

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held May 17,

19 93

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, May 17, 1993 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 Deputy-Mayor Brooks Compton presiding.

Councilmembers and City Staff present were as follows:

Councilmembers C. Mark Kingseed

J. V. Stone

Sally Beals

James Singer

Clerk of Council Marilyn McLaughlin

City Manager Gregory Horn

Assistant City Manager Michael Haverland

Municipal Attorney Robert Farquhar

Assistant to the City Manager Judith Gilleland

Mr. Compton advised that Mayor Shirley Heintz and Councilmember Mark Beasley would not be present at this Meeting. Mr. Singer moved that Mayor Heintz and Mr. Beasley be excused from this Meeting. Mrs. Beals seconded the motion. The motion passed by unanimous vote.

The Minutes of the following Meetings had been distributed prior to this Meeting:

Council Meeting - April 19, 1993.

- May 3, 1993.

Council Work Session Meetings - April 12, 1993

- April 19, 1993.

- April 26, 1993.

- May 3, 1993.

- May 10, 1993.

Mrs. Beals moved that the Minutes of the foregoing Meetings be approved as distributed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

Mr. Horn and Chief of Police William Lickert introduced Centerville Police Officers Matthew Dunn and John Kalaman, recently employed by the City of Centerville, and outlined their previous background.

Mr. Compton administered the Oath of Office to Sister City Committee Members Nancy L. Bowlus and Pierre L. Crease.

Mrs. McLaughlin announced the receipt of a letter of resignation from Sister City Committee Member Carmen Hack. Mr. Kingseed moved that the resignation of Mrs. Hack be accepted with regret. Mr. Singer seconded the motion. The motion passed unanimously.

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Mr. Compton reported the issuance of the following Proclamations by Mayor Heintz during the past month:

- Proclamation designating April 30, 1993 as Prom Promise Day in the City of Centerville.
- Proclamation designating the week of May 10, 1993 as Small Business Week in Centerville.
- Proclamation designating May 10 - May 13, 1993 as Operation Clean Sweep in Centerville.
- Proclamation designating the week of May 24, 1993 as Buckle Up America Week in Centerville.

The Proclamation designating Small Business Week was read by Mr. Kingseed.

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

- A thank you letter has been received from the Americana Festival Committee for the City's contribution of \$8,000.00.
- The National Main Street Center will present a program on "The Main Street Approach" Tuesday, May 25, 1993 to begin at 8:00 P.M., at the Magsig Middle School, Main Auditorium.
- Mr. Jim Reppert has retired as the City's Director of Recreational Services. Mr. Horn thanked Mr. Reppert for his services to our Community.
- The Stormwater Drainage Task Force will meet on Wednesday, May 19, 1993 at 8:30 P.M. in the Law Library in the Centerville Municipal Building.

Mrs. Beals announced the nomination of Benham's Grove by the Montgomery County Historical Society in the Commercial Renovation Category and the Walton House in the Continuing Restoration Category.

ORDINANCE NUMBER 7-93 STATE ROUTE 725

The Public Hearing was held concerning Ordinance Number 7-93. Mr. Horn reviewed this proposed Ordinance which provides for cooperation between the City of Centerville and the Ohio Department of Transportation for the future improvement of State Route 725 (Alexandersville-Bellbrook Road) from Loop Road to Wilmington Pike in the City of Centerville. This project, as estimated by City Engineer Norbert Hoffman, is a seven to ten year undertaking. The City will be responsible for the engineering and some special right-of-way acquisitions. The project otherwise will be funded one hundred percent by the State of Ohio and the Federal Government. Mrs. Beals stressed the importance of moving ahead with this improvement as quickly as possible. Mrs. Beals sponsored Ordinance Number 7-93, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Hereinafter Described Improvement And To Request Cooperation By The Director Of Transportation, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

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ORDINANCE NUMBER 9-93 BUILDING REGULATIONS

The Public Hearing was held concerning Ordinance Number 9-93. Mr. Horn reviewed this proposed Ordinance which adds a prohibition clause to Section 150, Building Regulations, Subsection 150.99 of the Centerville Municipal Code. This clause was deleted when the Code was recodified in 1990. Mr. Singer sponsored Ordinance Number 9-93, An Ordinance Amending Section 150.99 Of The Centerville Municipal Code By The Addition Of A Prohibition Clause, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

Mr. Lee Althen, 325 Annette Drive, expressed his concern with the continuation of plans developed by Mr. Thomas Stolz for the Leonard E. Stubbs Memorial Park, specifically the wild flower areas. Mr. Horn advised that the City is moving forward with plans for the wild flower beds and will continue with other plans developed by Mr. Stolz as time permits. Mr. Singer and Mrs. Beals reinforced the City's intent to continue with plans developed by Mr. Stolz.

