

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held March 18

10 2002

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, March 18, 2002, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend John Bradosky, Pastor of Epiphany Lutheran Church and City Chaplain, and the Pledge of Allegiance to the Flag with Mayor Sally Beals presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor C. Mark Kingseed

Councilmembers James Singer

Susan Lienesch

Paul Gresham

Douglas Cline

Clerk of Council Marilyn McLaughlin

Assistant Clerk of Council Debra James

City Manager Gregory Horn

Assistant City Manager Judith Gilleland

Assistant to the City Manager Jesse Lightle

Finance Director Mark Schlagheck

City Engineer Norbert Hoffman

Economic Development Administrator Chris Pozzuto

City Planner Steve Feverston

Waste Superintendent Kenneth Peters

Street Superintendent Paul Ballinger

Municipal Attorney Robert Farquhar

Mayor Beals advised that Councilmember Roger Krass would not be present for this meeting due to a business matter. Mr. Cline moved that Mr. Krass be excused from this meeting. Mr. Singer seconded the motion. The motion passed unanimously.

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

Council Meeting - February 18, 2002.

Work Session Meetings - February 18, 2002.

- March 4, 2002.

Joint City Council/Washington Township Trustees Meeting

- February 25, 2002.

Mr. Kingseed moved that the minutes of the foregoing meetings be approved, as distributed. Mr. Cline seconded the motion. The motion passed unanimously with Dr. Gresham abstaining from the minutes of the February 25, 2002 Joint Meeting.

Mrs. McLaughlin announced the receipt of a letter of resignation from Planning Commission member Jack Kindler. Mr. Singer moved that the resignation of Jack Kindler as a member of the Planning Commission be accepted with regret. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held March 18

11/2002

Mayor Beals outlined the following events which took place last month and will take place in weeks to come:

A new business, the Edward Jones Investment Group, was welcomed to Centerville at 70 West Franklin Street. They are sponsoring the Mayor's Business Breakfast on Wednesday, March 20, 2002. This breakfast, to which all businesses in the City of Centerville have been invited, is being held at Yankee Trace beginning at 7:30 A.M.

Members of Council attended the National League of Cities Congressional Conference in Washington, D.C., March 7-12, 2002.

On March 17, 2002 an Open House was held at the new Centerville Police facility with approximately 2,000 to 3,000 people in attendance.

Mayor Beals asked people to leave nothing behind while walking dogs and to keep animals on ones own premise.

The Volunteer Salute will be held on Thursday, April 18, 2002 at Yankee Trace.

Arbor Day in Centerville will be Thursday, April 11, 2002 with sixteen trees being planted along the east side of Bigger Road. Centerville has been a Tree City USA for sixteen years. Seedlings will be given to students in the third grade.

Vice-President Bonnie Mathies and Deputy Clerk-Treasurer Cindy Uttermohlen, were present at this meeting to outline what the Washington-Centerville Public Library is proposing on the May 7, 2002 election ballot. With the current 1.3 mill levy expiring in the current year, a ten year 2.7 mill levy will be before the electorate in order to continue the level of services the community has come to expect. Mrs. Mathies explained how financial promises made in 1992 when the 1.3 mill levy was passed have been met. She outlined promises for the next ten years if the levy is passed in May of this year.

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

The Centerville Police Department was very pleased with the community involvement during the Open House held Sunday, March 17, 2002.

The Ohio Department of Commerce, Division of Liquor Control, has notified the City that all liquor permits will expire on June 1, 2002. This provides an opportunity for the City to review all permits issued to Centerville businesses.

The City's 2002 Street Improvement Program will be out to bid within the next two to three weeks.

Robert James, the City's new Public Works Director, will begin his employment on April 1, 2002.

Miss Gilleland outlined code violations and resolutions for the month of February, 2002, as well as the community calendar for the coming month.

