

# RECORD OF PROCEEDINGS

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Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held January 18, 19 93

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, January 18, 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 led by Boy Scout Troops 116 and 516; with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Brooks Compton  
Councilmembers C. Mark Kingseed  
J. V. Stone  
Mark Beasley  
Sally Beals  
James Singer

Clerk of Council Marilyn McLaughlin  
City Manager Gregory Horn  
City Planner Alan Schwab  
Director of Finance William Bettcher  
Municipal Attorney Robert Farquhar  
Assistant City Manager Michael Haverland  
Director of Recreational Services James Reppert  
Administrator Assistant to the City Manager Judith Gilleland

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

Council Meetings - December 21, 1992.  
- January 11, 1993.

Council Work Session Meetings - December 21, 1992.  
- November 28, 1992.  
- January 4, 1993.  
- January 11, 1993.

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.

Mrs. McLaughlin announced the receipt of a letter of resignation from City Beautiful Commission member Gregory J. Ross. Mr. Compton moved that the resignation of Gregory J. Ross as a member of the City Beautiful Commission be accepted with regret. Mr. Beasley seconded the motion. The motion passed unanimously.

Mayor Heintz, recognizing Boy Scout Troop 116 and their 50th anniversary, presented to them a Proclamation read by Mr. Compton proclaiming February 1-7, 1993 as Boy Scout Troop 116 Week in Centerville.

Mayor Heintz announced the issuance of the following Proclamations:

Boy Scout Month in Centerville - February, 1993.  
American History Month - February, 1993.



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Mayor Heintz issued her State of the City Address outlining accomplishments in 1992 and capital improvements projected for 1993.

Mr. Horn thanked Mayor Heintz and City Council for their participation in a retreat during the weekend of January 15-16, 1993, for the purpose of setting goals and visions for the City of Centerville for the next one to five years.

Mr. Horn announced the receipt of correspondence from Centerville Historical Society and Commission requesting a Work Session Meeting with City Council to discuss common concerns.

#### ORDINANCE NUMBER 4-93 FRISCH'S REZONING

Mr. Schwab briefly reviewed the Planning Commission Meeting held January 12, 1993. The Commission recommended approval of a Rezoning Request submitted by Barbara Scott/Jack Merkle, Frisch's Restaurants, Inc., for property located on the east side of South Main Street opposite Sheehan Road and across from Centerville Place Shopping Center. Mr. Beasley moved that Ordinance Number 4-93, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 1.910 Acres More Or Less, From Washington Township Special Use Classification To Centerville B-1 District Classification, be set for Public Hearing on March 1, 1993. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

#### ORDINANCE NUMBER 15-92 1992 APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 15-92. Mr. Horn reviewed Ordinance Number 15-92 to adjust expenditures during 1992 to coincide with appropriations, with grand total appropriations being \$20,374,500.00. Mr. Singer sponsored Ordinance Number 15-92, An Ordinance To Repeal Ordinance 26-91 In Its Entirety And To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1992, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

#### ORDINANCE NUMBER 17-92 1993 APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 17-92. Mr. Horn presented the City's budget message to Members of Council and residents of the City of Centerville. He outlined some of the capital programs included in this budget for 1993. He explained how the property tax dollar is split among all units of government and how the City's share is split among departmental services. Mr. Horn outlined capital improvement expenditures for 1993 totalling \$15,420,287.00.



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Mrs. Barbara Cervay, 1470 Ambridge Road, asked for a more aggressive approach to correcting drainage problems in 1993. Mayor Heintz assured Mrs. Cervay that the City will move forward with drainage projects as time and availability permits depending upon coordination between the City, other entities and City Staff. Mr. Horn advised that outside consultants will be utilized to assist the City in addressing drainage problems in 1993.

Mr. Singer verified the fact that all changes as requested by Council during Budget Sessions have been made to the final document.

