

# RECORD OF PROCEEDINGS

148

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held November 21, 1994

19

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, November 21, 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 Brooks Compton

Sally Beals

James Singer

Mark Beasley

Clerk of Council Marilyn McLaughlin

Assistant Clerk of Council Peggy Whisman

City Manager Gregory Horn

City Engineer Norbert Hoffman

Chief of Police William Lickert

Municipal Attorney Robert Farquhar

Assistant to the City Manager Judith Gilleland

Mr. Singer moved that Councilmember C. Mark Kingseed be excused from this meeting. Mr. Compton seconded the motion. The motion passed unanimously.

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

Council Meeting - October 17, 1994.

- October 24, 1994.

Council Work Session Meetings - October 10, 1994.

- October 17, 1994.

- October 24, 1994.

- November 7, 1994.

- November 14, 1994.

Mr. Compton moved that the minutes of the foregoing meetings be approved as distributed. Mr. Stone seconded the motion. The motion passed by unanimous vote; however Mr. Singer abstained from the minutes of the October 10th meeting, and Mayor Heintz and Mrs. Beals abstained from the minutes of the meeting held on November 7th.

Mayor Heintz extended a special invitation to all to attend the Christmas Tree Lighting Ceremony for the City of Centerville being held on Sunday, November 27, 1994 at 6:00 P.M. at Benham's Grove and to the Christmas Walk scheduled for Sunday, December 4, 1994.

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

Work at the Yankee Trace Golf Course development is progressing well: finishing touches are being applied to the back nine holes, the golf course closed on Sunday, November 20, 1994, eighteen holes will open on April 1, 1995, the temporary pro shop will remain open 9:00 A.M. to 5:00 P.M. Monday through Friday during the winter months, stone on the clubhouse is 30-40 percent

# RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held November 21, 1994 continued

19

complete, 90 percent of the parking lot has been paved, lights are being installed in the parking area for the clubhouse, and water and sewer lines are being put in place for the residential development by Great Traditions.

Dog licenses will be sold by the City of Centerville for Montgomery County at the City Building until January 20, 1995.

Mr. Hoffman reviewed the status of the South Main Street improvement project. Weather permitting, the final course of asphalt should be put in place on Friday, November 25, 1994 and Saturday, November 26, 1994. Sidewalk installation and restoration is yet to be completed. Work continues on the erection of street lights and traffic signalization.

Upon question of Mr. Singer, Mr. Horn outlined Montgomery County's water line installation project along the north side of Alexandersville-Bellbrook Road from Cross Pointe Centre to Clyo Road. Upon completion of this project the City of Centerville will install a walkway from Loop Road to Clyo Road.

## ORDINANCE NUMBER 20-94 INCOME TAX

The Public Hearing was held concerning Ordinance Number 20-94, an Ordinance to provide for professional assistance relative to matters concerning the City's Income Tax. Mr. Horn identified the importance of seeking the assistance of an independent consultant in certain income tax matters. This has become necessary due to the complexity of the City's Income Tax Ordinance and the fact that business returns have become more complex. This provision will be used very sparingly. Mrs. Beals sponsored 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, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

## ORDINANCE NUMBER 21-94 BICYCLES

The Public Hearing was held concerning Ordinance Number 21-94. Mr. Beasley, speaking as Chairman, outlined the activities of the Bicycle Ordinance Review Committee to prepare recommended additions and deletions to Chapter 474 in the Centerville Municipal Code relative to the operations of bicycles in the City of Centerville. Public education relative to rules and regulations for bicyclists will be printed in the Town Crier periodically. Mr. Beasley sponsored Ordinance Number 21-94, An Ordinance To Amend The Centerville Municipal Code By Deletions And Additions To Chapter 474, Bicycles and Motorcycles, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

## RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held November 21, 1994 continued

19

## RESOLUTION NUMBER 62-94 COPS FAST HIRING GRANT

Chief of Police William Lickert reviewed the COPS FAST hiring grant made available by the United States Department of Justice, Office of Community Oriented Policing Services to jurisdictions serving populations of under 50,000. This grant would provide for the hiring of two additional police officers to serve the City of Centerville covering 75 percent of their salary and benefits over a period of three years. He outlined the many activities now being conducted throughout our community by the Centerville Police Department. This grant will provide assurance that the Centerville Police Department can continue with current projects and add more. Mr. Stone sponsored Resolution Number 62-94, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Make Application To The United States Department Of Justice, Office Of Community Oriented Policing Services For A COPS FAST Hiring Grant, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

## RESOLUTION NUMBER 63-94 DISPOSITION OF WILDLIFE

Mr. Horn advised that the Service Department is finding it more difficult to dispose of large wild animals found in the City of Centerville. The Board of Commissioners of Montgomery County, pursuant to the Ohio Revised Code, is authorized to contract with Municipal Corporations for such disposal. He reviewed an Agreement prepared between Montgomery County and the City of Centerville for the disposal of wildlife delivered to the Montgomery County Animal Shelter by the City of Centerville at a cost of \$30.00 per animal. Mrs. Beals sponsored Resolution Number 63-94, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With The Board Of Commissioners Of Montgomery County For The Disposition Of Wildlife Delivered To The Montgomery County Animal Shelter By The City Of Centerville, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 64-94 PUBLIC DEFENDER

