

RECORD OF PROCEEDINGS

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Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held June 18, 2001

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, June 18, 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
Roger Krass
Clerk of Council Marilyn McLaughlin
Assistant to the Clerk of Council Debra James
City Manager Gregory Horn
City Engineer Norbert Hoffman
City Planner Steve Feverston
Finance Director Mark Schlagheck
Municipal Attorney Robert Farquhar
Assistant to the City Manager Jesse Lightle

Mayor Beals advised that Councilmember Douglas Cline was returning to Centerville late this date and may not be in attendance at this meeting. Dr. Gresham moved that Councilmember Douglas Cline 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 - May 21, 2001.
Work Session Meetings - May 21, 2001.
- June 4, 2001.
- June 11, 2001.

Mr. Kingseed moved that the minutes of the foregoing meetings be approved, as distributed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote, with Mr. Singer and Mr. Krass abstaining from the minutes of meetings held on May 21, 2001, and Dr. Gresham abstaining from the minutes of the June 4th meeting.

Roberta Longfellow was present at this meeting to review the draft FY 2001 Action Plan prepared by Montgomery County for housing and community development. This Action Plan is part of the County's Housing and Urban Development approved Consolidated Plan. She outlined their objectives for the current year for both housing and community development activities. Ms. Longfellow reviewed the allocation of monies for various projects through the Community Development Block Grant program. She welcomed comments from the public and City Council. The project for the City of Centerville is handicap accessibility in the Leonard E. Stubbs Memorial Park in the amount of \$27,200.00. Mr. Singer advised that this Action Plan will be further reviewed by City Staff and discussed by City Council during a future Council Work Session.

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City Beautiful Commission Chairman Linda Meily explained the Centerville Business Pride Program to promote the exterior beautification and maintenance of business properties in the City of Centerville. Mayor Beals and Mrs. Meily presented the following awards:

May Winners:

Routsong Funeral Home	81 North Main Street
Tom Routsong	
Lamar Properties	175 East Alexandersville-
Jennifer Core	Bellbrook Road

June Winners:

All-Seal Home Improvement	252 West Franklin Street
Jack Kostak	
Sears Roebuck Service Center	6661 Clyo Road
Bob Lewis	

Mrs. Meily thanked all businesses for participation in this program.

Mayor Beals announced the following events which took place during the past month and will take place during the coming weeks:

BUY.COM Dayton Open Golf Tournament events took place beginning Saturday, June 16, 2001 and will continue through Sunday, June 24, 2001. The many events were outlined by Mayor Beals. Appreciation was expressed to sponsors for their donations and to the volunteers for their time.

On July 4, 2001 the Americana Festival will be held in the center of Centerville. This will be the 225th anniversary of this Country.

Visitors from Centerville's Sister City Bad Zwischenahn, Germany will arrive in Centerville on July 2, 2001 and will depart on July 5, 2001. They will be attending the concert at the Leonard E. Stubbs Memorial Park on July 3, 2001 and the festival and fireworks on July 4, 2001.

Centerville visitors will travel to Waterloo, Ontario Canada to attend the Oktoberfest, leaving Centerville on October 5, 2001 and returning on October 8, 2001. An invitation was extended to those people wishing to travel to Waterloo.

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

Construction on the new Centerville Police facility is progressing well. The building is currently completely enclosed.

Lieutenant Bruce Robertson, a long time member of the Centerville Police Department recently received from the American Association of Police Polygraphist, the Richard O. Arthur award for polygraphist of the year. Within a period of twenty-four years, this award has been given thirteen times of which two of these times it was awarded to Lt. Robertson.

The widening and reconstruction project for Alexandersville-Bellbrook Road from approximately Loop Road to Bigger Road has been out to bid by the Ohio Department of Transportation. Of the nine bids received the low bid submitted by S K Construction Company in the amount of \$2,788,608.30 is below the engineer's cost estimate. Construction should begin soon with a completion estimated twelve months from the start-up date.