Mr. Singer sponsored Ordinance Number 17-92, An Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1993, and moved that it be passed. Mr. Compton seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### ORDINANCE NUMBER 19-92 PERSONNEL

The Public Hearing was held concerning Ordinance Number 19-92. Mr. Horn reviewed this proposed Ordinance to establish class titles, pay grades, rates of pay and regulations for employees of the City of Centerville. The Ordinance includes a pay increase of 3.9 percent across the board. Mr. Horn outlined changes which have been made to benefits for part time employees. New positions have been added for the operation of the Yankee Trace Golf Course. Mr. Horn recommended that the pay grade for Master Mechanic in the Ordinance be changed from 45 to 41; this position is vacant at this time, grade 41 is more in line with the duties of said position. Mr. Compton moved that proposed Ordinance Number 19-92 be amended to change the pay grade for Master Mechanic from 45 to 41. Mr. Beasley seconded the motion. The motion passed unanimously. Mr. Beasley sponsored Ordinance Number 19-92, An Ordinance To Repeal Ordinances Number 28-91 And Number 8-92 In Their Entirety, 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 as amended. Mr. Compton seconded the motion. The motion passed by unanimous vote.

#### ORDINANCE NUMBER 2-93 CLYO ROAD EXTENSION

Mr. Horn reviewed a proposed Ordinance determining to proceed with the extension of Clyo Road from Bigger Road to Wilmington Pike and providing for the taking of bids for said construction. This Ordinance excludes one small section which will be put in place by a private developer. It is the City's intent to go to bid this spring, with construction beginning during the current construction season. Costs for said improvement have been incorporated in the City's 1993 budget. Mr. Stone sponsored Ordinance Number 2-93, An Ordinance Determining To Proceed With The Improvement Of Real Estate Owned By And Within The Corporate Limits Of The City Of Centerville,



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Ohio, For The Purpose Of Extending Clys Road, Such Real Estate Being Situated East Of And Bounded By Bigger Road At The Terminus Of Clys Road And Extending In An Easterly Direction To A Point Approximately 1,589.75 Feet And Also Situated West Of And Bounded By Wilmington Pike At The Terminus Of Clys Road And Extending In A Westerly Direction To A Point Approximately 2,493.59 Feet, Such Improvements To Include Grading, Curbing, Paving, Sidewalks, Stormwater Drainage System, Sanitary Sewer System, Water Mains, Traffic Control, Landscaping, And Other Facilities And Appurtenances That Are Necessary And Proper Therefor, And Providing For The Taking Of Bids For Such Improvement, And Declaring An Emergency, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 3-93 CLYO ROAD EXTENSION

Mr. Beasley moved that Ordinance Number 3-93, An Ordinance Determining To Proceed With The Improvement Of Real Estate Owned By And Within The Corporate Limits Of The City Of Centerville, Ohio, For The Purpose Of Extending Clys Road, Such Real Estate Being Situated East Of And Bounded By Bigger Road At The Terminus Of Clys Road And Extending In An Easterly Direction To A Point Approximately 1,589.75 Feet And Also Situated West Of And Bounded By Wilmington Pike At The Terminus Of Clys Road And Extending In A Westerly Direction To A Point Approximately 2,493.59 Feet, Such Improvements To Include Grading, Curbing, Paving, Sidewalks, Stormwater Drainage System, Sanitary Sewer System, Water Mains, Traffic Control, Landscaping, And Other Facilities And Appurtenances That Are Necessary And Proper Therefor, And Providing For The Taking Of Bids For Such Improvement, be set for Public Hearing on February 15, 1993. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

## RESOLUTION NUMBER 1-93 GAAP CONVERSION SERVICES

Mr. Bettcher explained a proposed Statement of Agreement with Clark, Schaefer, Hackett and Company to provide GAAP conversion services to the City of Centerville for a period of three years. The Ohio State Auditor's Office requires that, once revenues exceed \$8,000,000.00, financial reports be prepared according to generally accepted accounting principles. Mr. Bettcher clarified the fact that this is an end of the year conversion. Upon question of Mr. Beasley, Mr. Bettcher advised that this conversion is not performed by City Staff due to lack of time and personnel which would be required. Mrs. Beals sponsored Resolution Number 1-93, A Resolution Authorizing And Directing The City Manager To Sign A Statement Of Agreement With Clark, Schaefer, Hackett And Company For Annual GAAP Conversion Services For A Period Of Three Years, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.