Mr. Horn reviewed a proposed Contract between the City of Centerville and the Montgomery County Public Defender Commission to provide legal counsel to indigent persons charged with violations of the Centerville Municipal Code. This Contract is renewed annually. Mr. Beasley sponsored Resolution Number 64-94, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With The Montgomery County Public Defender Commission Providing For Legal Counsel To Indigent Persons Charged With Violations Of The City's Municipal Ordinances, The Outcome Of Which Could Result In The Loss Of Liberty Of Said Persons; Providing For The Payment For Said Services And Providing For A Term Commencing January 1, 1995 And Terminating On December 31, 1995, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

## RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held November 21, 1994 continued

19

## RESOLUTION NUMBER 65-94 ONE TON DUMP TRUCK FOR GOLF COURSE

Mr. Horn reviewed the following bids received for the purchase of one one-ton dump truck for use at the Yankee Trace Golf Course:

|                    |                       |
|--------------------|-----------------------|
| Voss GEO           | \$23,840.69           |
| Les Wenning Motors | \$26,819.00 Alternate |
|                    | \$25,519.00           |

He recommended that the bid submitted by Voss Geo be accepted in an amount not to exceed \$24,040.69. Mr. Compton sponsored Resolution Number 65-94, A Resolution Accepting The Bid Submitted By Voss GEO For The Purchase Of One 1-Ton Dump Truck For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mrs. Beals seconded the motion. The motion passed by unanimous vote.

Mr. Horn reviewed bids received for the rental of uniforms for use by the Centerville Service Department. This action is taken every two to three years. The following bids were received:

|                                |                                  |
|--------------------------------|----------------------------------|
| Qualatex Uniforms for Industry | \$16,198.00                      |
| Aratex Services, Inc.          | \$16,718.00 Includes Discrepancy |
| Cintas                         | \$24,003.20                      |

Mr. Horn advised that a misunderstanding by one of the bidders caused a discrepancy in that bid. Due to this fact, it was determined that the City would be well advised to rebid for said rental. Mr. Beasley moved that the bids received for the rental of uniforms by the City of Centerville as outlined by the City Manager be rejected and the City rebid for said project. Mr. Compton seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 66-94 SOUTH MAIN STREET

Mr. Horn reviewed the following bids received for the South Main Street Landscaping Improvement Project:

|                                  |                          |
|----------------------------------|--------------------------|
| Daily's Property Maintenance     | \$ 60,535.00             |
| A. Brown & Sons Nursery, Inc.    | \$ 83,418.75             |
| Siebenthalers                    | \$ 90,400.65             |
| The Grunder Landscaping Company  | \$ 91,242.50             |
| Pageant Landscape Construction   | \$ 94,175.25             |
| Waitzman Landscape Company       | \$ 94,705.50             |
| Springboro Nursery               | \$ 98,531.82             |
| Grass Roots Lawn and Landscaping | \$101,821.68             |
| Caesar's Creek Nursery           | \$107,642.00 No Bid Bond |

Mr. Horn recommended acceptance of the bid submitted by Daily's Property Maintenance in the amount of \$60,535.00. All bids received were under estimate. A large part of this project will be put in place yet this year. Mr. Horn pointed out the fact that it is anticipated that Washington Township will pay for approximately 10 percent of this bid price for said beautification. Mrs. Beals sponsored Resolution Number 66-94, A Resolution Accepting The Bid Submitted By Daily's Property Maintenance For The South Main Street Landscaping Improvement Project For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection

RECORD OF PROCEEDINGS

Minutes of

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DAYTON LEGAL BLANK CO., FORM NO. 10148

Held November 21, 1994 continued

19

Therewith, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

BOARD OF ARCHITECTURAL REVIEW REAPPOINT JAMES TREFFINGER

Mayor Heintz advised that the term of James Treffinger will soon expire as a member of the Board of Architectural Review. Mr. Compton moved that James Treffinger be appointed to an additional term of three years as a member of the Board of Architectural Review. Mrs. Beals seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE REAPPOINT ROBERT SATTEM

Mayor Heintz announced the term expiration of Robert Sattem as a member of the Sister City Committee. Mrs. Beals moved that Robert Sattem be reappointed as a member of the Sister City Committee for an additional term of three years. Mr. Compton seconded the motion. The motion passed by unanimous vote.

CENTERVILLE WOODS LETTER OF CREDIT REDUCTION

Mr. Horn reviewed a recommendation from the City Engineer that the Letter of Credit posted to guarantee the completion of public improvements in the Centerville Woods subdivision be reduced from \$25,000 to \$4500. All but approximately 50 percent of sidewalk has been completed. Mr. Stone moved that the Letter of Credit posted for Centerville Woods be reduced to \$4500. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

There be no further business, the meeting was adjourned.

Approved: Stanley F. Heintz  
Mayor

ATTEST:

Maril Ann Saugher  
Clerk of Council