Mr. Horn gave an update on progress being made with the Alexandersville-Bellbrook Road improvement project. Work is ahead of schedule, the bridge deck is being completed and crews will mobilize again around April 1, 2002. The project should be completed mid to late summer. Traffic will be maintained during the reconstruction process.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held March 18

19 2002

YANKEE TRACE RECORD PLATS
SECTIONS TWENTY-EIGHT, TWENTY-NINE, THIRTY

Mr. Feverston located on a map acreage included on the Record Plats for Sections Twenty-Eight, Twenty-Nine, and Thirty in Yankee Trace. These are the last three sections to be developed in the original area west of Paragon Road.

Section Twenty-Eight consists of 5.359 acres to be developed into fourteen single family lots. The area is an extension of Olde Georgetown Way south of Heritage Lake Drive in the Homestead portion of the Yankee Trace development. The Planning Commission, by unanimous vote, recommended approval of the Record Plat for Yankee Trace, Section Twenty-Eight with the following conditions:

1. All building setbacks shall be per the Residential Cluster Plan approved by the Planning Commission. Specifically, the side yard building setback shall be five (5) feet with a minimum separation of twenty (20) feet between buildings. A covenant shall be placed on the Record Plat that provides for this minimum side yard building setback and building separation subject to approval by the City Attorney.
2. The Record Plat shall be modified to show a minimum rear yard building setback of twenty-five (25) feet.
3. The cul-de-sac at the end of Olde Georgetown Way shall be modified to include a landscaping island. The final design of the cul-de-sac shall be subject to approval by the City Engineering Department.
4. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
5. In lieu of completion of the required improvements prior to the recording of the 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.
6. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
7. 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 following recommendations by the City Engineer

1. Acceptable Subdivider's Agreement.
2. Performance Bond to assure the completion of the public improvements (grading, drainage, curbs, pavement, etc.) in the amount of \$85,000. (Note no sidewalks in this Section)
3. Inspection Fee in the amount of \$270.00.

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.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 1074B

Held March 18

4/6/2002

Section Twenty-Nine consists of 6.263 acres divided into twelve single family lots located on Vintage Lake Drive east of Yankee Trace Drive and north of new Golf Hole number 8 and the new irrigation lake. The Planning Commission, by unanimous vote, recommended approval of the Record Plat for Yankee Trace, Section Twenty-Nine with the following conditions:

1. The Record Plat shall be modified to show a rear yard building setback of forty (40) feet from the rear lot line or twenty (20) feet from the normal pool of lake as shown on the engineering plans, whichever is greater.
2. An easement shall be recorded with the Record Plat that grants the City access through the rear yard of all lots for engineering and emergency service of the lake subject to approval by the City Attorney.
3. Protective covenant(s) shall be placed on the Record Plat, subject to approval by the City Attorney, that state the following:
 - a. The lake was constructed by the City of Centerville for the purpose of golf course irrigation.
 - b. The lake shall be used solely and exclusively by the City of Centerville.
 - c. The water level may from time to time be low as a result of irrigation; and
 - d. These covenants(s) shall not be changed, altered or deleted without the approval by the City of Centerville.
4. The cul-de-sac at the end of the street labeled Vintage Lake Court shall be modified to include a landscaping island. The final design of the cul-de-sac shall be subject to approval by the City Engineering Department.
5. In lieu of completion of the required improvements prior to the recording of the 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.
6. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
7. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
8. 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 following recommendations of the City Engineer:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to assure the completion of the public improvements (grading, drainage, curbs, pavement, etc.) in the amount of \$120,000 which represents the total estimated cost of public streets, curb, drainage and pavement (no pedestrian paths).
3. Inspection Fee in the amount of \$340.00.

