

# RECORD OF PROCEEDINGS

357

Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO. 10144

Held July 15

19 91

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, July 15, 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, with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Brooks Compton  
 Councilmembers Sally Beals  
                           C. Mark Kingseed  
                           J. V. Stone  
                           James Singer  
                           Mark Beasley  
 Clerk of Council Marilyn McLaughlin  
 City Manager Darryl Kenning  
 Assistant City Manager Michael Haverland  
 City Planner Alan Schwab  
 Municipal Attorney Robert Farquhar

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

- Council Meeting - June 17, 1991.
- Council Work Session Meetings - June 17, 1991.
- June 24, 1991.
- July 1, 1991.
- July 8, 1991.

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.

Mayor Heintz announced the issuance of a Proclamation designating July 30, 1991 as Soaring Sounds Drum Corps International Day in the City of Centerville.

Mayor Heintz introduced Cathy Jefferson, a resident of the City of Centerville and City of Dayton Women's Amateur Golf Champion. Mr. Compton read a Certificate of Congratulations issued by Mayor Heintz and presented to Mrs. Jefferson on behalf of City Council and all residents in recognition of this achievement the third straight year.

Mayor Heintz announced the receipt of a letter of congratulations to the City of Centerville from the Ohio Senate upon Centerville being designated as "Tree City USA". Mr. Beasley read the Certificate of Special Recognition. Mayor Heintz thanked the members of the City Beautiful Commission for their assistance in this project.

Mayor Heintz expressed appreciation to everyone involved in the Americana Festival held in Centerville on July 4, 1991.

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Mayor Heintz stated her pleasure with the dedication of the Amphitheater in the Leonard E. Stubbs Memorial Park on Sunday, July 7, 1991. Continuing concerts have been coordinated by the Centerville Arts Commission.

Mayor Heintz reminded the listening audience of the trip being planned by the Sister City Committee to Waterloo, Ontario Canada August 15 -18, 1991.

Mr. Kenning expressed appreciation to all volunteers involved in the dedication ceremony of the Amphitheater and reviewed the concert schedule for the present year.

### ORDINANCE NUMBER 10-91 PERS PICK-UP

Mr. Kenning reviewed a proposed Ordinance to pick up PERS for certain regular part-time employees of the City of Centerville. A recently passed State Law requires that all public employees be enrolled in the Public Employees Retirement System. This Ordinance allows the City to pick up PERS for regular part-time employees hired prior to June 30, 1991 not currently enrolled in the system. Mr. Singer sponsored Ordinance Number 10-91, An Emergency Ordinance Limiting The City's PERS "Pick Up" To Only Full Time Employees And Certain Regular Part-Time Employees, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

### ORDINANCE NUMBER 11-91 PERS PICK-UP

Mr. Singer moved that Ordinance Number 11-91, An Ordinance Limiting The City's PERS "Pick Up" To Only Full Time Employees And Certain Regular Part-Time Employees, be set for Public Hearing on August 19, 1991. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

### RESOLUTION NUMBER 20-91, RESOLUTION NUMBER 21-91, RESOLUTION NUMBER 22-91, RESOLUTION NUMBER 23-91, RESOLUTION NUMBER 24-91, RESOLUTION NUMBER 25-91 PUBLIC DEPOSITORIES

Mr. Kenning reviewed proposed Resolutions to provide for the deposit of public funds in various financial institutions. State Law requires that applications for depository of public funds be accepted and approved every two years. Mr. Kenning listed the following banks as interested depositories for the City of Centerville: First National Bank, Dayton; The Fifth Third Bank of Cincinnati; The Central Trust Company, N.A. of Cincinnati; Society Bank, National Association, Dayton; Bank One, Dayton, NA; and Star Bank, NA, Dayton. Mrs. Beals sponsored the following Resolutions and moved that they be passed:

RESOLUTION NUMBER 20-91, A Resolution Designating A Public Depository And Awarding Public Monies. (First National Bank, Dayton)

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RESOLUTION NUMBER 21-91, A Resolution Designating A Public Depository And Awarding Public Monies. (The Fifth Third Bank of Cincinnati)

RESOLUTION NUMBER 22-91, A Resolution Designating A Public Depository And Awarding Public Monies. (The Central Trust Company, N.A. of Cincinnati)

RESOLUTION NUMBER 23-91, A Resolution Designating A Public Depository And Awarding Public Monies. (Society Bank, National Association, Dayton)

RESOLUTION NUMBER 24-91, A Resolution Designating A Public Depository And Awarding Public Monies. (Bank One, Dayton, NA)

RESOLUTION NUMBER 25-91, A Resolution Designating A Public Depository And Awarding Public Monies. (Star Bank, NA, Dayton)  
Mr. Stone seconded the motion. The motion passed unanimously.

