

# RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held October 2120 02

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 21, 2002, 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 Sally Beals presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor C. Mark Kingseed

Councilmembers James Singer

Roger Krass

Susan Lienesch

Paul Gresham

Clerk of Council Marilyn McLaughlin

Assistant Clerk of Council Debra James

City Manager Gregory Horn

Assistant City Manager Judith Gilleland

City Planner Steve Feverston

Public Works Director Robert James

Finance Director Mark Schlagheck

City Engineer Norbert Hoffman

Economic Development Administrator Chris Pozzuto

Assistant to the City Manager Jesse Lightle

Assistant City Engineer Mary Lou Pence

Mayor Beals announced that Councilmember Douglas Cline would not be present for this meeting. Mr. Singer moved that Mr. Cline be excused from this meeting. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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

Council Meeting - September 16, 2002.

Work Session Meetings - September 16, 2002.

- October 7, 2002.

- October 14, 2002.

Mr. Krass moved that the minutes of the foregoing meetings be approved, as distributed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote with the following abstentions:

Mr. Singer from the October 14, 2002 Council Work Session.

Mayor Beals from the September 16, 2002 Council Meeting and Work Session.

Dr. Gresham from the September 16, 2002 Council Meeting and Work Session.

Mrs. McLaughlin announced the receipt of resignation letters from Sister City Committee members Judith Baker and Suzanne Walk. Mr. Singer moved that the resignations of Mrs. Baker and Mrs. Walk be accepted, with regret. Dr. Gresham seconded the motion. The motion passed unanimously.

Mr. Pozzuto presented a video identifying the City Beautiful Business Pride Award winners for the current year.

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Mayor Beals and Linda Meily, Chairman of the City Beautiful Commission, presented City Beautiful Awards to the following residents:

Tom and Sandra Budde	1860 Weathered Wood Trail
Barbara Hegele	8275 Rhine Way
Vickie and Charles Miller	62 Coachman Drive
Sam and Kristi Ropp	277 Joy Elizabeth Drive
Roger and Connie Cundiff	5267 Burning Bush Lane
Anthony and Grace Bufi	7237 Green Ash Court
Nancy Rammel Yowell	157 Bradstreet Road
Pam and Paul Anglin	517 Yankee Trace Drive
Cindy and Guy Smallwood	6510 Staverton Drive
Mark and Mary Ritzert	5013 Alpine Rose Court
Brian and Susan Fenner	56 Weller Avenue
Ken, Louise and Denise Smith	9755 Pawnee Pass
Phillip L. Whittaker	360 Whittington Drive
Pat Kennedy	7372 W. Von Dette Circle
David and Heather Sproull	284 Linden Drive
Frank and Kathy Carraher	935 Villa Vista Place
Marshall Goodfellow	40 Peach Grove Avenue
Leroy Peters	8020 Brainard Woods Drive
Mike and Sandy Palmer	1973 Home Path Court
Kim and Lou Heckman	9761 Rose Arbor Drive
Jim and Candace Hollander	6341 Millbank Drive
Gloria and Jim McNamara	2131 Pelwood Drive
Phyllis D. Strayer	275 E. Elmwood Drive
Judy and Tim Lange	1225 Club View Drive

Mrs. Meily introduced City Beautiful Commission members in attendance, outlined the City Beautification Program, and invited the recipients to join City Council for a reception.

Mayor Beals announced the following events which have occurred during the past month or will occur soon:

Appreciation was expressed to Deputy-Mayor Mark Kingseed for serving in her capacity during her vacation.

Election Day is November 5, 2002; remember to vote.

On Sunday, October 20, 2002 the annual area wide Firefighters and EMS Memorial Ceremony was held in the Leonard E. Stubbs Memorial Park.

The week of November 11, 2002 has been proclaimed as Military Appreciation Week in the City of Centerville. There will be a Veterans Memorial Ceremony at Stubbs Park on November 11, 2002 at 11:00 A.M., as well as refreshments and displays at the Centerville Public Library.

Several new businesses have opened their doors in the City of Centerville:

Winnie's Wigs in Cross Pointe Centre.