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## RESOLUTION NUMBER 2-93 YANKEE TRACE GOLF COURSE/DP&amp;L LINES

Mr. Horn reviewed two Agreements with the Dayton Power and Light Company for the relocation of electric facilities which cross and/or are adjacent to the Yankee Trace Golf Course. The poles containing electric transmission lines which extend east and west across the golf course will be extended ninety plus feet in height and the number will be reduced by approximately fifty percent; the cost of this improvement not to exceed \$77,000.00. The electric distribution lines which extend north and south along the golf course will be relocated along the west side of Yankee Street, thus creating a cleaner, safer situation and enhancing the view of the golf course; the cost of this improvement not to exceed \$22,000.00. Mr. Horn pointed out the fact that these two costs combined do not exceed that which was budgeted for this project for 1993.

Mr. Patrick O'Loughlin, representing the Dayton Power and Light Company, identified these relocations as having a balance between meeting City needs while continuing services to the residents. Relocations will be coordinated with the construction of the golf course.

Mr. Kingseed sponsored Resolution Number 2-93, A Resolution Authorizing And Directing The City Manager To Enter Into Agreements With The Dayton Power And Light Company For The Relocation Of Electric Facilities Through The Yankee Trace Golf Course, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

## RESOLUTION NUMBER 3-93 POLICE EQUIPMENT

Mr. Horn reviewed a proposed Resolution authorizing the allocation of monies from the Law Enforcement Trust Fund to the Police department for the purchase of capital equipment to equip a section of the Centerville Police Department. The Law Enforcement Trust Fund is an accumulation of funds resulting from the sale of confiscated articles and carries certain guidelines for which it made be used. Furniture and other equipment is needed in the Community Room area of the Centerville Municipal Building which has now been converted to police facilities. State law provides that monies in the Law Enforcement Trust Fund may be used for this purpose. Mr. Compton sponsored Resolution Number 3-93, A Resolution Authorizing And Directing The Allocation Of An Amount Not To Exceed Nine Thousand Nine Hundred Ninety Dollars From The Law Enforcement Trust Fund To The Police Department Of The City Of Centerville For The Purchase Of Capital Equipment By Said Department For Police Purposes As Set Forth In Section 2933.43 Ohio Revised Code, and moved that it be passed. Mrs. Beals seconded the motion. The motion passed unanimously.

INLAND MORTGAGE AND GUARANTY COMPANY, INC.  
INTERNATIONAL BASIC RESOURCES, INC. EXTENSION OF P.U.D.

Mr. Schwab reviewed a request submitted to City Council by Inland Mortgage and Guaranty Company, Inc. and International



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Basic Resources, Inc., for the extension of their Major Use Special Approval for property located at the north east corner of Alexandersville-Bellbrook Road and Loop Road. This PUD was approved in November, 1990 and expired after a two year period. Due to the fact that nothing has changed concerning this property over the past two years, Mr. Schwab recommended granting the requested extension for an additional year. Upon question of Mr. Beasley, Mr. Schwab advised that this extension would continue until November of this year. Mr. Kingseed moved that the Major Use Special Approval granted November, 1990 for Inland Mortgage and Guaranty Company, Inc. and International Basic Resources, Inc. be extended as requested for one additional year. Mrs. Beals seconded the motion. The motion passed with six ayes in favor of the motion, Mr. Singer voted no.

#### CENTERVILLE PROPERTY REVIEW COMMISSION REAPPOINT WASSON AS MEMBER AND CHAIRMAN

Mayor Heintz advised that the term of James Wasson as a member of the Centerville Property Review Commission and as its Chairman will soon expire. Mr. Wasson is interested in continuing his service in said capacities. Mr. Stone moved that James Wasson be reappointed as a member of the Centerville Property Review Commission for an additional term of office and as the Commission Chairman for one additional year. Mr. Kingseed seconded the motion. The motion passed unanimously.

#### SISTER CITY COMMITTEE REAPPOINT SPOOR AND SORRELS

Mayor Heintz advised that John Spoor and Daniel Sorrels are interested in continuing their service as members of the Sister City Committee; their term will soon expire. Mrs. Beals moved that John Spoor and Daniel Sorrels be reappointed as members of the Sister City Committee. Mr. Kingseed seconded the motion. The motion passed by unanimous vote. Mayor Heintz brought attention to the trip to Sister City Bad Zwischenahn being planned June of this year. Mrs. Beals also brought attention to a trip to Waterloo being planned during August of this year.

There being no further business, the meeting was adjourned.

Approved:   
Mayor

ATTEST:

  
Clerk of Council