council, and Judith Gilleland, the staff liaison, were exceptional in assisting his staff with preparations, and with keeping deadlines on modifications to the Stubbs Park Amphitheater. Judith Gilleland accepted the VIP Award which read: "Thank you to Centerville Arts Commission in appreciation of their continued support and promotion of the Arts in the Miami Valley", October 3, 1994.

Mr. Scott Liberman, Chairman of the Centerville/Washington Township Bicentennial Commission updated City Council and the audience of the Commission's progress to this date. The Commission has been meeting since April, 1994, has elected officers, and has broken into four committees: Events Committee, Fund Raising Committee, Public Relations Committee, and Historical Committee. The Commission is currently working on a calendar of events for the celebration in 1996. In addition, the Commission is having a Logo contest to obtain a logo for the Bicentennial celebration. Mr.



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Liberman also stated that they are in need of volunteers. If anyone would like to volunteer, or any civic group would like to participate, they may contact Mr. Liberman at the Bicentennial Office in the Washington Township Hall, call the City of Centerville, or write to P.O. Box 105, Centerville, Ohio 45458.

Mayor Heintz announced that she had accepted an award on behalf of the citizens of Centerville from The Castle, located at 133 North Main Street. The Castle presented the award commemorating their first anniversary which reads as follows: "To The Citizens Of The City Of Centerville, Thank You For Giving Us A Chance. October 11, 1994." The Castle serves as a daytime drop in center for the handicapped.

Mayor Heintz introduced City Beautiful Commission Chairman, Michael Battaglia, to assist in the presentation of awards to the following recipients in the City's summer City Beautiful Contest:

Sue Ahern	1153 Deer Run Road
Brian Belden	135 Tuxworth Road
Emerson and Bonnie Coalt	109 Lyons Drive
Barbara Doster	241 Mimosa Drive
Jim and Sue Hagedon	8035 Parkeast Court
Sharon Hawk	100 South Village Drive
Carla, Susan and Kenneth Jansen	8098 Brainard Woods Drive
Denny and Lisa McDaniel	285 Cherry Drive
Don and Connie Monnin	5384 Royalwood Drive
Wayne and Becky Moore	2000 Mapleton Drive
Katherine Senn-Grilliot	2485 Briggs Road
Tony and Julie Young	57 Dale Ridge Drive
The Linder Company	175 East Alex-Bell Road
Cross Pointe Centre	
Roger and Nancy Carlsen	137 Lakeview Drive
Tom and Doris Cassley	220 Glenburn Drive
Virgil Christian	85 Benzell Drive
Janice M. Kendig	7360 Caribou Trail
Bob and Jan Pangburn	1325 Brainard Woods Drive
Jim and Debby Schlarb	5342 Red Coach Road
Ed and Marian Sensenbaugh	163 Freyn Drive
Richard and Caren Van Vleck	7790 Stanley Mill Drive
Centerville Historical Society	89 West Franklin Street
Ray and Charlene Schilling	640 East Whipp Road
David and Kay Kloppenburg	7690 Pine Frost Drive
Thomas, Linda and Andrew Blome	511 Willowhurst Drive
Marlene and Dale Nelson	7755 Bigger Road
Chester and Ollie Miller	7625 Pelway Drive
Robert and Debbie Nordstrom	155 West Ridgeway Road
Charles and Juanita Burkhart	27 East Ridgeway Road
Donald and Susan Warnock	1345 Brainard Woods Drive
Derrell and Thelma O'Donnel	8005 Station House Road
Frank and Lynn McGee	93 Carmel Court
Michael and Teresa Battaglia, Sr.	61 Martha Avenue
Cottage on Main Street	50 South Main Street
Russ and Karol Hadick	5381 Marycrest Lane



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Harold and Jan Gaskill	890 West Whipp Road
Jerry and Bonnie George	6560 Atterbury Court
Tom and Kimberly Gunlock	2332 Briggs Road
Dan and Phyllis Strayer	275 East Elmwood Drive
Zelle Gaines	20 Bristol Drive
LasPiramides Mexican Restaurant	101 West Franklin Street
Greg and Karen Eisnaugle	1101 Green Tree Drive
Jerry and Sherry Beck	335 Tuxworth Road

Mr. Battaglia introduced other City Beautiful Commission members present at this meeting and explained the Christmas Decorating Competition that will be judged between Thanksgiving and Christmas. An announcement will be in the Town Crier.

Following a recess in this meeting to provide for City Council to express appreciation to the award winners, the meeting reconvened into general session.

Mayor Heintz announced the issuance of the following Proclamation during the past month:

Fire Prevention Week in the City of Centerville - week of October 9, 1994.

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

The leaf pickup schedule for City residents is listed in the latest edition of the Town Crier. In keeping with last year, the City will post signs on the streets one week prior to that area's leaf pickup. If a resident is still uncertain of leaf pickup on their street they may call the City building. Leaf pick up procedure was outlined by Mr. Haverland.

The South Main Street project is expected to be finished prior to Thanksgiving. Some landscaping items may be left until next spring.

The State of Ohio Controlling Board informed the City through State Representative, Robert Corbin, that the South Suburban Connector Project, which we had sought additional funds for through the Ohio Department of Transportation has been approved. This project will connect South Suburban Road to Clio Road, giving the businesses access to Clio Road. After bid acceptance, construction should begin in the Spring.

Yankee Trace is moving along with utility work well under way. Closing should take place on Phase One in the next few days. The Clubhouse is under construction with the roof trusses in place on the north side of the building. Finishing touches are being applied to the back nine holes of the golf course.