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.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held March 18

19 2002

Section Thirty consists of 3.260 acres divided into twenty single family lots located on Cobblewood Court west of Olde Haley Drive and south of Olde Georgetown Way. The Planning Commission, by unanimous vote, recommended approval of the Record Plat for Yankee Trace, Section Thirty conditioned upon the following:

1. All side yard building setbacks shall be in accordance with the approved Residential Cluster Development Plan.
2. A covenant shall be placed on the Record Plat that restricts direct vehicular access to Cobblewood Court subject to approval by the City Attorney.
3. The final landscaping plan for Reserve Area CI shall be subject to approval by the City Planning Department.
4. The final grading plan shall be subject to approval by the City Engineering Department.
5. In lieu of completion of the required improvements prior to the recording of the 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.
6. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
7. 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 following recommendations of the City Engineer:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to assure the completion of the public improvements (grading, drainage, curbs, pavement, etc.) in the amount of \$100,000 which represents the total estimated cost of public streets, curb, drainage, pavement and sidewalks. \$9,900 of the total \$100,000 represents the cost to install sidewalks.
3. Inspection Fee in the amount of \$384.00.

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.

These three sections are zoned R-1, Single-Family Residential, and are part of the Residential Lifestyle Community previously approved by City Council.

YANKEE TRACE SECTION TWENTY-EIGHT RECORD PLAT

Relative to Section Twenty-Eight in Yankee Trace, Mrs. Lienesch asked that the City augment building standards to take care of vibration and noise which could be experienced on the four most southern lots in the cul-de-sac. Jim Kiefer, Great Traditions Land and Development Company, advised that the Yankee Trace Sales Center has received no complaints from residents relative to excessive vibrations and noise. Zaring Homes is under contract to purchase the lots in Yankee Trace, Section Twenty-Eight and they are aware that the DP&L turbines exist. The distance from a Dayton Power and Light turbine unit to the property lines is 500 feet. Existing trees provide a buffer, 250 feet in depth, between the turbine units and the single family homes in Yankee Trace. Mr. Kiefer advised that DP&L has informed him that in

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1014B

Held March 18

16/ 2002

the year 2001 the turbines operated a total of 25 hours. DP&L believes that vibrations and noise are caused by exhaust from the turbines. Mr. Kiefer does not see vibrations and noise from the DP&L turbines as a serious long term issue to require structural modifications to buildings. Upon question of Mr. Singer, Mr. Kiefer advised that the Record Plats for these three sections are in conformance with the overall Master Plan for Yankee Trace. In consideration of the fact that one complaint has been received by a Yankee Trace resident relative to vibrations, Mrs. Lienesch questioned whether the City has any liability. Mr. Farquhar advised that the City has no liability in this matter. Upon question of Mr. Kingseed, Mr. Horn advised that the City has no contact with home purchasers in Yankee Trace, if contacted the City would share information relative to vibrations and noise from DP&L turbines. Mr. Singer moved that the Record Plat for Yankee Trace, Section Twenty-Eight, be approved as recommended by the Planning Commission and City Engineer with all conditions as outlined previously. Dr. Gresham seconded the motion. The motion passed unanimously.

YANKEE TRACE SECTION TWENTY-NINE RECORD PLAT

In reference to Yankee Trace, Section Twenty-Nine, Mr. Kingseed questioned whether a flooding potential exists for residences which will border the lake. Mr. Feverston advised that the lake has been designed for a 100 year storm. Upon question of Mr. Cline, Mr. Feverston explained how the setback differs in this section to provide additional setback from the pool of the lake. Dr. Gresham moved that the Record Plat for Yankee Trace, Section Twenty-Nine be approved as recommended by the Planning Commission and the City Engineer with all conditions as previously outlined. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

YANKEE TRACE SECTION THIRTY RECORD PLAT

Mr. Kingseed moved that the Record Plat for Yankee Trace, Section Thirty be approved as recommended by the Planning Commission and the City Engineer with all conditions as stipulated previously. Mrs. Lienesch seconded the motion. The motion passed unanimously.

