# RECORD OF PROCEEDINGS

Meeting

Minutes of

DATE OF LEGAL BLANK CO. 10124

REGULAR COUNCIL

February 16, 19\_87 Held

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, February 16, 1987 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilman James Singer 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 Jeffrey Siler J. V. Stone Charles Taylor Bernard Samples

James Singer Clerk of Council Marilyn McLaughlin City Manager Darryl Kenning Administrative Assistant Stephen King City Planner Alan Schwab Service Superintendent Ray Hannah City Engineer Karl Schab Director of Finance William Bettcher Chief of Police William Lickert Municipal Attorney Robert Farquhar

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

Council Meeting - January 19, 1987.

Council Work Session Meetings - January 19, 1987. - January 26, 1987. - February 9, 1987.

Mr. Compton moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Taylor seconded the motion. The motion passed by unanimous vote of City Council, however, Mr. Siler abstained from the Minutes of the January 26, 1987 Work Session Meeting.

Mrs. McLaughlin announced the receipt of a letter of resignation from Board of Architectural Review Member Janet Thobaben. Mr. Taylor moved that the resignation of Mrs. Thobaben be accepted with regret. Mr. Compton seconded the motion. motion passed unanimously.

Mayor Heintz read and awarded Honorary Citizenships to American Field Service Students:

Inger Roos from Sweden Manan Liu from China Dina Magahlaes from Portugal

Mr. Kenning advised that the improvement to the Whipp Road/State Route 48 intersection will begin soon. Construction equipment will be moving into the area shortly. Traffic through the intersection will be maintained during construction. Upon question of Mr. Singer, Mr. Kenning stated that traffic counts will be conducted on East Whipp Road prior to construction at the intersection.

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Mr. Singer, reporting as Chairman of the Mayor's APD Task Force, outlined activities of this nine member committee. They are openly soliciting ideas and suggestions from 500+ property owners, residents and businesses in the Architectural Preservation District as to how this area may be improved and enhanced. Return of information has been requested before the end of March. The committee plans to submit their final report to Mayor Heintz within a few months.

Mr. Stone stressed the importance of making foreign students welcome in our country; many of these pupils will be world leaders in the future.

#### ORDINANCE NUMBER 1-87 APPROPRIATIONS

The Public Hearing was held concerning Ordinance Number 1-87. Mr. Kenning reviewed this proposed Ordinance which transfers \$250,000.00 from the General Government Fund to the Capital Investment Trust Fund during fiscal year 1986. This is merely a clearer method to provide for the transfer of this revenue already accomplished. Mr. Samples sponsored Ordinance Number 1-87, An Ordinance to Amend Ordinance Number 17-86, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1986, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 5-87 CLYO ROAD EXTENSION

The Public Hearing was held concerning Ordinance Number 5-87. Mr. Kenning reviewed this proposed Ordinance which levies costs for the extension of Clyo Road. It provides property owners the opportunity to pay their assessment cost in lieu of the assessment being placed upon their tax duplicate and collected as other taxes. Mr. Singer sponsored Ordinance Number 5-87, An Ordinance Levying Special Assessments For Paying Part Of The Cost Of Improving Clyo Road In The City By Grading, Draining, Curbing, Paving, Installing Sidewalks, Constructing A Storm Water Drainage System And Installing Water Mains And Facilities And Appurtenances Necessary And Proper Therefor, And Paying Certain Other Lawful Costs, and moved that it be passed. Mr. Siler seconded the motion. The motion passed by unanimous vote.

## ORDINANCE NUMBER 6-87 NATIONAL ELECTRIC CODE

The Public Hearing was held concerning Ordinance Number 6-87. Mr. Kenning reviewed this proposed Ordinance to adopt the National Electric Code for the City of Centerville with three exceptions:

1. That service panels in dwelling units under 200 amperes have lighting in space.

2. That aluminum and copper clad aluminum conductors not be permitted in wire sizes smaller than #8 AWG.

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3. That no conductor or overhead wiring be permitted across swimming pools in the City of Centerville.