Centerville Reliable Electric has expanded to 94 Compark Road.

Scratching Post at 963 East Franklin Street.

A Coffee Affair at 4 West Franklin Street.

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Congratulations were extended to the following:

Centerville Washington Township Historical Society for a successful Autumn Ball at which Celia Elliott was honored.

Hithergreen Senior Center for its 20<sup>th</sup> year as an organization.

Debra James upon receiving her Certification as a City Clerk from the International Institute of Municipal Clerks.

Dr. Gresham outlined the highlights of his trip to Germany with his wife Deborah, Mayor Sally and John Beals, and David and Jean Blum. Centerville has been invited to visit Sister City Bad Zwischenahn in the year 2004.

Mr. Horn announced the following during his City Manager's report:

A portion of Yankee Trace Drive will be closed for the next two days for the installation of golf cart paths. Directional signs have been posted and safety personnel have been notified.

The Washington Township Trustees are seeking input from residents relative to the reuse of the Centerville Cinemas which the Township has purchased. This is an opportunity to express additional recreational needs in the community.

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

During his Legislative update, Mr. Pozzuto reviewed the following two bills which impacts our community:

HR 3694 - Highway Funding Restoration Act; this is a Federal bill which has passed the House and is waiting passage in the Senate.

SB184 - Anti-Terrorism Bill, an Ohio bill which has been passed.

## YANKEE TRACE SECTION THIRTY-ONE RECORD PLAN

Mr. Feverston reviewed the Record Plan for Yankee Trace, Section Thirty-One, for the development of a 2.736 acre parcel of land zoned R-1c, Single-Family Residential, into 10 single-family residential lots. He located the subject property on a map being situated along Yankee Trace Drive, west of Greenskeeper Way, and south of Vintage Green Way. This Section of Yankee Trace is part of Parcel Number 28 which has been approved by the Planning Commission as a Special Approval application. Mr. Feverston advised that the Planning Commission, by unanimous vote, and the City Engineer recommended approval of this Record Plan to City Council subject to the following conditions:

Planning Commission:

1. The 0.861 acre parcel owned by Yankee Trace Development, MF #01-0663-C04 be platted as a reserve area with this Record Plat.
2. The western portion of the Reserve Area CL shall be deeded to the City for the purpose of golf course access subject to approval by the City Planning Department.

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3. The Yankee Trace Declaration of Covenants shall be modified to require the Homeowners Association to be responsible for the maintenance of the landscaped area between Drive "E" and Yankee Trace Drive subject to approval by the City Attorney.
4. 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.
5. The final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department.
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.

**CITY ENGINEER:**

- (1.) Much of the overall site grading and mass dirt work is completed, there will be some reconstruction of the existing pavement, curb, storm, sanitary and water for conversion from private to public streets.
- (2.) Approval of the Record Plan for Yankee Trace, Section Thirty-one should be subject to receipt of the following:
  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 \$45,000.00, which represents the total estimated cost for conversion to public streets, curb, drainage, and pavement. No sidewalks or hiker-biker trails are included in this section.
  3. Inspection Fee in the amount of \$372.00.

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. Singer moved that the Record Plan for Yankee Trace, Section Thirty-One, be approved, subject to all conditions recommended by the Planning Commission and the City Engineer. Dr. Gresham seconded the motion. The motion passed with six ayes in favor of the motion; Mrs. Lienesch voted no.

Mr. Singer reported on the Stormwater Drainage Task Force meeting held October 17, 2002. Discussed during the meeting were drainage improvements completed in 2002 and plans moving forward with the principle project recommended for 2003 being a drainage replacement on South Main Street.

Mr. Singer pointed out that he represented Mayor Beals at a Ground Breaking Ceremony for Holiday Express while she was vacationing in Germany.

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Joseph Koussa, 1537 Beaver Creek Lane, was present at this meeting to ask that members of the armed forces return home safely and that motorists conserve on the use of gasoline.