Mr. Cline announced the kick-off meeting for the Long Range Comprehensive Plan Task Force scheduled for Thursday, March 21, 2002, to begin at 6:00 P.M. in the Academy Lounge at Yankee Trace. Upon question of Mr. Singer, Mr. Horn reported that Washington Township Administrator Gary Huff has advised that the Township will probably not participate in this Comprehensive Plan. Discussion followed relative to the Township's involvement relative to the preparation of a Comprehensive Plan when it was first discussed and the importance of a Comprehensive Plan for the entire Centerville Washington Township area. Mr. Kingseed brought attention to the fact that this is another example of overlapping forms of government and waste of taxpayer's money. Mr. Singer pointed out that if two Comprehensive Plans are developed independently, they may not be compatible with each other.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held March 18

19 2002

ORDINANCE NUMBER 3-02 APPROPRIATE PERCY PROPERTY

The Public Hearing was held concerning Ordinance Number 3-02. Mr. Horn reviewed this proposed Ordinance to appropriate property located at 201 West Spring Valley Road for public purposes. The City has been unable to agree with the owner as to the compensation to be paid for said property. The subject property is situated adjacent to and west of the new police facility. Mr. Cline sponsored Ordinance Number 3-02, An Ordinance By The Council Of The City Of Centerville, Montgomery County, State Of Ohio To Appropriate Certain Real Property Located At 201 West Spring Valley Pike, Centerville, Ohio For Public Purposes, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

CLYO ROAD OFFICE PARK MINOR AMENDMENT

Mr. Feverston reviewed a minor amendment to a previously approved Major Use Special Approval for the Clyo Road Office Park proposed to be constructed at the southwest corner of Alexandersville-Bellbrook Road and Clyo Road. The applicant has requested a minor amendment to reduce the number of buildings to five instead of seven and to develop the entire project in one phase. Mr. Feverston located the subject property on a map and shared architectural renderings of the buildings. The Planning Commission, by unanimous vote, recommended approval of this minor amendment with the condition that the following changes be made to the conditions approved with the Major Use Special Approval:

1. Condition number 6 (The Planning Commission shall approve the architectural design of the proposed building to assure the materials, shape, massing and architectural features create a unified design on the premises and shall be visually compatible with surrounding buildings. Specifically, the Planning Commission must approve the use of E.I.F.S. (Dryvit) as an exterior siding material. The final design of all future buildings shall be subject to approval by the Planning Commission) be amended as follows: The architectural design of the proposed buildings are approved as depicted in the revised plans with any substantial change in the architectural design of any building shall be subject to approval by the Planning Commission.
2. Condition number 12 (The project to be constructed in phases) be deleted in its entirety.
3. Condition number 15 (Undeveloped phase 2 areas be seeded with grass now (or in the spring) be deleted in its entirety.
4. Condition number 16 (The full detention basin to be put in as part of phase 1) be deleted in its entirety.

In answer to a question by Mr. Cline, Mr. Feverston advised that the new buildings will be a few feet taller than originally planned but will be less than the maximum height permitted. Mr. Singer moved that the minor amendment to the Clyo Road Office Park be approved as recommended by the Planning Commission subject to the conditions previously outlined. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held March 18

4/6/2002

Glen Madden, 54 Laura Avenue, was present at this meeting to express concern with conflicting information relative to the City of Centerville separating from Washington Township. He submitted petitions signed by residents against the City of Centerville severing partnerships with the Township in the services of fire, recreation, the Senior Center and cemetery. He believes that residents of the City and the Township should be given the opportunity to voice concerns and give input into this matter. Mr. Madden proposed that the future of this community should become an election issue and not be decided by the elected officials. Mayor Beals thanked Mr. Madden for his comments. She advised that relationships between the City and the Township have been discussed for thirty-four years. Mayor Beals pointed out areas where the City has had no input into Township activities and attempts made by the City to cooperate with the Township on certain projects. The future of this community has been studied on three different occasions with the same conclusion that the status quo is unacceptable. Mayor Beals pointed out that an agreement has been made between the City and the Township to conduct a financial analysis; no decision will be made in private relative to the future of Centerville and Washington Township. Mr. Kingseed advised that he will be meeting with Washington Township Trustee President Terry Blair to review the economics of this issue, the facts will be presented for citizen input. He advised that there will be a lot of open discussions and debates. The Trustees and City Council are trying to determine the best way to provide government services to residents at the lowest possible cost. Dr. Gresham explained that people must be educated and understand what a merger would mean to the total community.

