

RECORD OF PROCEEDINGS

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Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO. 10144

Held December 21, 19 87

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, December 21, 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 James Singer
Jeffrey Siler
J. V. Stone
Bernard Samples
Sally Beals
Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
Director of Finance William Bettcher
Acting Municipal Attorney Robert Berner
Administrative Assistant Stephen King

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

Council Meeting - November 16, 1987.
- November 23, 1987.
Council Work Session Meetings - November 16, 1987.
December 7, 1987.

Mr. Siler moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Singer seconded the motion. The motion passed by unanimous vote; however Mr. Samples abstained from the Minutes of the Meeting held on November 23.

Mr. Jerry Covert and Mr. Joseph Bowlus, representing the Centerville Kiwanis Club, presented to Mayor Heintz the Citizen of the Year Award in recognition of her many outstanding services to the Centerville Community during 1987: her Drug Attack Program and her Chairmanship of the First Annual Americana Ball.

Mayor Heintz administered the Oath of Office to Board of Architectural Review Member Edward D. Garten.

Mr. Berner administered the Oath of Office to Mayor Shirley F. Heintz.

Mayor Heintz administered the Oath of Office to Councilmembers Brooks A. Compton, J. V. Stone and Sally D. Beals.

Mayor Heintz recognized State Representative Robert Corbin in attendance. Mr. Corbin reviewed the status and formation of the Infra-structure Program, a Bill which is currently being drafted; moneys should become available during the next two years. It is proposed that distribution be based upon need and local effort, guidelines and perimeters will be established for Municipalities to spend their money.

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Mrs. McLaughlin announced the receipt of a notice from the Ohio Department of Liquor Control of an Application for the transfer of a D1, D2 and D3 Permit from AMC Pizza Inc., 848 South Main Street to AMC Pizza Inc., DBA Cassanos Pizza & Subs, 859 East Franklin Street. City Council indicated no objections to the transfer of this Permit.

During his City Manager's Report, Mr. Kenning advised that the City of Centerville has received a special fifteen year award from the National Child Safety Council for outstanding and dedicated service in the Child Safety Program.

ORDINANCE NUMBER 16-87 1987 APPROPRIATIONS

Mr. Kenning explained the necessity for the passage of several emergency Ordinances during this Meeting in order to bridge the gap between now and the effective date of the regular Ordinances for the same purposes. They are in accordance with decisions made by Council and with the Budget for 1988. Ordinance Number 16-87 is an amendment to the Appropriation Ordinance for the year 1987 in order to readjust moneys in various funds. The final closing expenditure for 1987 will not exceed \$7,333,125.00. Mr. Compton sponsored Ordinance Number 16-87, An Emergency Ordinance To Repeal Ordinance 19-86 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, 1987, and moved that it be passed. Mr. Siler seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 17-87 1987 APPROPRIATIONS

Mr. Singer moved that Ordinance Number 17-87, An Ordinance To Repeal Ordinance 19-86 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, 1987, be set for Public Hearing on January 18, 1988. Mr. Siler seconded the motion. The motion passed by unanimous vote.

CAPITAL IMPROVEMENT PROGRAM 1988-1992

Mr. Kenning reviewed the proposed Capital Improvement Program for the next five years. This plan serves as a plan of action for 1988, it provides a planning framework for capital projects over the next five years and it offers a list of projects that, if additional funds become available, may be considered for implementation. Mr. Kenning outlined proposed funding and projects to be implemented in 1988. Mrs. Beals moved that the Capital Improvement Program for 1988-1992 be approved as submitted. Mr. Singer seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 31-87 ALLOCATION OF INCOME TAX

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Mr. Kenning reviewed a proposed Resolution required by the State Auditor for the allocation of income tax receipts in the various funds. Mr. Compton sponsored Resolution Number 31-87, A Resolution Authorizing And Directing The Allocation Of Income Tax Receipts Received On And After January 1, 1988 Between The General Fund, Capital Improvements Fund, Street Construction And Maintenance Fund, General Insurance Deductible Trust Fund, And Capital Investments Trust Fund Of The City Of Centerville, and moved that it be passed. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 18-87 1988 APPROPRIATIONS

Mr. Kenning reviewed proposed appropriations for the year 1988 with a grand total of \$7,335,330.00. Mr. Samples sponsored Ordinance Number 18-87, 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, 1988, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 19-87 1988 APPROPRIATIONS

Mr. Compton moved that Ordinance Number 19-87, 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, 1988, be set for Public Hearing on January 18, 1988. Mr. Singer seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 20-87 PERSONNEL

