

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

Held January 21, 19 91

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, January 21, 1991 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Preston Dawes City Chaplain, and the Pledge of Allegiance to the Flag led by Webelos, Den 1, Pack 116, with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Brooks Compton

Councilmembers Sally Beals

C. Mark Kingseed

Mark Beasley

J. V. Stone

James Singer

Clerk of Council Marilyn McLaughlin

City Manager Darryl Kenning

Assistant City Manager Michael Haverland

Assistant to the City Manager Judith Gilleland

City Planner Alan Schwab

Director of Finance William Bettcher

Municipal Attorney Robert Farquhar

Mayor Heintz introduced members of the Webelos, Den 1, Pack 116 in attendance at this Meeting.

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

Council Meeting - December 17, 1990.

Council Work Session Meetings - December 17, 1990.

December 27, 1990.

January 7, 1991.

January 14, 1991.

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.

Mayor Heintz administered the Oath of Office to Board of Architectural Review Member Patrick A. Hansford.

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

Proclamation designating January 5, 1991 as The Church of The Incarnation Anniversary Day in Centerville.

Certificate Of Appreciation to Cor Wilson, Past Executive Director of the Miami Valley Cable Council.

Certificate Of Congratulations to Ronald L. Thompson, President of the Ohio School Boards Association.

Proclamation designating January 30, 1991 as Catholic Schools Appreciation Day in Centerville.

Certificate of Appreciation to men and women serving in the Armed Forces during the Persian Gulf crisis.

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Mr. Stone read the Certificate of Appreciation issued for the Armed Forces called to active duty.

Mayor Heintz gave her State of the City Address detailing activities during 1990 and projections for 1991.

SOUTH METRO INDUSTRIAL PARK SECTION ONE RECORD PLAN

Mr. Kenning reported on the Planning Commission Meeting held January 8, 1991. Mr. Schwab reviewed the Record Plan for South Metro Industrial Park, the proposed development of approximately 12.732 acres of land into 3 lots situated east of Bigger Road, north of Thomas Paine Parkway and south of I-675. The plan includes a public roadway north and east off Thomas Paine Parkway with the construction of sidewalk on both sides of the street. This roadway will eventually tie into either the extension of Clio Road or Wilmington Pike. Mr. Schwab located the subject property on a map and defined adjacent land uses and zone classifications. This is one section of an overall 33.4 acre development approved as a Major Use Special Approval Application several months previous. The zoning of the property is I-PD, Industrial Planned Development. Stormwater runoff will be controlled by the construction of two detention basins with this first phase of development. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council subject to the following conditions:

1. The street name South Metro Parkway shall be changed to replace the designation of "Parkway" with another designation.
2. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer in accordance with the approved Major Use Plan.
3. In lieu of completion of the required improvements prior to recording of the plat, a Performance Bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville.
4. A temporary turnaround shall be constructed at the terminus of South Metro Parkway. The design shall be subject to approval by the Engineering Department. The turnaround shall be removed when South Metro Parkway is extended.
5. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.

Mr. Schwab reviewed the favorable recommendation by the City Engineer for the approval of this Record Plan subject to the following:

1. Acceptable Subdivider's Agreement.
2. A Performance Bond to cover the public improvements (pavement, curbs, storm sewers, sidewalks, etc.) in the amount of \$238,000, of which \$31,000 is for sidewalks (if a separate sidewalk bond is not posted).

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3. Inspection Fee in the amount of \$650.00.

A one year Maintenance Bond will be required when the public improvements are completed and the Performance Bond release is requested. The amount of the Maintenance Bond will be determined at that time.

Mr. Dick Witt, Vice President of Woodley Development Company, explained their intent for entry into the development off Wilmington Pike or Clys Road, not off Thomas Paine Parkway. Development should take place during the spring of this year.

