

RECORD OF PROCEEDINGS

Minutes of CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *May 17*20 *04*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 17, 2004, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky of the Epiphany Lutheran Church and City Chaplain, and the Pledge of Allegiance to the Flag, with Mayor C. Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor	Douglas Cline
Councilmembers	Susan Lienesch
	Paul Gresham
	Brooks Compton
	James Singer
Clerk of Council	Marilyn McLaughlin
Assistant Clerk of Council	Debra James
City Manager	Gregory Horn
Assistant City Manager	Judith Gilleland
City Engineer	Norbert Hoffman
Public Works Director	Robert James
City Planner	Steve Feverston
Finance Director	Mark Schlagheck
Economic Development Administrator	William Covell
Assistant City Engineer	Michael Murray
Public Works Operations Manager	Mary Lou Pence
Assistant to the City Manager	Jesse Lightle
Master Mechanic	Werner Boehm
Waste Supervisor	Kenny Peters

Mayor Kingseed advised that Councilmember Robert Corbin would not be present for this meeting and Councilmember Susan Lienesch would be late. Mr. Cline moved that Mr. Corbin and Mrs. Lienesch be excused from this meeting. Dr. Gresham seconded the motion. The motion passed unanimously.

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting - April 19, 2004.

Work Session Meetings - May 3, 2004.

- May 10, 2004.

Mr. Singer moved that the minutes of the foregoing meetings be approved, as distributed. Dr. Gresham seconded the motion. The motion passed unanimously.

Mayor Kingseed presented a Certificate to Eagle Scout Brian Klueber in appreciation of work he completed at the Leonard E. Stubbs Memorial Park.

Mayor Kingseed and Deputy-Mayor Cline presented Certificates of Appreciation to the members of the Winter Percussion World Champions and the Winter Color Guard from the Centerville High School.

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-Action on the Record Plan for The Woodlands at Yankee Trace has been delayed until wetland issues have been resolved. This issue could be on the June 21, 2004, Council Meeting Agenda.

-The community garage sale in the City of Centerville was very successful.

-The purchase of the property owned by Pyper Construction on South Suburban Road has been finalized by the City.

-Award of the 2004 Road Improvement Project will be addressed later in this meeting.

Miss Gilleland outlined code violations and resolutions for the month of April, 2004, as well as the community calendar for the coming month.

ZONING ORDINANCE AMENDMENT WOODLEY DEVELOPMENT REZONING

Mr. Feverston advised that the Rezoning Request filed by Woodley Development Company, Inc., needs to be set for Public Hearing before City Council. Dr. Gresham moved that An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning A Portion Of A 5.4658 Acre Tract Of Land From B-PD, Business-Planned Development To I-PD, Industrial-Planned Development, And A Portion Of A 10.8559 Acre Tract Of Land From I-PD, Industrial-Planned Development To B-PD, Business-Planned Development For A Total Rezoning Of 5.0183 Acres, More Or Less, be set for Public Hearing on June 21, 2004. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

YANKEE TRACE SECTION 25-B RECORD PLAN REPLAT

Mr. Feverston reviewed the Record Plan Replat for Yankee Trace, Section 25-B, located on the Kenworthy Place cul-de-sac situated in the northeastern area of Yankee Trace. This is a replat for lots 605 and 606 in order to relocate a stormwater drainage easement to provide for a larger building pad. The Planning Commission, by unanimous vote, recommended approval to City Council. Mr. Singer moved that the Record Plan Replat for Yankee Trace, Section 25-B, be approved. Mr. Compton seconded the motion. The motion passed unanimously.

YANKEE TRACE SECTION 31 THE LINKS AT YANKEE TRACE

Mr. Feverston explained the Planning Commission Special Approval Application for Yankee Trace, Section 31, located east of Paragon Road and west of Shawnee Trail, being The Links at Yankee Trace. This Residential Cluster Plan has been approved by the Planning Commission with conditions. The number of units has been decreased from 108 to 103. Great Traditions Land and Development Company has asked that four additional front entry garages be permitted. According to conditions of approval placed on this Residential Cluster Plan by the Planning Commission, City Council must approve any additional front entry garages from the four previously approved. Mr. Feverston advised that the Planning Commission, by unanimous vote, recommended approval of this request.

Don Dunnington, Dunnington Custom Builders, explained that the reason for this request is that one model is very popular and only one unit of this type can be constructed in a building.

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Mr. Cline moved that approval be granted for the four additional front entry garages on the Residential Cluster Plan for Yankee Trace, Section 31, The Links at Yankee Trace. Mrs. Lienesch seconded the motion. The motion passed unanimously.

YANKEE TRACE SECTION 1-A RECORD PLAN

Mr. Feverston reviewed a replat for The Links at Yankee Trace, Section 1-A, located on Legendary Way east of Paragon Road. This replat is necessary due to the spreading of lots. By unanimous vote, the Planning Commission recommended approval to City Council, subject to the following condition:

All lots containing end units shall have a minimum side yard setback of three feet. In answer to a question of Mr. Singer, Gary Menchhofer, Sales Director at Yankee Trace, advised that there is a Sub-Homeowners Association as well as the Master Homeowners Association for The Links at Yankee Trace. Mr. Compton moved that the Record Plan for Yankee Trace, Section 1-A, be approved as recommended by the Planning Commission, subject to the one condition. Mr. Cline seconded the motion. The motion passed by unanimous vote.