### RESOLUTION NUMBER 26-91 WHIPP ROAD

Mr. Kenning reviewed proposed Resolutions of intent to appropriate easements necessary for the Whipp Road Improvement Project. This project extends from State Route 48 east to the Kettering Corporation Line. Negotiations continue with the property owners to reach a settlement for property and easements necessary for this improvement. Mr. Farquhar identified this as the first step in the overall process. Mr. Kingseed sponsored Resolution Number 26-91, A Resolution Of Intent To Appropriate Certain Easements For The East Whipp Road Project From Angus C. And Barbara A. Kiser Et Al Parcel 17, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by a 6 to 0 vote with Mr. Singer abstaining.

### RESOLUTION NUMBER 27-91 WHIPP ROAD

Mr. Stone sponsored Resolution Number 27-91, A Resolution Of Intent To Appropriate Certain Easements For The East Whipp Road Project From Robert Schaeffer Hayes Et Al Parcel 24, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

### RESOLUTION NUMBER 28-91 WHIPP ROAD

Mrs. Beals sponsored Resolution Number 28-91, A Resolution Of Intent To Appropriate Certain Easements For The East Whipp Road Project From Village South Development Company Parcel 19, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

### RESOLUTION NUMBER 29-91 WHIPP ROAD

Mr. Kingseed sponsored Resolution Number 29-91, A Resolution Of Intent To Appropriate Certain Easements For The East Whipp Road Project From The Siebenthaler Company Et Al Parcel 13, and moved that it be passed. Mr. Stone seconded the motion. The motion passed by unanimous vote.

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## CHELTENHAM SECTIONS ONE, TWO, THREE, FOUR, FIVE

Mr. Kenning reviewed the recommendation of City Engineer Norbert Hoffman that Performance Bonds be reduced on the following Sections of Cheltenham subdivision. The final course of asphalt has been put in place on Sections One, Two, Three, Four and Five; regular inspections assure construction meets Centerville specifications.

Section One from \$65,000 to \$7,400

Section Two from \$289,000 to \$23,400

Section Three from \$127,000 to \$8,600

Section Four from \$197,000 to \$19,800

Section Five from \$132,000 to \$8,000

Mr. Beasley moved that the Performance Bonds posted on Cheltenham, Sections One, Two, Three, Four and Five, be reduced as recommended by the City Engineer. Mrs. Beals seconded the motion. The motion passed unanimously.

## CENTERVILLE ARTS COMMISSION

Mayor Heintz advised that the one year term of Betty Lou Tawnley as a member of the Centerville Arts Commission will soon expire. Mrs. Tawnley is interested in serving an additional term in said capacity. Mr. Kingseed moved that Betty Lou Tawnley be reappointed as a member of the Centerville Arts Commission. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

## CENTERVILLE ARTS COMMISSION

Mayor Heintz explained Council's intent to rotate Chairmanships on Boards and Commissions from time to time, year to year. She recognized the excellent leadership of Barbara Hilgeman as Chairman of the Centerville Arts Commission during the past year. Margaret (Peggy) Redman has indicated an interest in assuming the Chair position for the coming year. Mrs. Beals moved that Margaret (Peggy) Redman be appointed Chairman of the Centerville Arts Commission for a period of one year. Mr. Compton seconded the motion. The motion passed unanimously.

## CITY PLANNING COMMISSION

Mayor Heintz advised that the terms of Arthur Foland and Stanley Swartz will soon expire as members of the City Planning Commission. Mr. Singer, recognizing their outstanding work, moved to reappoint Arthur Foland and Stanley Swartz as members of the City Planning Commission for additional four year terms. Mrs. Beals seconded the motion. The motion passed by unanimous vote of City Council.

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CITY PLANNING COMMISSION

Mr. Stone moved that Robert Hosfeld be reappointed as Chairman of the City Planning Commission for an additional period of one year. Mr. Singer seconded the motion. The motion passed unanimously.

There being no further business, the Meeting was adjourned.

Approved:

*Shirley F. Huntz*  
Mayor

Attest:

*Maureen J. Laughlin*  
Clerk of Council