Mrs. Beals moved that the Record Plan for South Metro Industrial Park, Section One, be approved as recommended by the Planning Commission and the City Engineer subject to all recommended conditions. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 1-91 ZONING ORDINANCE AMENDMENT TEXT NON-CONFORMING SIGNS

Mr. Schwab advised that the Planning Commission, by unanimous vote, recommended approval of Ordinance Number 1-91, An Ordinance Amending Ordinance Number 11-86, The Zoning Ordinance Of Centerville, Ohio, Enacting Revised Regulations For Non-Conforming Signs, In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code. Mr. Compton moved that Ordinance Number 1-91, An Ordinance Amending Ordinance Number 11-86, The Zoning Ordinance Of Centerville, Ohio, Enacting Revised Regulations For Non-Conforming Signs, In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be set for Public Hearing on March 18, 1991. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 21-90 APPROPRIATIONS 1990

The Public Hearing was held concerning Ordinance Number 21-90. Mr. Kenning reviewed this proposed Ordinance more particularly referred to as the clean-up Ordinance for 1990. It projects total expenditures in various funds adjusting the City's financial plan for year end. The grand total expenditures being less than \$19,123,525.00. Mr. Stone sponsored Ordinance Number 21-90, An Ordinance To Repeal Ordinance 25-89 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, 1990, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 23-90 APPROPRIATIONS 1991

The Public Hearing was held concerning Ordinance Number 23-91. Mr. Kenning reviewed the Budget for the City of Centerville,

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the financial plan for 1991. He gave a complete overview of projected net income and expenditures for the coming year. He identified the Budget as an ambitious plan which reflects many hours of consideration and planning by City Council.

Mr. Singer, speaking as Chairman of the Council Finance and Long-Range Planning Committee, outlined the process by which this Budget has been developed for the City of Centerville.

Mr. Compton brought attention to the fact that real estate taxes collected for the City of Centerville have decreased while the level of services has improved over the past several years.

Mrs. Beals pointed out the fact that Centerville's Income Tax is an earnings tax, it is not levied upon investment or retirement income.

Mr. Compton sponsored Ordinance Number 23-90, 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, 1991, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 25-90 PERSONNEL

The Public Hearing was held concerning Ordinance Number 25-90. Mr. Kenning reviewed this proposed Ordinance which establishes pay grades and benefits for employees of the City of Centerville. Mrs. Beals sponsored Ordinance Number 25-90, An Ordinance To Repeal Ordinance Number 27-89 In Its 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. Mr. Compton seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mr. Stone voted no.

ORDINANCE NUMBER 26-90 WASTE COLLECTION

The Public Hearing was held concerning Ordinance Number 26-90. Mr. Kenning reviewed this proposed Ordinance which raises the fee for commercial/industrial service from \$4.00 to \$5.00 per cubic yard and updates residential service from \$9.00 to \$12.50 beginning March 1, 1991. The proposed Ordinance also provides that commercial/industrial service be periodically adjusted to reflect any fees charged by Montgomery County for a disposal of refuse, and that this adjustment be made upon approval by City Council. An increase in the tipping fee charged by Montgomery County has made this service fee increase necessary. Mr. Stone sponsored Ordinance Number 26-90, An Ordinance Amending Chapter 50: Garbage And Refuse, Section 50.06: Fees, Of The Municipal Code For The City Of Centerville, Ohio, and moved that it be passed. Mrs. Beals seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mrs. Beals encouraged the listening audience to continue recycling; the difference of disposing of recycables and the tipping fee for the disposal of refuse is significant.

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ORDINANCE NUMBER 17-90 MUNICIPAL CODE

Mayor Heintz advised that Ordinance Number 17-90 was tabled during the December 17, 1990 Council Meeting. Mr. Compton moved that this Ordinance be removed from the table. Mr. Stone seconded the motion. The motion passed by unanimous vote.