Mr. Kenning reviewed a proposed Ordinance to establish class titles, pay grades and rates of pay for employees of the City of Centerville for the year 1988. This reflects discussion and decisions made by the Council Finance Committee, a Committee of the whole. Mr. Stone sponsored Ordinance Number 20-87, An Emergency Ordinance To Repeal Ordinance Number 21-86 And Ordinance 13-87 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. Mrs. Beals seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 21-87 PERSONNEL

Mr. Singer moved that Ordinance Number 21-87, An Ordinance To Repeal Ordinance Number 21-86 And Ordinance 13-87 In Their Entirety, To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on January 18, 1988. Mr. Samples seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 22-87 I-675

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Mr. Kenning reviewed a standard Agreement proposed between the State of Ohio and the City of Centerville for the designation of maintenance responsibility for exchange and right-of-way areas of I-675. Mr. Singer moved that Ordinance Number 22-87, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Maintenance, Repair And Operation Of Interstate Highway 675, be set for Public Hearing on January 18, 1988. Mr. Samples seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 32-87 ALCOHOLISM TREATMENT

Mr. Kenning reviewed a proposed Agreement with the Combined Health District of Montgomery County for a rehabilitation program for the prevention of alcoholism and the treatment of alcoholics for the year 1988. This same Agreement has been in effect for approximately fifteen years, being renewed annually. Service to the City is paid for through 10% of the funds received by the City of Centerville from the State of Ohio for liquor permit fees. Upon suggestion of Mayor Heintz, Mr. Kenning will pursue information from the Health Department relative to this service to the City of Centerville. Mrs. Beals sponsored Resolution Number 32-87, A Resolution Authorizing And Directing The City Of Centerville To Enter Into An Agreement With The Combined Health District Of Montgomery County Concerning Establishment Of A Rehabilitation Program For The Prevention Of Alcoholism And For The Treatment And Rehabilitation Of Alcoholics And Providing For The Payment Of Fees, and moved that it be passed. Mr. Stone seconded the motion. The motion passed by unanimous vote.

THOMAS PAINE SETTLEMENT NUMBER THREE AGREEMENT EXTENSION

Mr. Kenning reviewed for Council a request received on behalf of John G. Black for the extension of the Subdividers Agreement for Thomas Paine Settlement Number Three, the Agreement which provides for the extension of Clyo Road. Renewal of this Agreement is required by the City's Subdivision Regulations. Mr. Siler moved that the Subdividers Agreement for Thomas Paine Settlement Number Three, Clyo Road Extension, be extended for a term of six months, from December 10, 1987 to June 10, 1988. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

THOMAS PAINE SETTLEMENT NUMBER THREE BOND RELEASE

Mr. Kenning reviewed a recommendation received from the City Engineer that the Performance Bond posted on Thomas Paine Settlement Number Three for the construction of private streets in the amount of \$31,500.00 be released. This action will not change the status of the Performance Bond posted for the extension of Clyo Road, nor does the City take over the maintenance and repair of these private streets. Mr. Compton moved that the Performance Bond for private streets in Thomas

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Paine Settlement Number Three, be released. Mr. Singer seconded the motion. The motion passed unanimously.

PLEASANT WOODS BOND REDUCTION

Mr. Kenning reviewed a recommendation received from the City Engineer concerning the Performance Bond posted on Pleasant Woods: \$14,750.00 for sidewalks, \$56,750.00 for road and storm sewers, to assure that all improvements would be made in accordance with City specifications. All items shown on the construction drawings are in place, except the sidewalks and the last layer of blacktop. The City Engineer recommends the reduction of the Performance for street construction and storm sewers from \$56,750.00 to \$9,500.00. The sidewalk Bond of \$14,750.00 should remain unchanged. Mrs. Beals moved that the Performance Bond posted for street construction and storm sewers in the Pleasant Woods Plat be reduced from \$56,750.00 to \$9,500.00. Mr. Samples seconded the motion. The motion passed by unanimous vote of City Council.

PERSONNEL APPEALS BOARD REAPPOINT RICE

Mayor Heintz advised that the term of Richard Rice as a Member of the Personnel Appeals Board will soon expire. Mr. Rice is interested in serving another three year term. Mr. Singer moved that Richard Rice be reappointed as a Member of the Personnel Appeals Board for an additional three year term. Mr. Siler seconded the motion. Mr. Kenning reviewed the charge of the Personnel Appeals Board. The motion passed unanimously.

There being no further business, the Meeting was adjourned.

Approved: Shirley F. Heintz
Mayor

ATTEST:

Marie J. W. Laughlin
Clerk of Council