The BUY.COM Dayton Open Golf Tournament is well underway. Mr. Horn announced the various locations at which free admission tickets can be obtained.

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Best wishes were extended to David McDaniel upon his retirement as principal of the Centerville High School.

Miss Lightle outlined code violations and resolutions for the month of May, 2001 as well as the community calendar for the coming month.

Mrs. Lienesch as Co-Chair of the Aircraft Noise Task Force, outlined activities and the following solutions accomplished with the FAA and Airborne Express in Wilmington, Ohio, to reduce aircraft noise experienced by residents in Centerville and Washington Township:
 8-10 overflights were rerouted on existing FAA routes by 8-97,
 6 additional overflights were redirected to a northern route by FAA in 1999,
 Airborne Express continues to review daily flights and reroutes as business permits,
 Airborne Express has been allowed unlimited climb by the FAA. They endeavor to get the planes as high and as fast as then can,
 FAA personnel were increased at the Indianapolis Control Tower during night shift to accommodate the nighttime air traffic industry and to facilitate speedier hand off to Indianapolis by Dayton Air Traffic Control,

Public meetings were held three to four times per year to receive complaints which were then forwarded to the local FAA. At the last public meeting, it was the consensus of those present that the Aircraft Noise Task Force should continue to exist, to monitor complaints for unusual activity and to keep abreast of national trends. If anything significant occurs, the Task Force will be ready to step up its activity. Public meetings will be held once per year unless more frequent meetings are deemed necessary. Mr. Singer moved that this report be accepted as outlined by Mrs. Lienesch. Dr. Gresham seconded the motion. The motion passed unanimously.

**CHELTENHAM HOMEOWNERS ASSOCIATION APPEAL TO COUNCIL
 WALNUT CREEK**

The Public Hearing was held concerning an Appeal filed by the Cheltenham Homeowners Association against a decision rendered by the Planning Commission approving a Special Approval Application submitted by Charter One Corporation. Mr. Feverston reviewed the Appeal filed against a Single Family Residential Cluster Development Plan known as Walnut Creek and located the subject property on a map, being situated north of Alexandersville-Bellbrook Road, north and west of the Planet Ford Dealership and abutting the Cheltenham neighborhood along the west and north property lines. Proposed is the development of 30 lots on a 15.559 acre tract of land zoned R-1c, Single Family Residential, for an overall density of 1.94 dwelling units per acre. Mr. Feverston explained that the original plan submitted included Hingham Lane as a through street to Whites Corner Road and a stub located in the north portion of the plat. The Planning Commission, by a vote of 3-2, approved this development plan subject to several conditions, two of which read as follows: Hingham Lane shall be terminated with a cul-de-sac and the connection to Whites Corner Road eliminated; and the stub street in the north be relocated to the eastern property line south of Reserve Area "A". Mr. Feverston outlined the five basics of the Appeal filed by the Homeowners Association: if Hingham Lane is to be a cul-de-sac
 Increased traffic and resulting safety hazards in the Cheltenham Plat,

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Increased congestion at the Wilmington Pike/Alexandersville-Bellbrook Road area,
Potential decrease in property values in Cheltenham,
The developer and future homeowners of Walnut Creek will benefit from the maintenance
and improvements of the Cheltenham entrances,
One cul-de-sac is only 36 feet from present lots in Cheltenham.

Mr. Feverston pointed out that the homes are projected to cost from \$250,000.00 to \$300,000.00. It has been determined by traffic counts that additional traffic generated by Walnut Creek at intersections involving Alexandersville-Bellbrook Road will have very little significance. He explained how it does make good sense to have through streets in neighborhoods which connect to a stub constructed in an already developed subdivision.

