

**RESOLUTION NO. 38-04**  
**CITY OF CENTERVILLE, OHIO**

SPONSORED BY COUNCILMEMBER Robert L. Corbin ON THE  
18<sup>th</sup> DAY OF October, 2004.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER, ON BEHALF OF THE CITY OF CENTERVILLE, TO ENTER INTO AN AGREEMENT WITH THE COMBINED HEALTH DISTRICT OF MONTGOMERY COUNTY FOR THE IMPLEMENTATION, OPERATION AND MAINTENANCE OF A PROGRAM FOR THE PREVENTION AND TREATMENT OF ALCOHOLISM AND CHEMICAL DEPENDENCY AND PROVIDING FOR THE PAYMENT OF FEES.

WHEREAS, The City of Centerville recognizes that alcoholism and chemical dependency are major problems facing society today; and

WHEREAS, The Combined Health District of Montgomery County proposes to enter into an Agreement with the City of Centerville to establish a professionally staffed, progressive rehabilitation program for prevention and treatment of alcoholism, and chemical dependency; and

WHEREAS, The City of Centerville deems it advisable to participate in such a program and to enter into an Agreement with the Combined Health District of Montgomery County concerning such a program to contribute 10 percent of the funds received by the City of Centerville from the State of Ohio for liquor permit fees toward the payment of such a program.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is hereby authorized and directed to enter into an Agreement with the Combined Health District of Montgomery County for the establishment of a program for the prevention and treatment of alcoholism and chemical dependency, a copy of which Agreement is attached hereto, marked Exhibit "A" and incorporated herein.

Section 2. The Director of Finance is hereby authorized and directed to make any and all payments called for in accordance with the Agreement attached hereto as Exhibit "A" and the said Director of Finance and City Manager are further authorized and directed to do any and all necessary things in order to carry out the terms of said Agreement.

Section 3. That this Resolution shall become effective immediately upon passage.

PASSED this 18<sup>th</sup> day of October, 2004.

C. Mark Kingwood  
Mayor of the City of Centerville, Ohio

ATTEST:

Maureen J. Sauer  
Clerk of Council, City of Centerville, Ohio

**CERTIFICATE**

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 38-04, passed by the Council of the City of Centerville, Ohio, on the 18<sup>th</sup> day of October, 2004.

Maureen J. Sauer  
Clerk of Council

Approved as to form, consistency  
with the Charter and Constitutional Provisions.

Department of Law  
Scott A. Liberman  
Municipal Attorney

AGREEMENT

**10% LIQUOR PERMIT FEES**

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the COMBINED HEALTH DISTRICT OF MONTGOMERY COUNTY ("Health District") and the CITY OF CENTERVILLE.

WITNESSETH:

WHEREAS, it is the mutual desire of the Parties to this Agreement that a professionally staffed, progressive program be implemented, operated and maintained for the prevention and treatment of alcoholism and chemical dependency, and

WHEREAS, the Legislative body of the City of Centerville has by resolution declared its intention of cooperating with the Health District and other political subdivisions within Montgomery County, Ohio, in the establishment and operation of a program to address these problems;

NOW, THEREFORE, in consideration of their mutual promises, the Parties hereto agree as follows:

1. The City of Centerville will contribute to the Health District ten percent (10%) of the funds received by it from the State of Ohio for Liquor Permit Fees for the year 2004 for the implementation, operation and maintenance of a program for the prevention and treatment of alcoholism and chemical dependency.
2. The City of Centerville shall pay such funds to the Health District within thirty (30) days from the date upon which this Agreement becomes effective, or thirty (30) days after the receipt of such funds from the State of Ohio.
3. The Health District agrees to administer such funds through its **Center for Alcoholism & Drug Addiction Services**. A report outlining the operation, services and goals shall be provided to the City of Centerville in accordance with the Health District's reporting system. The Parties hereto further agree that the administration and operation of the program shall be the exclusive responsibility of the Health District.

AGREEMENT, LIQUOR PERMIT FEES  
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4. The Health District agrees that any funds provided under this Agreement which are not expended in the program or otherwise encumbered in the calendar year in which such funds were contributed shall remain in an escrow fund for future expenditure in the program and shall not revert to the general fund of the Health District. In the event such program shall be discontinued, unused funds shall be returned to the City of Centerville provided, however, any rights, title and interests of or in files, furnishings, equipment and other property, either real or personal, which was acquired in whole or in part from funds under this Agreement shall remain with the Health District.
  
5. This Agreement applies to returned Liquor Permit Fees for the year 2004.

IN WITNESS WHEREOF, the Parties have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

COMBINED HEALTH DISTRICT  
OF MONTGOMERY COUNTY

CITY OF CENTERVILLE

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

WITNESS:

WITNESS:

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\_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Michael M. Matis