Robert Kyvik, 2555 Goodfield Point, a resident of Washington Township for 35 years, believes it is time for Centerville and Washington Township to become one City. He believes that if the Comprehensive Plan is a community project, the Township must be included.

Linda Madden, 54 Laura Avenue, asked to see the report prepared by the City Task Force in 1992 relative to the future of the City of Centerville and Washington Township. She has a copy of the report prepared by Washington Township but not of Centerville. She would like to become more educated relative to financial impact if the combined community became one. Mayor Beals outlined some of the conflicts which have existed between the two entities and the finances paid to Washington Township by residents of the City of Centerville.

RESOLUTION NUMBER 11-02 JEEP WRANGLER FOUR WHEEL DRIVE

Miss Gilleland reviewed the following bids received for the purchase of a Jeep Wrangler Four Wheel Drive for use in the Public Works Department:

Erwin Chrysler Dodge Jeep, Inc.	\$19,378.00
Tom Harrigan	20,396.00

Miss Gilleland recommended acceptance of the low and best bid submitted by Erwin Chrysler Dodge Jeep, Inc. Mr. Singer sponsored Resolution Number 11-02, A Resolution Accepting The Bid Submitted By Erwin Chrysler Dodge Jeep Inc., For The Purchase Of A Jeep Wrangler Four Wheel Drive For 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. Kingseed seconded the motion. The motion passed unanimously.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held March 18

1/9/ 2002

RESOLUTION NUMBER 12-02 DUMP TRUCK

Miss Gilleland reviewed the following bids received for the purchase of a dump truck equipped with hydraulics, front mounted snow plow and under tailgate salt spreader:

White Allen Chevrolet, Inc.	\$63,140.00 without trade
Stoops Freightliner of Dayton	65,855.00 without trade
Stoops Freightliner of Dayton	65,983.00 without trade
Bob Ross Buick GMC	69,805.00 without trade
Miami Valley International Harvester	68,625.00 without trade
Miami Valley International Harvester	69,053.00 without trade
32 Ford-Mercury	69,563.00 without trade

Miss Gilleland recommended acceptance of the bid received from White Allen Chevrolet, Inc. in the amount of \$63,140.00 without trade and that the 1978 dump truck be sent to ADESA Auctions of Dayton to be auctioned. Mrs. Lienesch sponsored Resolution Number 12-02, A Resolution Accepting The Bid Submitted By White-Allen Chevrolet, Inc., For The Purchase Of One Cab And Chassis With A 4 Cubic Yard Dump Body For 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 by unanimous vote.

RESOLUTION NUMBER 13-02 WASTE COLLECTION PACKER

Miss Gilleland reviewed the following bids received for the purchase of a 25 cubic yard high compaction refuse packer, including chassis:

B&G Equipment & Truck Repair, Inc.-Crane Carrier/Dempster	\$123,048.00
Stoops Freightliner Condor-Freightliner/Dempster	116,023.00
Stoops Freightliner Condor-Freightliner/McNeilus	114,232.00
Stoops Freightliner Condor-Freightliner/EZPack	113,232.00

Miss Gilleland recommended acceptance of the bid received from Stoops Freightliner Condor with Dempster Packer Body for the bid price of \$116,023.00 and that the 1980 Refuse Packer be retained for sale at the auction. The bid submitted by Stoops Freightliner/McNeilus did not meet City specifications. Mr. Singer sponsored Resolution Number 13-02, A Resolution Accepting The Bid Submitted By Stoops Freightliner For The Purchase Of One Freightliner Condor With Dempster Packer Body For 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. Kingseed seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 14-02 YANKEE TRACE FIFTH AMENDMENT

Mr. Horn reviewed a proposed Resolution to ratify his action taken to execute a Fifth Amendment to the Master Agreement entered into with Great Traditions Land & Development Company on June 27, 1994 for the development of City owned land in the vicinity of The Golf Club at Yankee Trace. This amendment concerns a 5.6 acre parcel of land located east of Paragon Road, just west of Shawnee Trail. It moves the sale date of this property to Yankee Trace Development, Inc. to October 20, 2002 and includes an interest fee of four percent for the sale date extension. Mr. Singer sponsored Resolution Number 14-02, A Resolution Ratifying