Mr. Singer sponsored Ordinance Number 6-87, An Ordinance

Adopting The 1987 National Electric Code-NFPA 70-1987 With Certain Exceptions And Repealing Ordinance 4-84, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

#### ORDINANCE NUMBER 7-87 STREET LIGHTING

The Public Hearing was held concerning Ordinance Number 7-Mr. Kenning reviewed this proposed Ordinance which provides for a Contract with Dayton Power & Light Company to provide street lighting for the City of Centerville. The Contract includes some very minor price changes and language changes. proposed Contract, if executed in its various ways, could extend until January 1, 1989. Mr. Timothy Wabler, Manager of the DP&L Centerville Service Center, outlined the minor price increases for the City of Centerville included in this Contract. Mr. Compton sponsored Ordinance Number 7-87, An Ordinance Providing For The Dayton Power And Light Company (DP&L) To Light The Streets, Roads And Public Places Within The Boundaries Of The City Of Centerville, State Of Ohio, and moved that it be passed. Mr. Taylor seconded the motion. The motion passed by unanimous vote of City Council.

Mayor Heintz introduced Ohio State Representative Robert Corbin in attendance at this Meeting.

## ORDINANCE NUMBER 8-87 FLOOD PROTECTION

Mr. Kenning reviewed a proposed Ordinance to amend the City's current flood damage prevention Ordinance, making very minor changes which are required by the federal government so that residents and businesses owning property in the flood hazard areas can continue to obtain federally subsidized flood insurance. Passage in emergency form is necessary so that the City of Centerville will comply with the requirements of the National Flood Insurance Program prior to April 1, 1987. Mr. Taylor sponsored Ordinance Number 8-87, An Emergency Ordinance Amending Ordinance Number 13-81, And Providing A Flood Damage Prevention Ordinance For The City Of Centerville, Ohio, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

### ORDINANCE NUMBER 9-87 FLOOD PROTECTION

Mr. Compton moved that Ordinance Number 9-87, An Ordinance Amending Ordinance Number 13-81, And Providing A Flood Damage Prevention Ordinance For The City Of Centerville, Ohio, be set for Public Hearing on March 16, 1987. Mr. Siler seconded the motion. The motion passed by unanimous vote.

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#### RESOLUTION NUMBER 2-87 TAX RATES

Mr. Kenning reviewed proposed Resolution Number 2-87 which establishes the 1987 tax rate for the City of Centerville at 3.18 mills. Mr. Siler sponsored Resolution Number 2-87, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

## RESOLUTION NUMBER 3-87 WHIPP ROAD

Mr. Kenning reviewed proposed Resolution Number 3-87 which authorizes a Contract with Woolpert Comsultants for engineering services in connection with the cul-de-sacing of the current Whipp Road and the relocation of Whipp Road at Wilmington Pike. Construction on this special assessment project may begin late this year. Mr. Singer sponsored Resolution Number 3-87, A Resolution Authorizing And Directing The City Manager To Execute A Contract Between The City Of Centerville And Woolpert Consultants, For Engineering Services In Connection With The Relocation Of Whipp Road At Wilmington Pike In The City Of Centerville, Ohio, and moved that it be passed. Mr. Taylor seconded the motion. The motion passed unanimously.

#### RESOLUTION NUMBER 4-87 POLICE WEAPONS

Mr. Kenning reviewed the following Bids received for the purchase of 25 semi-automatic pistols and leather goods to be used by the Centerville Police Department:

Standard Law Enforcement Company

Smith & Wesson with trade-in \$ 285.00 credit Sig Sauer with trade-in \$ 2,415.00 Sig Sauer

Southern Ohio Gun Distributors, Inc.

with no trade-in \$12,464.75 with trade-in \$ 190.35 Sig Sauer with trade-in \$10,752.50

Centerville Lock & Safe

Sig Sauer with no trade-in \$13,408.00

Kiesler Police Supply and Ammunition Company, Inc.