The City employee's health care plan is being evaluated, along with a review of other options. City Council will receive a full report after evaluations are complete and employee meetings held.

The City's operating budget for 1995 will be before Council in the near future.

The Linder Company, on behalf of the Cross Pointe Center, has asked the City for a modification in their easternmost access into the shopping center. This will be considered during the Council Work Session scheduled for Monday, October 24, 1994.



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Mr. Horn complimented volunteers for the work they have done at the Walton House at 89 West Franklin Street.

Mr. Horn outlined the City's objection and concern with Transitional Zoning as recently adopted by Washington Township. This action was challenged by the City in the Montgomery County Common Pleas Court with Judge Richard Dodge finding in favor of Washington Township.

## ORDINANCE NUMBER 17-94 PERSONNEL

A Public Hearing was held concerning Ordinance Number 17-94. Mr. Horn reviewed this proposed Ordinance which provides for the addition of a Director of Food Service/Executive Chef in Centerville's Personnel Ordinance. Mr. Singer sponsored Ordinance Number 17-94, An Ordinance To Amend Ordinance Number 30-93, To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 19-94 TAXATION

Mr. Horn reviewed a proposed Ordinance to amend the Centerville Municipal Code to permit the Superintendent of Taxation to hire an independent consultant. With increasing complexity concerning business returns, it would be well advised to have outside assistance regarding the administration of municipal income tax. Mr. Kingseed sponsored Ordinance Number 19-94, An Emergency Ordinance Amending Section 880.12 Of The Centerville Municipal Code To Permit The Superintendent Of Taxation To Hire An Independent Consultant For Assistance In Carrying Out The Duties Of The Superintendent Under Chapter 880 Of The Centerville Municipal Code, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 20-94 TAXATION

Mr. Kingseed moved that Ordinance Number 20-94, An Ordinance Amending Section 880.12 Of The Centerville Municipal Code To Permit The Superintendent Of Taxation To Hire An Independent Consultant For Assistance In Carrying Out The Duties Of The Superintendent Under Chapter 880 Of The Centerville Municipal Code, be set for Public Hearing on November 21, 1994. Mr. Stone seconded the motion. The motion passed by unanimous vote.

## RESOLUTION NUMBER 57-94 OSHA

Mr. Horn reviewed a proposed Resolution to allow the City of Centerville to enter into an agreement with the Miami Valley Risk Management Association and the Miami Valley Cable Council in order to comply with House Bill 308, concerning occupational safety and health services to City employees at a cost of \$10,000 to the City. Mrs. Beals sponsored Resolution Number 57-94, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City



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Of Centerville, To Enter Into A Contract With The Miami Valley Risk Management Association And The Miami Valley Cable Council To Provide Occupational Safety And Health Services For Employees Of The City Of Centerville, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed unanimously.

### RESOLUTION NUMBER 58-94 TREATMENT OF ALCOHOLISM

Mr. Horn reviewed a proposed Agreement with the Combined Health District of Montgomery County through which the City of Centerville pledges 10 percent of funds received by the City from the State of Ohio for liquor permit fees for the year 1994 for special programs for the prevention and treatment of alcoholism and chemical dependency. Mr. Stone sponsored Resolution Number 58-94, 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 Fees, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

### ORDINANCE NUMBER 21-94 BICYCLES

Mr. Horn reviewed a proposed Ordinance to amend the Centerville Municipal Code relevant to bicycling in the City of Centerville. The cycling section of the Centerville Municipal Code has been reviewed upon request of local bicyclists. Lieutenant Bruce Robertson and the Bicycle Ordinance Review Committee have reviewed this section and recommended significant changes to the Centerville Municipal Code. Mrs. Beals stressed the importance of these changes as proposed. Mr. Beasley moved that Ordinance Number 21-94, An Ordinance To Amend The Centerville Municipal Code By Deletions And Additions To Chapter 474, Bicycles And Motorcycles, be set for Public Hearing on November 21, 1994. Mrs. Beals seconded the motion. The motion passed unanimously.

### CENTERVILLE HISTORICAL COMMISSION REAPPOINT WINIFRED RISNER AND JANET THOBABEN

Mayor Heintz announced term expirations for Winifred Risner and Janet Thobaben as members of the Centerville Historical Commission. Mr. Singer moved that Mrs. Risner and Mrs. Thobaben be appointed to additional four year terms as members of the Centerville Historical Commission. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

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## CENTERVILLE ARTS COMMISSION REAPPOINT CAROLYN MEININGER

Mayor Heintz advised that the term of Carolyn Meininger will soon expire as a member of the Centerville Arts Commission. Mr. Beasley moved that Mrs. Meininger be reappointed as a member of the Centerville Arts Commission for an additional three years. Mrs. Beals seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 59-94 BIRTHPLACE OF AVIATION

Mayor Heintz reviewed a Resolution adopted by the Mayors and Manager Association, Montgomery County, Ohio, to support the slogan "Birthplace of Aviation" being placed on Ohio License Plates along with an appropriate symbol. To show the support of the City of Centerville, Mr. Singer sponsored Resolution Number 59-94, A Resolution Supporting The Slogan "Birthplace Of Aviation" Being Placed On Ohio License Plates Along With An Appropriate Symbol Representing Aviation, and moved that it be passed. Mr. Beasley second the motion. The motion passed unanimously.

There be no further business, the meeting was adjourned.

Approved: 

Mayor

ATTEST:

  
Peggy S. Whisman  
 Assistant Clerk of Council