

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 19

20 04

Mayor Kingseed administered the Oath of Office to City Beautiful Commission Member Arlene Tansey.

Jerry Huffman, member of the City Beautiful Commission, presented the Business Pride Awards for July, and tickets to the Yankee Trace Brunch to Ritter's Frozen Custard, 9605 Dayton-Lebanon Pike, and Morning Sun, 11 South Main Street. He outlined this program sponsored by the City Beautiful Commission.

Sister City Committee Chairman John Beals and Vice Chairman Carolyn Basford were present at this meeting to review the highlights of their recent Sister City trip to Bad Zwischenahn. They located Bad Zwischenahn on a map and shared photos of the architecture and landscaping. Efforts were made while there, to establish a student exchange program between Centerville and Bad Zwischenahn.

Mayor Kingseed announced that City Council, over the next six months, welcomes comments relative to a ban on smoking in public places, and whether the City should require inspections of rental properties every so many years.

Mr. Horn reported the following during his City Manager's Report:

The City has just become aware that residents in Walnut Hills do not receive channel 10 on Cable TV. This matter will be investigated.

Play at The Golf Club at Yankee Trace has increased and the water level in the ponds is down due to the dry weather.

Mr. Horn listed the following events to take place during the remaining days in July:

July 28, from 7:00 P.M. to 9:00 P.M. - Neighborhood Improvement Program meeting for residents in Washington Park and the northeast area of the Pleasant Hill Plat at the Southminster Presbyterian Church.

July 29, from 5:00 P.M. to 7:00 P.M. - retirement reception for Municipal Attorney Robert Farquhar at Yankee Trace.

July 29, From 6:00 P.M. to 8:00 P.M. - Multi-Use Path Task Force Public Meeting at the Centerville High School.

July 31, at 10:00 A.M. - Firefighter Robert O'Toole Way Dedication at the Maple Street/ Irongate Park Drive Fire Station.

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

YANKEE TRACE SECTION THIRTY-THREE RECORD PLAN

Mr. Feverston reviewed the Record Plan for Yankee Trace Section 33. Proposed is the development of 13 single family lots on 6.098 acres of land. Mr. Feverston located the subject property on a map south of Vintage Green Way and east of Yankee Trace Drive near Belle

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Terrace. The units will be walk out terrace type. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council subject to the following conditions:

1. In lieu of the required improvements prior to the recording of this plat, a Performance Bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville and a Subdivider's Agreement entered into with the City by the developer.
2. The Record Plan shall be modified to identify the flood route as a private overland drainage and storm easement.
3. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
4. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
5. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any combustible construction.

Mr. Feverston reviewed the recommendation of the City Engineer that this Record Plan be approved subject to the following:

1. Acceptable Subdivider's Agreements.
2. Performance Bond to assure the completion of the public improvements (grading, drainage, curbs, pavement, etc.) in the amount of \$140,600.25, which represents the total estimated cost for conversion to public streets, curb, drainage, and pavement. No sidewalks or hiker-biker trail are included in this section.
3. Inspection fee in the amount of \$1,295.00.

A one year Maintenance Bond will be required when the public improvements are completed and the Performance Bond released. The amount of the Maintenance Bond will be determined at that time.

Mr. Corbin moved that the Record Plan for Yankee Trace, Section 33, be approved as recommended by the Planning Commission and the City Engineer subject to all conditions as stated in their recommendations. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

Mrs. Lienesch explained the first Neighborhood Improvement Program meeting to be held on July 28, 2004 at the Southminster Presbyterian church and identified the area in Centerville to be included. She listed the topics for discussion and information to be given to residents, homeowners, renters and landlords.

ORDINANCE NUMBER 8-04 APPROPRIATE SUTHERLAND PROPERTY

The Public Hearing was held concerning Ordinance Number 8-04. Mr. Horn explained this proposed Ordinance which is the second step to appropriate property located at 43 West

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Franklin Street which is a strip 55.5 feet wide, known as the Sutherland Property, to provide egress to properties in an area between 43 West Franklin Street and Main Street. Dr. Gresham sponsored Ordinance Number 8-04, An Ordinance By The Council Of The City Of Centerville, Montgomery County, State Of Ohio, To Appropriate Certain Real Property Located At 43 West Franklin Street, Centerville, Ohio, For Public Purposes, and moved that it be passed. Mr. Corbin seconded the motion. The motion passed with four ayes in favor of the motion; Mrs. Lienesch and Mr. Singer abstained.

ORDINANCE NUMBER 9-04 INCOME TAX

The Public Hearing was held concerning Ordinance Number 9-04. Mr. Schlagheck explained this proposed Ordinance which makes some changes to the Municipal Income Tax section of the Centerville Municipal Code. It adds definitions, provides clarification, changes filing deadlines, and make other changes to conform to the Ohio Revised Code. Mrs. Lienesch sponsored Ordinance Number 9-04, An Ordinance Amending Chapter 880 Of The Centerville Municipal Code, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 20-04 DARE OFFICER

Mr. Horn reviewed a proposed Resolution to authorize the Centerville Police Department through the City Manager to apply for a grant to the Ohio Attorney General's office for salary funding for a DARE officer. The City has participated in this program for several years and wishes to participate again this year. Mr. Cline sponsored Resolution Number 20-04, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Make Application To The Ohio Attorney General's Office For Salary Funding Of A Dare Officer, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 21-04 COGENT LIVESCAN SCANNER

Mr. Horn reviewed a proposed Resolution to ratify the purchase of a new finger print machine for the Centerville Police Department. The purchase of this machine was authorized in the 2004 Budget. The use of this equipment is being made available to other entities. Dr. Gresham sponsored Resolution Number 21-04, A Resolution Ratifying The Action Of The City Manager In Executing A Contract With Cogent For The Purchase Of a Cogent Livescan Scanner And Associated Computer Hardware And Software For \$34,490.55, and moved that it be passed. Mr. Corbin seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 22-04 ANNEX BUILDING RENOVATION

Mr. Covell advised that the Bureau of Motor Vehicles has requested that their office in the annex building owned by the City of Centerville be renovated and expanded in order that they may remain in the building for a period of 10 years. Completion of the renovation should be complete within 60 days. There will be no down time, operation will continue in a modular at the

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rear of the present annex building. Mr. Singer sponsored Resolution Number 22-04, A Resolution Accepting The Bid Submitted By I. F. Weber Co., For The Centerville Annex Building Renovation - 2004, 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. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 23-04 LEGAL SERVICES

Mr. Horn reviewed a proposed Resolution for the City of Centerville to contract with the Altick & Corwin Company, L.P.A., for legal services. With Municipal Attorney Robert Farquhar retiring, it is necessary for the City to contract for interim legal services. Mr. Corbin sponsored Resolution Number 23-04, A Resolution To Authorize The City Manager To Enter Into A Contract With Altick & Corwin Co., L.P.A., For Legal Services, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

PERSONNEL APPEALS BOARD APPOINT FRANK MASTERSON

Mr. Singer moved that Frank Masterson be appointed as a member of the Personnel Appeals Board for the City of Centerville. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: C Herb Kengseed
Mayor

ATTEST:

Marilyn D. McLaughlin
Clerk of Council