

RECORD OF PROCEEDINGS

394

Minutes of

REGULAR COUNCIL

Meeting

Held December 23,

19 91

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, December 23, 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 C. Mark Kingseed
J. V. Stone
James Singer
Mark Beasley
Sally Beals

Clerk of Council Marilyn McLaughlin
Assistant City Manager Michael Haverland
Assistant to the City Manager Judith Gilleland
Municipal Attorney Robert Farquhar

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

Council Meeting - November 18, 1991.
Council Work Session Meetings - November 18, 1991.
- December 2, 1991.
- December 9, 1991.

Mr. Compton moved that the Minutes of the foregoing Meetings be approved as distributed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote; however, Mr. Singer and Mr. Beasley abstained from the Minutes of the December 9, 1991 Council Work Session Meeting.

Mayor Heintz administered the Oath of Office to City Beautiful Commission member Dotty Brown.

The Oath of Office was also administered to Sister City Committee member Robert Sattem by Mayor Heintz.

Mayor Heintz thanked all involved in the Christmas Walk held in the center of Centerville on Sunday, December 8, 1991 and to all those responsible for the decorations put in place throughout Centerville for the Holiday Season. She expressed gratitude to the City Beautiful Commission for decorating the various gazebos throughout town and the Centerville Municipal Building.

Mayor Heintz, Mrs. Beals and Mr. Stone briefly reviewed the National League of Cities Conference they recently attended in Las Vegas, Nevada.

Mrs. Beals outlined progress being made with the Gerber House and Benham's Grove: brick and stone work continues on the grounds. She encouraged the purchase of commemorative bricks to be placed in a walkway in Benham's Grove.

RECORD OF PROCEEDINGS

395

Minutes of

Meeting

DAYTON LEGAL BLANK CO. 10144

Held December 23, 1991 continued

19

Mayor Heintz announced the issuance of a Proclamation designating December 15, 1991 as "Human Rights Day" in the City of Centerville.

Mr. Haverland reminded the listening audience to register with the Centerville Police Department for a vacation house check if they will be away from their Centerville residence during the Holiday Season.

On behalf of the Centerville City Staff, Mr. Haverland wished all a Merry Christmas and a good 1992.

ORDINANCE NUMBER 23-91 YEAR END APPROPRIATIONS

Mr. Haverland reviewed a proposed Ordinance to reappropriate funds to and from various funds for the year 1991; total expenditures estimated to be \$20,220,105.00. Mr. Singer sponsored Ordinance Number 23-91, An Emergency Ordinance To Repeal Ordinance 23-90 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, 1991, 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 24-91 YEAR END APPROPRIATIONS

Mr. Singer moved that Ordinance Number 24-91, An Ordinance To Repeal Ordinance 23-90 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, 1991, be set for Public Hearing on January 20, 1992. Mr. Kingseed seconded the motion. The motion passed unanimously.

CAPITAL IMPROVEMENT PROGRAM 1992-1996

Mr. Haverland reviewed the proposed Capital Improvement Program for the City of Centerville over the next five years. This is a flexible plan which sets priorities for capital projects. It serves as a plan of action for 1992 and anticipates expenditures of almost 6.5 million dollars for capital programs. Mr. Singer, speaking as Chairman of the Council Finance Committee, expressed his support for the adoption of this Capital Program. Mrs. Beals moved that the Capital Improvement Program 1992-1996 for the City of Centerville be approved as presented. Mr. Singer seconded the motion. Mr. Kingseed pointed out the fact that \$700,000.00 has been appropriated in this capital plan for drainage improvements in 1992 and an equivalent amount for the next five years. The motion passed by unanimous vote.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held December 23, 1991 continued

19

RESOLUTION NUMBER 40-91 INCOME TAX ALLOCATION

Mr. Haverland reviewed a proposed Resolution required by State Law to allocate income tax receipts between various funds as follows:

- General Fund - 55.2 percent.
- Capital Improvements Fund - 27.4 percent.
- Street Construction and Maintenance Fund - 10.2 percent.
- Recreational Projects Fund - 6.2 percent.
- Capital Investments Trust Fund - 1.0 percent

Mr. Singer sponsored Resolution Number 40-91, A Resolution Authorizing And Directing The Allocation Of Income Tax Receipts Received On And After January 1, 1992 Between The General Fund, Capital Improvements Fund, Street Construction And Maintenance Fund, Recreational Projects Fund And Capital Investments Trust Fund Of The City Of Centerville, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 25-91 APPROPRIATIONS 1992

Mr. Haverland reviewed proposed Ordinance Number 25-91, the City's financial plan for 1992; estimated expenditures totalling \$24,303,705.00. Mr. Singer, speaking as Chairman of the Council Finance Committee, pointed out the fact that this is a product of the Finance Committee of the whole Council. Mr. Compton sponsored Ordinance Number 25-91, An Emergency 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, 1992, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by a vote of six to one; Mr. Stone voted no.