Mr. Kenning recommended the acceptance of the low and best Bid submitted by Southern Ohio Gun Distributors, Inc. with a trade-in for a net Bid price of \$190.35. Mr. Stone sponsored Resolution Number 4-87, A Resolution Accepting The Bid Of Southern Ohio Gun Distributors To Supply 25 Semi-Automatic Pistols And Leather Goods To The City Of Centerville And To Authorize The City

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Manager To Enter Into A contract In Connection Therewith, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

#### RESOLUTION NUMBER 5-87 POLICE VEHICLES

Mr. Kenning reviewed the following Bids received for the purchase of three marked police vehicles for the City of Centerville:

Voss Chevrolet, Inc. Peffley Ford, Inc. Stengers Ford

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\$34,115.57 with trade 34,499.00 with trade 35,779.00 with trade

Mr. Kenning recommended acceptance of the low and best Bid submitted by Voss Chevrolet, Inc. in the amount of \$34,115.57 with trade. Mr. Compton sponsored Resolution Number 5-87, A Resolution Accepting The Bid Of Voss Chevrolet, Inc., To Supply Three Marked Police Vehicles To 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. Stone seconded the motion. The motion passed unanimously.

#### BOARD OF ARCHITECTURAL REVIEW APPOINTMENTS

Mayor Heintz advised that there are two vacancies existing on the Board of Architectural Review, one having been vacated by Historical Society Member Janet Thobaben and the other vacated by Terrance Kramer. Mr. Compton moved that James F. Presbaugh, Member of the Centerville Historical Society, be appointed to the vacancy created by Mrs. Thobaben, and that Charles M. Graham be appointed to fill the vacancy created by Mr. Kramer. Mr. Taylor seconded the motion. The motion passed by unanimous vote of City Council.

## CENTERVILLE PROPERTY REVIEW COMMISSION CHAIRMAN APPOINTED

Mayor Heintz pointed out the fact that in accordance with the property review Ordinance, the Centerville Property Review Commission Chairman shall be appointed on an annual basis. Mr. John Lohbeck has served in this capacity in excess of one year. Mr. Siler moved that Mr. Lohbeck be reappointed as Chairman of the Centerville Property Review Commission. Mr. Singer seconded the motion. The motion passed unanimously.

## WASTE COLLECTION FEE INCREASE

Mr. Kenning outlined the need to increase waste collection fees in the City of Centerville necessitated by Montgomery County's tipping fee increase of \$2.50 per ton, for the year 1987. He recommended that the residential collection fee be increased to \$9.00 per month beginning May 1, 1987. This increase will not affect the pre-paid customers until their pre-paid period has ended. Upon question of Mr. Singer, Mr. Kenning advised that the increase by Montgomery County became necessary in order to upgrade the incinerators to meet EPA Standards. Mr.

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Taylor suggested that information be solicited from competitors to ascertain their method of dealing with this increase. Mr. Taylor moved that the residential waste collection fee in the City of Centerville be increased to \$9.00 per month per household beginning May 1, 1987. Mr. Compton seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 6-87 SOUTH MAIN STREET/SPRING VALLEY ROAD

Mr. Kenning reviewed a proposed Contract with Lockwood, Jones & Beals, Inc. to prepare final construction engineering for improving South Main Street from Edenhurst Drive to Sheehan Road, and Spring Valley Road from Madrid Estates to the Centerville Municipal Building. Depending upon financial arrangements, construction could begin late this year or early in 1988. The cost of this Contract is \$176,000.00. This engineering is necessary in order to ascertain total cost for the improvement, whether it be completed at one time or in stages. Mr. Singer sponsored Resolution Number 6-87, A Resolution Authorizing And Directing The City Manager To Execute A Contract Between The City Of Centerville And Lockwood, Jones & Beals, Inc., For Engineering Services In Connection With The Widening Of South Main Street And Spring Valley Road In The City Of Centerville, Ohio, and moved that it be passed. Mr. Siler seconded the motion. The motion passed unanimously.

There being no further business, the Meeting was adjourned.

Approved: Mayor

ATTEST:

Clerk of Council