

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held April 30,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 30, 2001, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Deputy-Mayor James Singer, and the Pledge of Allegiance to the Flag with Mayor Sally Beals presiding. Councilmembers and City Staff present were as follows:

- Deputy-Mayor James Singer
- Councilmembers Susan Lienesch
- Paul Gresham
- C. Mark Kingseed
- Douglas Cline
- Roger Krass
- Clerk of Council Marilyn McLaughlin
- Assistant to the Clerk of Council Debra James
- City Manager Gregory Horn
- Assistant City Manager Judith Gilleland
- Golf Maintenance Superintendent John Miller

RESOLUTION NUMBER 41-01 GOLF COURSE EXPANSION

Mr. Horn advised that five bids were received for the construction of the expansion to The Golf Club at Yankee Trace. The low bid received from Quality Golf, Inc. in the amount of \$1,863,411.00 was in excess of the cost estimate. The specifications contained the construction of the additional six holes and some changes to the three practice holes. All bids received have been reviewed by Golf Maintenance Superintendent John Miller and Gene Bates. Mr. Horn outlined some changes to be made to the plans and some deducts which will reduce the cost to below the engineer's cost estimate. He reviewed a proposed Resolution which enables him to enter into a contract with Quality Golf, Inc. when all changes have been made to the construction drawings. Mr. Miller advised that Quality Golf is in agreement with all changes proposed to be made. In answer to a question of Mr. Singer, Mr. Horn advised that construction could begin within the next ten days with everything seeded and sodded by the 10th of September. Weather permitting, there could be limited play in June of 2002. Dr. Gresham sponsored Resolution Number 41-01, A Resolution Authorizing The City Manager To Negotiate A Contract With Quality Golf, Inc. Of Sunbury, Ohio For The Construction Of A Golf Course Addition At The City's Municipal Golf Course Which Contract Shall Be In An Amount Equal To Or Less Than The Bid Submitted By Quality Golf, Inc. At The Bid Opening Which Occurred On April 17, 2001, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

150 FOOT MONOPOLE FOR NEW POLICE FACILITY

Mr. Horn advised that the current radio tower for the Centerville Police Department is very old and has outlived its usefulness. A new tower is needed in the same location and next to the new police facility. This project was bid with just two bids received which far exceeded the cost estimate. Municipal Attorney Robert Farquhar has ruled that the City is not required to follow the requirements in the Zoning Ordinance for the City of Centerville relative to the

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erection of a tower; City Council can approve the tower without following the Conditional Use process. James Durham, Chairman of the Planning Commission, has agreed that the Conditional Use process be waived. Mr. Singer moved that the Conditional Use process as defined in the Centerville Zoning Ordinance for the erection of a tower be waived and a 150 foot monopole be approved. Mr. Kingseed seconded the motion. Upon question of Mrs. Lienesch, Mr. Horn explained the Conditional Use process: a Public Hearing would be held and people would be notified. Mr. Horn explained the fact that there is only one resident who could be impacted by this tower. The motion passed by unanimous vote.

Mr. Kingseed moved that Council convene into Executive Session for the purpose of discussing litigation. Mrs. Lienesch seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Dr. Gresham move that Council reconvene into Regular Session. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 42-01 K & S SETTLEMENT

Mr. Horn advised that a law suit has been pending in the Court of Common Pleas involving K & S Enterprises and the City of Centerville. Litigation has pursued over two major issues: the rezoning of property owned by K & S Enterprises from B-PD, Business-Planned Development to O-PD, Office-Planned Development zone classification, and the designation of the home on the property as a landmark. Negotiations have occurred between the City of Centerville, K & S Enterprises, and family members involved. A settlement document has been prepared and has been recommended by legal counsel; it is now before City Council for consideration. Mr. Kingseed sponsored Resolution Number 42-01, A Resolution Authorizing The City Manager To Execute An Agreement With K&S Enterprises, John Sotiropoulos, Patricia Sotiropoulos,; Peter G. And Lula Karras, Trustees Of The Peter G. Karras Family Trust; Andreas G. And Ourania Karras, Trustees Of The Andreas G. Karras Family Trust To Compromise And Settle Case Number 99CV5337 Now Pending In The Common Pleas Court Of Montgomery County, Ohio, and moved that it be passed. Mr. Cline seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the meeting was adjourned.

Approved: 

Mayor

ATTEST:


Clerk of Council