### ORDINANCE NUMBER 14-02 2002 APPROPRIATIONS

Mr. Krass moved that Ordinance Number 14-02, An Ordinance To Amend Ordinance 35-01 To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ended December 31, 2002, be set for Public Hearing on November 18, 2002. Mrs. Lienesch seconded the motion. The motion passed unanimously.

### RESOLUTION NUMBER 41-02 CERTIFY TAX RATES

Mr. Schlagheck reviewed a proposed Resolution to certify tax rates to the Montgomery County Auditor. Each year the City must certify the property tax rate levied by the City of Centerville. For the past five years the City has only levied the 2.35 mill which is allowed inside the 10 mill limitation which amounts to \$1,161,753.00. Upon suggestion of Mayor Beals, Mr. Schlagheck explained the difference between inside and outside limitation. Dr. Gresham sponsored Resolution Number 41-02, Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, and moved that it be passed. Mr. Krass seconded the motion. The motion passed by unanimous vote.

### RESOLUTION NUMBER 42-02 COMPREHENSIVE PLAN

Mr. Horn reviewed an agreement between the City of Centerville, Washington Township and American Communities Partnership, Ltd. for the preparation of a Joint Land Use Comprehensive Plan for the two entities. The total cost for the services of ACP is \$360,325.00 of which \$209,450.00 is the City's share and \$150,875.00 is the Township's share. The City has received a grant from Economic Development Community Equity in the amount of \$100,000.00 for this project. This grant reduces the City's share to approximately \$140,000.00 and the Township's to approximately \$91,000.00. Mr. Horn explained the project which will take perhaps two years to complete. In answer to a question of Mayor Beals, Mr. Horn explained that the difference in cost between the two entities is due to the fact that some work has already been completed at Township entryways paid for by the Township, and the City wants to target some key areas in the City. Mr. Krass sponsored Resolution Number 42-02, A Resolution Ratifying The Action Taken By The City Manager To Enter Into A Contract Between The City Of Centerville And American Communities Partnership, Ltd., and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

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## RESOLUTION NUMBER 43-02 TREATMENT OF ALCOHOLISM

Mr. Horn reviewed a proposed Agreement between the City of Centerville and the Combined Health District of Montgomery County for the implementation, operation and maintenance of a program for the prevention and treatment of alcoholism and drug abuse. The Health District annually asks entities to contribute ten percent of the funds received from the State of Ohio for liquor permit fees for this program. The cost to the City of Centerville is approximately \$1,800.00. Mrs. Lienesch sponsored Resolution Number 43-02, 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, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 44-02 STUBBS PARK

Mr. James located on a map areas in the Leonard E. Stubbs Memorial Park to be paved. Areas included are pathways, a parking lot and a seating pad in front of the Amphitheater. Funds have been received from Community Development Block Grant for a portion of the cost. Mr. James recommended acceptance of the one bid received from the W. C. Jones Asphalt Paving Company in the amount of \$41,580.00. Upon questions of Mrs. Lienesch, Mr. James advised that this is the first time CDBG monies have been received for Stubbs Park and these improvements will tie into other improvements being made in the park. Mr. Kingseed sponsored Resolution Number 44-02, A Resolution Accepting The Bid Submitted By W. C. Jones Asphalt Paving Company, Inc. For The Stubbs Park Path And Parking Lot Paving Project-2002 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. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

## RESOLUTION NUMBER 45-02 FERTILIZER FOR YANKEE TRACE

Mr. Horn advised that bids for the purchase of fertilizer for The Golf Club at Yankee Trace were received from Turfgrass South, LLC, Green Velvet Sod Farms, and United Horticultural Supply. He recommended acceptance of the bid submitted by Turfgrass South, LLC, not to exceed the bid price of \$81,869.86. Mr. Krass sponsored Resolution Number 45-02,

A Resolution Accepting The Bid Submitted For The Purchase Of Fertilizer For The Golf Course At Yankee Trace 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.

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CITY BEAUTIFUL COMMISSION REAPPOINT CLIFF PURDIN

Mrs. Lienesch moved that Cliff Purdin be reappointed as a member of the City Beautiful Commission for the City of Centerville. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals  
Mayor

ATTEST:

Maile J. McLaughlin  
Clerk of Council