ORDINANCE NUMBER 26-91 APPROPRIATIONS 1992

Mr. Kingseed moved that Ordinance Number 26-91, 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, 1992, be set for Public Hearing on January 20, 1992. Mrs. Beals seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 27-91 PERSONNEL

Mr. Haverland reviewed a proposed Ordinance to provide class titles, pay grades, rates of pay and regulations for employees of the City of Centerville for the year 1992. This Ordinance provides for a 4.5 percent wage increase for all regular employees. Mr. Stone stated his opposition to the "Paychart Schedule" used by the City of Centerville to provide compensation for employees of the City of Centerville and to a 4.5 percent increase in consideration of the financial situation which

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. 10134

Held December 23, 1991 continued

19

currently exists in this Country and in consideration of financial obligations involving the City of Centerville. Mr. Singer pointed out the fact that this is a "Merit Salary and Wage Plan" which provides compensation based upon the quality of services rendered by City Staff. Mr. Compton, speaking as Chairman of a Committee appointed in 1990 to review this plan, explained their conclusion that this plan is the most effective for the City of Centerville; said conclusion having been reached after complete review of plans utilized by other governmental entities. Mr. Kingseed pointed out the fact that percent increases in other municipalities were explored, quality of services in Centerville were considered, and the majority of Council concurred that the increase should be the 4.5 percent included in the proposed Ordinance. Mrs. Beals sponsored Ordinance Number 27-91, An Emergency Ordinance To Repeal Ordinance Number 25-90 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 28-91 PERSONNEL

Mr. Kingseed moved that Ordinance Number 28-91, An Ordinance To Repeal Ordinance Number 25-90 In Its Entirety, To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, be set for Public Hearing on January 20, 1992. Mr. Compton seconded the motion. The motion passed by unanimous vote.

WASTE COLLECTION RATE INCREASE

Mr. Haverland outlined the necessity of a rate increase for waste collection in the City of Centerville to become effective on March 1, 1992, from \$12.50 to \$15.00 per month per household. This increase is necessary to offset the major jump in solid waste disposal fees implemented by Montgomery County. The monthly collection rate will cover projected expenditures related to all waste collection services provided by the City of Centerville. Waste collection by the City of Centerville is a self supporting operation. Mrs. Beals brought attention to estimated projections of 50 million dollars in the future by Montgomery County for the disposal of solid waste. Mr. Stone pointed out the fact that waste collection is self supporting, fees must cover costs. Mayor Heintz outlined the need to site a landfill; this increase will contribute to the purchase of a site and other related waste disposal factors. Mr. Compton moved that effective March 1, 1992, the monthly fee for waste collection in the City of Centerville be increased from \$12.50 to \$15.00 per month per household. Mr. Stone seconded the motion. The motion passed unanimously.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held December 23, 1991 continued 19

THOMAS PAINE SETTLEMENT NUMBER THREE CLYO ROAD

Mr. Haverland reviewed a request submitted by Attorney Barry Mancz for the extension of the Subdivider's Agreement for Thomas Paine Settlement Number Three-Clyo Road, from December 10, 1991 to June 10, 1992. This section of Clyo Road, under agreement with John G. Black Enterprises, Inc., is the center portion of the last phase of the Clyo Road extension to Wilmington Pike. This last phase should be under construction and completed in 1992. Mr. Compton moved that the completion date on the Subdivider's Agreement for Thomas Paine Settlement Number Three-Clyo Road be extended from December 10, 1991 to June 10, 1992. Mrs. Singer seconded the motion. The motion passed unanimously.

CEDAR COVE SECTION TWO PERFORMANCE BOND RELEASE

Mr. Haverland reviewed a recommendation from City Engineer Norbert Hoffman that the Performance Bond posted on Cedar Cove, Section Two, be released. All public improvements required as condition of approval for this development have been completed. Mr. Stone moved that the Performance Bond posted on Cedar Cove, Section Two, be released subject to the receipt of a one year Maintenance Bond in the amount of \$2,500.00. Mr. Compton seconded the motion. The motion passed unanimously.

CHELTENHAM BOND REDUCTIONS ON ALL SECTIONS

Mr. Haverland advised that the developer of Cheltenham has requested the reduction of Performance Bonds on all sections of Cheltenham. Essentially all public improvements except the final course of asphalt pavement, sidewalks and miscellaneous items have been completed. Mr. Hoffman recommended that Performance Bonds be reduced as follows:

Sections Six and Seven - Performance Bond be reduced from \$278,000.00 to \$130,000.00.

Sections One, Two, Three, Four, Five, Six and Seven - Sidewalk Bond be reduced from \$104,000.00 to \$75,000.00.

Mrs. Beals moved that Performance Bonds posted on all sections of Cheltenham be reduced in accordance with the recommendation as outlined by the City Engineer. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

PROPERTY REVIEW COMMISSION REAPPOINT ROBERT PERKINS

Mayor Heintz advised that the term of Robert Perkins as a member of the Centerville Property Review Commission will soon expire. Mr. Perkins is interested in continuing his service on said Commission. Mr. Kingseed moved that Mr. Robert Perkins be reappointed as a member of Centerville Property Review Commission. Mr. Singer seconded the motion. The motion passed unanimously.

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. 10134

Held December 23, 1991 continued

19

CITY BEAUTIFUL COMMISSION REAPPOINT MARY HIGGINS

Mayor Heintz advised that the term of Mary Higgins will soon expire as a member of the City Beautiful Commission. Mrs. Higgins has truly been an asset on this Commission for many years. Mrs. Beals moved that Mrs. Mary Higgins be reappointed as a member of the City Beautiful Commission. Mr. Singer seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 41-91 LEGAL SERVICES

Mr. Haverland reviewed a proposed Resolution to clarify and ratify a working arrangement and consulting agreement that the City of Centerville has had with Altick & Corwin for legal advice over the past 25 years. A Contract for this purpose is necessary due to recent changes made in the Public Employees Retirement System in the State of Ohio. Mr. Compton sponsored Resolution Number 41-91, A Resolution Authorizing And Directing The City Manager To Execute An Agreement Between The City Of Centerville And Altick & Corwin, A Law partnership Of Dayton, Ohio, To Act As General Counsel For The City, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved:

Mayor

Shirley F. Heintz

ATTEST:

Clerk of Council

Maui J. Sauls