Mr. Cline gave an update on the Create the Vision Comprehensive Plan. The final joint meeting of the Centerville Planning Commission and the Washington Township Zoning Commission has been held at which time a recommendation was approved for City Council and the Township Trustees. The recommendation will be discussed during a City/Township joint meeting scheduled for May 24, 2004. A Public Hearing will be held before both entities on June 14, 2004. Mr. Compton reviewed the meeting held May 12, 2004, by the Implementation Task Force for Create the Vision. Meetings will be held on the second Wednesday of each month. Sub-Committees have been formed.

ORDINANCE NUMBER 6-04 REVERSE AUCTION

The Public Hearing was held concerning Ordinance Number 6-04. Mr. Horn reviewed this proposed Ordinance which enables the City to utilize "Reverse Auction" if the need arises. This is a purchasing mechanism in which vendors can compete with other vendors in the bidding process via the web. Dr. Gresham sponsored Ordinance Number 6-04, An Ordinance Adopting The "Reverse Auction" Method Of Competitive Bidding, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

Joseph Koussa, 1537 Beaver Creek Lane, asked that the American troops return home safely.

RESOLUTION NUMBER 13-04 DESIGNATE PUBLIC DEPOSITORY

Mr. Schlagheck reviewed a proposed Resolution to authorize the Lebanon Citizens National Bank to become a public depository for the City of Centerville. Mr. Compton sponsored Resolution Number 13-04, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Cline seconded the motion. The motion passed by unanimous vote.

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RESOLUTION NUMBER 14-04 APPROPRIATE SUTHERLAND PROPERTY

Mr. Horn reviewed a proposed Resolution to appropriate real property from Jeffrey A. Sutherland, located on West Franklin Street. He advised that the City is desirous of acquiring this property for public parking and public right-of-way to provide ingress and egress to the Washington Township Town Hall and properties on the northwest corner of Main and Franklin Streets. Mr. Farquhar advised that since this property is in bankruptcy, the City has been unable to negotiate a price, the only alternative to acquire said property is through appropriation. Mr. Cline sponsored Resolution Number 14-04, A Resolution Of Intent To Appropriate Certain Interests In Real Property For A Public Roadway And Parking Project From Jeffrey A. Sutherland And Sutherland Fine Homes, Inc., and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by five ayes in favor of the motion; Mr. Singer abstained.

RESOLUTION NUMBER 15-04 FRONT-END LOADER

Mr. James advised that the City is desirous of participating with the Department of Administrative Services, Office of State Purchasing, for the purchase of a new two yard, diesel powered front-end loader from Southeastern Equipment Company, Inc. for a price of \$60,740.00, which includes the trade in of a 1995 Case backhoe. Mr. Compton sponsored Resolution Number 15-04, A Resolution Authorizing The City Manager To Participate In A Contract With The Department of Administrative Services, Office Of State Purchasing For The Purchase Of One Two Yard, Diesel Powered Front-End Loader For The City Of Centerville In Accordance With Ordinance Number 19-88, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 16-04 2004 STREET IMPROVEMENT PROGRAM

Mrs. Pence reported that two bids were received for the 2004 Road Improvement Project, Concrete Repair and Asphalt Resurfacing in the City of Centerville. She recommended acceptance of the bid received from the John R. Jurgensen Company for the bid price of \$594,559.32, and that the City Manager be authorized to expend up to a grand total of \$620,000.00 for contingencies which may occur during the construction project. Mrs. Pence explained that this project includes curb repair, pavement repair, catch basin repair, storm sewer repair, underdrain installation and asphalt milling and resurfacing on seven asphalt streets including East Franklin Street. Mr. Singer sponsored Resolution Number 16-04, A Resolution Accepting The Bid Submitted By The John R. Jurgensen Company, For The 2004 Road Improvement Project, Concrete Repair And Asphalt Resurfacing In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

PLANNING COMMISSION REAPPOINT JAMES BRUNNER

Mr. Compton moved that James Brunner be reappointed as a member of the Planning Commission. Mr. Cline seconded the motion. The motion passed by unanimous vote.

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CENTERVILLE ARTS COMMISSION REAPPOINT TOM BRADRIK CHAIR

Mrs. Lienesch moved that Tom Bradrick be reappointed as Chairman of the Centerville Arts Commission for an additional year. Mr. Compton seconded the motion. The motion passed by unanimous vote.

CENTERVILLE ARTS COMMISSION REAPPOINT HARRISH TRIVEDI

Dr. Gresham moved that Harrish Trivedi be reappointed as a member of the Centerville Arts Commission. Mrs. Lienesch seconded the motion. The motion passed unanimously.

CENTERVILLE CITY SCHOOLS PERSONNEL APPEALS BOARD REAPPOINT LOUIS BORDONARO

Mrs. Lienesch moved that Louis Bordonaro be reappointed as a member of the Centerville City Schools Personnel Appeals Board. Mr. Compton seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: C Mark Kingseed
Mayor

ATTEST: Marilyn Jacobson
Clerk of Council