Ralph Amos, project engineer with Schaeffer, Amos & Hughes Engineers, advised that the plat can be developed with Hingham Lane ending in a cul-de-sac or as a through street. He indicated their intention for the covenants and restrictions for Walnut Creek to be as similar as possible to those of Cheltenham. Mr. Amos pointed out that a proposed cul-de-sac in Walnut Creek is approximately 36 feet from an adjacent lot in Cheltenham and 100 to 120 feet from any residence. He pointed out that trees and shrub growth separates Cheltenham along its east boundary line and Walnut Creek; they intend to keep this area as natural as possible. Vegetation and wooded reserve areas will be maintained throughout the development.

Ray Blatz, President of the Cheltenham Homeowners Association, 2217 Briggs Road, explained that if Hingham Lane is put through Walnut Creek, there will be no advantage for motorists to use it as a through street. It will give residents in Cheltenham and Walnut Creek easy access to Wilmington Pike and to I-675. Mr. Blatz expressed concern that small lots will be applicable for lower priced homes thus potentially reducing property values in Cheltenham. He encouraged City Council to amend the development plan to include Hingham Lane as a through street.

Howard Thiele, 6828 Penridge, offered his support for Hingham Lane to continue as a through street to Whites Corner Road.

Michael Kerr, 2229 Briggs Road, expressed concern with potential increase of traffic on Briggs Road, with fire safety, and with the safety of small children if Hingham Lane is not constructed as a through street.

Faye Jendrian, 2319 Severn Lane, expressed concern with safety for school buses and fire equipment traversing through the Cheltenham neighborhood if Hingham Lane is not constructed as a through street.

Upon questions of Mrs. Lienesch, Mr. Hoffman advised that traffic counts were made at the corner of Alexandersville-Bellbrook Road and Whites Corner Road. Mayor Beals advised that the width and diameter of the ball of the cul-de-sac would determine whether a school bus would enter a cul-de-sac.

In answer to a question of Mr. Kingseed, Mr. Horn explained the thoughts of City Staff relative to Hingham Lane ending in a cul-de-sac. If the street is put through, the lots in the southeastern portion of the development could be smaller and the homes more moderately priced. It is unknown what effect this would have upon other areas of the subdivision.

As requested by Mr. Krass, Mr. Feverston located the area in which Hingham Lane would intersect Whites Corner Road; the proposed location would function adequately.

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Mr. Singer encouraged the inclusion of a stub street in the Walnut Creek subdivision in the northeastern portion to, at some time in the future, continue through the undeveloped property to the east to Wilmington Pike. Mr. Blatz explained that this access would be too near other signalized intersections onto Wilmington Pike. Mr. Hoffman offered his concurrence with Mr. Blatz's observation.

Mr. Kingseed moved that the Appeal submitted by the Cheltenham Homeowners Association against a decision rendered by the Planning Commission relative to the Planning Commission Special Approval Application submitted by Charter One Corporation for the construction of a Single Family Residential Cluster Development Plan be modified to permit the construction of Hingham Lane in the Walnut Creek subdivision as a through street to Whites Corner Road. Mrs. Lienesch seconded the motion. The motion passed unanimously.

2002 TAX BUDGET

The Public Hearing was held concerning the Tax Budget for the year 2002 for the City of Centerville. Mr. Schlagheck briefly reviewed the Tax Budget for the City of Centerville for submission to the Montgomery County Auditor. This document sets the rates for property tax dollars the City will receive. Mr. Singer moved that the Tax Budget for the year 2002 for the City of Centerville be approved for submission to Montgomery County. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 20-01 SR 725 RESURFACING

The Public Hearing was held concerning Ordinance Number 20-01. Mr. Horn advised that the Ohio Department of Transportation is interested in resurfacing SR 725 (Alexandersville-Bellbrook Road) in 2002 from the terminus of the new reconstruction project east to Wilmington Pike. Funding is available from Urban Paving funds on an 80-20 percent split with the State of Ohio providing 80 percent of the funding for this project. Mr. Kingseed sponsored Ordinance Number 20-01, An Ordinance Enacted By The City Of Centerville To Cooperate With The State Of Ohio, Department Of Transportation For The Resurfacing Of State Route 725 (Alexandersville-Bellbrook Road) From Bigger Road To The Greene/Montgomery County Line, and moved that it be passed. Mr. Krass seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 46-01 PUBLIC DEPOSITORIES