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held March 18

19 2002

The Action Taken By The City Manager To Execute A Fifth Amendment To An Agreement Between The City And The Corporate Predecessor Of Yankee Trace Development, Inc., originally Executed On June 27, 1994, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 4-02 SAF VII LEVY ASSESSMENTS

Mr. Horn reviewed a proposed Ordinance which is the last section of Special Assessment Financing for Yankee Trace. This SAF is a 100 percent owner petition for improvements in the approximate amount of \$750,000.00. Mr. Kingseed sponsored Ordinance Number 4-02, An Ordinance Levying Special Assessments To Improve Cobblewood Court, Olde Georgetown Way, Legend Lake Lane And Other City Rights Of Way, All Between Certain Termini, By Clearing, Grading, Draining, Curbing, Paving, And Constructing And Installing Sanitary Sewers, Storm Sewers, Water Mains, And Sidewalks, Together With All Necessary Appurtenances Thereto, And Also Social Row Road To The Extent Of Available Funds, And Declaring An Emergency, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 5-02 SAF VII SALE OF BONDS

Mr. Horn reviewed a proposed Ordinance which is the second phase of Special Assessment Financing for Yankee Trace which provides for the issuance and sale of bonds in the maximum principal amount of \$750,000.00 for the purpose of paying for the stated improvements. Dr. Gresham sponsored Ordinance Number 5-02, An Ordinance Providing for The Issuance And Sale Of Bonds In The Maximum Principal Amount Of \$750,000 For The Purpose Of Paying The Property Owners' Portion, In Anticipation Of The Collection Of Special Assessments heretofore Levied, Of the Cost To Improve Cobblewood Court, Olde Georgetown Way, Legend Lake Lane And Other City Rights Of Way, All Between Certain Termini, By Clearing, Grading, Draining, Curbing, Paving, And Constructing And Installing Sanitary Sewers, Storm Sewers, Water Mains, And Sidewalks, Together With All Necessary Appurtenances Thereto, And Also Social Row Road As Provided Herein To The Extent Of Available Funds, And Declaring An Emergency, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 6-02 0.161 AND 0.137 ANNEXATION

Mr. Kingseed moved that Ordinance Number 6-02, An Ordinance Authorizing The Annexation Of Contiguous Territory Owned By The City Of Centerville And Directing The Municipal Attorney To Prosecute The Proceedings Necessary To Effect Said Annexation, be set for Public Hearing on April 15, 2002. Mr. Cline seconded the motion. The motion passed by unanimous vote.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held March 18

HW 2002

FOREST WALK SECTION ONE PERFORMANCE BOND RELEASE

Mr. Horn advised that the City Engineer has recommended that the Performance Bond for Forest Walk, Section One in the amount of \$45,000.00 be released, conditioned upon the receipt of a one year Maintenance Bond in the amount of \$15,000.00. All public improvements including pavement, curbs and drainage have been completed. An existing sidewalk bond in the amount of \$6,000.00 remains effective until the walk is completed. Mr. Kingseed moved that the Performance Bond posted for Forest Walk, Section One be released as recommended by the City Engineer. Mr. Cline seconded the motion. The motion passed by unanimous vote of City Council.

FOREST WALK SECTION TWO PERFORMANCE BOND REDUCTION

Mr. Horn reviewed the recommendation of the City Engineer that the Performance Bond for Forest Walk, Section Two in the amount of \$179,143.00 be reduced to \$39,000.00. This amount is sufficient to cover the remaining plat improvements. A separate Performance Bond of \$8,420.00 was posted for sidewalks and remains unchanged. Mrs. Lienesch moved that the Performance Bond posted for Forest Walk, Section Two be reduced to \$39,000.00 as recommended by the City Engineer. Mr. Singer seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beards
Mayor, City of Centerville

ATTEST: Wendy J. DeAngelis
Clerk of Council