Mrs. McLaughlin explained the process by which the Municipal Code has been updated and is now ready for adoption. Mr. Stone sponsored Ordinance Number 17-90, An Ordinance Enacting A Revised Code Of General Ordinances For The City Of Centerville, Ohio, Recodifying, Renumbering, Revising And Rearranging Sections Of The Municipal Code And Other Existing Ordinances Of The City, Adding New Matter And Repealing Various Ordinances, and moved that it be passed. Mrs. Beals seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 1-91 JUVENILE COURT

Mayor Heintz advised that a proposed Agreement has been prepared between the City of Centerville and Washington Township for the establishment of a Satellite Juvenile Court to serve our community. Mr. Singer sponsored Resolution Number 1-91, A Resolution Authorizing And Directing The City Manager To Execute An Agreement Between Washington Township And The City Of Centerville For The Establishment Of A Joint Satellite Juvenile Court, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 2-91 MEMBERSHIP IN CHAMBER OF COMMERCE

Mr. Kenning reviewed a proposed Resolution to provide for the payment of a membership fee of \$150.00 to the South Metro Chamber of Commerce. This membership payment will entitle the City of Centerville six to twenty-five memberships for Centerville Officials and employees of the City of Centerville. Mr. Compton sponsored Resolution Number 2-91, A Resolution Authorizing The Payment For Six To Twenty-Five Memberships In The South Metro Area Chamber Of Commerce For Officials And Employees Of The City Of Centerville, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mr. Beasley voted no.

RHOADS CENTER PERFORMANCE BOND RELEASE

Mr. Kenning outlined a recommendation made by City Engineer Norbert Hoffman that the Performance Bond posted on Rhoads Center in the amount of \$15,000 be released subject to the receipt of a Maintenance Bond of \$2,000 for the duration of one year. All public improvements have been completed, and release has been requested by the developer. Mr. Compton moved that the Performance Bond posted on Rhoads Center be released as recommended by the City Engineer. Mr. Kingseed seconded the motion. The motion passed unanimously.

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BOARD OF ARCHITECTURAL REVIEW MARTHA SHELEY

Mayor Heintz advised that Martha A. Sheley has submitted an Application for appointment to the Board of Architectural Review. Mrs. Beals moved that Martha A. Sheley be appointed as a Member of the Board of Architectural Review to fill the unexpired term of B. Scott Feldmaier. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

CITY BEAUTIFUL COMMISSION ROBERT BATTAGLIA GREGORY ROSS

Mayor Heintz advised that Robert Battaglia and Gregory J. Ross have shown an interest in being appointed as City Beautiful Commission Members. Mr. Beasley moved that Robert Battaglia and Gregory J. Ross be appointed as Members of the City Beautiful Commission. Mrs. Beals seconded the motion. The motion passed unanimously.

CENTERVILLE PROPERTY REVIEW COMMISSION CHAIRMAN JAMES WASSON

Mayor Heintz advised that Mr. John Lohbeck has served as Chairman of the Property Review Commission since its origin and has done a fine job; James Wasson has also been on the Commission since its beginning. Mr. Singer moved that James W. Wasson be appointed as Chairman of the Centerville Property Review Commission for the coming year. Mr. Kingseed seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 2-91 PERSONNEL

Mr. Kenning reviewed a proposed Ordinance to amend the Personnel Ordinance to provide for the payment of a salary differential and normal accrual of benefits for employees that are called to active duty during the Persian Gulf crisis. Mr. Compton sponsored Ordinance Number 2-91, An Emergency Ordinance Amending Ordinance 24-90 And providing For The Payment Of A Salary Differential To Employees Of The City Who Are Called To Active Duty During The Persian Gulf Crisis And Providing For The Normal Accrual Of Benefits, and moved that it be passed. Mr. Kingseed seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 3-91 PERSONNEL

Mr. Singer moved that Ordinance Number 3-91, An Ordinance Amending Ordinance 24-90 And providing For The Payment Of A Salary Differential To Employees Of The City Who Are Called To Active Duty During The Persian Gulf Crisis And Providing For The Normal Accrual Of Benefits, be set for Public Hearing on February 18, 1991. Mrs. Beals seconded the motion. The motion passed by unanimous vote.

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Mr. Singer encouraged citizens of Centerville to notify the City of residents, previous residents and relatives currently serving in the Persian Gulf crisis.

There being no further business, the Meeting was adjourned.

Approved: 
Mayor

Attest:


Clerk of Council