ORDINANCE NUMBER 11-93 WILMINGTON PIKE

Mr. Horn reviewed a proposed Ordinance to appropriate real property from Thomas and Richard Topp needed for right-of-way in the Wilmington Pike widening project. The City has not been able to negotiate a purchase price for this property with the Topps. Mr. Stone sponsored Ordinance Number 11-93, An Emergency Ordinance To Appropriate Certain Interests In Real Property For The Purpose Of Making Public Improvements, and moved that it be passed. Mrs. Beals seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 12-93 WILMINGTON PIKE

Mr. Singer moved that Ordinance Number 12-93, An Ordinance To Appropriate Certain Interests In Real Property For The Purpose Of Making Public Improvements, be set for Public Hearing on June 21, 1993. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 26-93 COMMUNITY BLOCK GRANT AGREEMENT

Mr. Horn reviewed a proposed Resolution authorizing the execution of a cooperation agreement with the Board of County Commissioners, Montgomery County for the purpose of applying for and receiving federal assistance for community development activities through the Community Development Act of 1974. Montgomery County has been designated by the United States Department of Housing and Urban Development as an "Urban County" for the purpose of applying for grants from the Community Development Block Grant Program. This designation entitles them to receive federal money on behalf of all Cities, Villages and Townships in Montgomery County. Mr. Stone sponsored Resolution

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Number 26-93, A Resolution Authorizing And Directing The City Manager To Enter Into A Cooperation Agreement Between The Board Of County Commissioners And The City Of Centerville To Receive Federal Assistance Through The Community Development Act Of 1974, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 27-93 MUNICIPAL CODE RECODIFICATION

Mr. Horn reviewed a proposed Resolution to provide for the recodification of the Centerville Municipal Code. Mr. Farquhar outlined for Council the process by which proposals were solicited for the recodification of Centerville's Municipal Code; backgrounds and services rendered other Municipalities were thoroughly checked by City Staff. Mr. Kingseed sponsored Resolution Number 27-93, A Resolution Authorizing And Directing The City Manager To Execute Agreements Between The City Of Centerville And The Justinian Publishing Company For The Recodification Of The Centerville Municipal Code, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 13-93 WILMINGTON PIKE

Mr. Horn reviewed a proposed Ordinance to accept the dedication of right-of-way from Society Bank, N.A.; property needed in the Wilmington Pike widening project. Mr. Singer moved that Ordinance Number 13-93, An Ordinance Accepting The Dedication Of Right Of Way From Society Bank N.A. In Connection With The Wilmington Pike Widening, be set for Public Hearing on June 21, 1993. Mrs. Beals seconded the motion. The motion passed by unanimous vote.

PERSONNEL APPEALS BOARD APPOINT TIMOTHY SHROYER

Mr. Compton advised that Timothy M. Shroyer has indicated an interest in serving as a member of the Personnel Appeals Board for the City of Centerville. Mr. Stone moved that Mr. Shroyer be appointed as a member of the Personnel Appeals Board for a term of three years. Mrs. Beals seconded the motion. The motion passed unanimously.

BOARD OF ARCHITECTURAL REVIEW REAPPOINT JIM ADAMS AND CHARLES GRAHAM

Mr. Compton advised that Jim Adams and Charles Graham are interested in continuing their service as members of the Board of Architectural Review. Mrs. Beals moved that Mr. Adams and Mr. Graham be reappointed as members of the Board of Architectural Review. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

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SISTER CITY COMMITTEE REAPPOINT MARGARET TUTTLE AND JOANNA CLAY

Mr. Compton advised that Margaret Tuttle and Joanna Clay have indicated their interest to continue as members of the Sister City Committee. Mrs. Beals moved that Mrs. Tuttle and Mrs. Clay be appointed to an additional term as members of the Sister City Committee. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 28-93 CONCRETE ROAD IMPROVEMENT PROJECT

Mr. Horn reviewed the following bids received for the 1993 Road Improvement Project Concrete Curb and Storm Sewer Repair in the City of Centerville:

R. A. Miller Construction Company	\$214,260.00
TdM Construction Company	222,295.00
R. B. Jergens Contractor	242,098.49

This project includes curb repair, catch basin repair, storm sewer repair and underdrain installation on various streets. Mr. Horn recommended acceptance of the low and best bid submitted by the R. A. Miller Construction Company, and that he be authorized to expend up to \$30,000.00 in excess of the bid price for additional work in the Architectural Preservation District. Upon suggestion of Mr. Singer, Mr. Horn will prepare a report later in the year itemizing drainage improvements made under this contract. Mr. Stone sponsored Resolution Number 28-93, A Resolution Accepting The Bid Of The R. A. Miller Construction Company For The 1993 Road Improvement Project Concrete Curb And Storm Sewer Repair In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 14-93 YANKEE TRACE GOLF COURSE BONDS

Mr. Horn reviewed a proposed Ordinance to amend Ordinance Number 10-93 to change certain optional call provisions with respect to the Bonds for the Yankee Trace Golf Course. BankOne Capital Corp did the negotiations on the issuance of these Bonds. Bond Counsel and the underwriter have recommended minor changes to the Redemption Dates and Redemption Prices contained in Ordinance Number 10-93. Mrs. Beals sponsored Ordinance Number 14-93, An Ordinance To Amend Section 6 Of Ordinance No. 10-93, Passed May 3, 1993, To Change Certain Optional Call Provisions With Respect To The Bonds For Golf Course Recreational Purposes Authorized By That Ordinance, And Declaring An Emergency, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

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There being no further business, the Meeting was adjourned.

Approved: Shirley F. Herzig
Mayor

ATTEST: Maureen S. Sauer
Clerk of Council