Mr. Schlagheck reviewed a proposed Resolution which is the first step in designating public depositories for the City of Centerville. The City will receive applications from various banks and the actual designation will take place by City Council during future Council Meetings. Now permitted are agreements for five years instead of two year agreements as in the past. Dr. Gresham sponsored Resolution Number 46-01, A Resolution Estimating The Probable Amount Of Public Monies To Be Deposited, Setting A Date For The Designation Of Public Depositories And Authorizing Notice, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 47-01 ANNEXATION 0.966 ACRE TRACT

Mr. Horn reviewed a proposed Resolution accepting the annexation of 0.966 acres of land recently purchased by the City of Centerville in order to provide an egress and ingress point for the Homestead section of Yankee Trace west to Washington Church Road. Mrs. Lienesch sponsored Resolution Number 47-01, A Resolution Accepting The Annexation Of Property Owned By The City Of Centerville Which Is Contiguous To The Corporate Limits Of The City And Which Is Located In The Unincorporated Area Of Washington Township, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 48-01 ANNEXATION 0.048 ACRE TRACT

Mr. Horn reviewed a proposed Resolution accepting the annexation of 0.048 acres of land owned by the City of Centerville along Paragon Road. The purpose of this annexation is to square off City owned property. Dr. Gresham sponsored Resolution Number 48-01, A Resolution Accepting The Annexation Of Property Owned By The City Of Centerville Which Is Contiguous To The Corporate Limits Of The City And Which Is Located In The Unincorporated Area Of Washington Township, and moved that it be passed. Mr. Krass seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 49-01 POLICE FACILITY CHANGE ORDER

Mr. Horn reviewed a proposed Resolution ratifying the action by the City Manager to execute payment for change order number five associated with the new Centerville Police facility. This change order is in the amount of \$31,979.70 of which \$26,905.00 is to Saturn Electric for some additional and changes in electrical equipment. Mr. Kingseed sponsored Resolution Number 49-01, A Resolution Ratifying The Action Taken By The City Manager To Execute Payment For Change Order Number Five To L. B. Robinson, Inc., Relative To The Construction Of The Centerville Police Headquarters For The City Of Centerville, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 50-01 DECLARE EQUIPMENT SURPLUS

Mr. Horn reviewed a proposed Resolution to declare some equipment no longer of use at Yankee Trace as surplus property so that it can be disposed of in accordance with provisions contained in the Centerville Municipal Code. Mrs. Lienesch sponsored Resolution Number 50-01, A Resolution Declaring Specific Equipment No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines As Stated Herein, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

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RESOLUTION NUMBER 51-01 AGREEMENT WITH FAIRWAYS & DREAMS

Mr. Horn outlined a Facilities Agreement entered into between Fairways & Dreams and the City of Centerville to provide that Golf Fest 2001 can be held at The Golf Club at Yankee Trace. Fairways & Dreams is a National Organization partially owned by Cox Communications who holds such events in various areas of the United States. The proposal is for a Golf Expo August 4 and 5, 2001. Mr. Horn listed the various events which will take place during these two days. This event will give Yankee Trace significant exposure from an advertising standpoint and there is a good financial incentive for the City to provide the golf course for this use. Mr. Krass sponsored Resolution Number 51-01, A Resolution Ratifying The Action Taken By The City Manager On Behalf Of The City Of Centerville To Execute A Facilities Agreement With Fairways And Dreams For Golf Fest 2001 To Be Held At The Golf Club At Yankee Trace, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 52-01 POLICY FACILITY TECHNOLOGY SYSTEM

Mr. Horn reviewed a proposed Resolution to authorize the adoption of a procurement methodology for evaluating and securing an electrical and technology system for the multi-purpose conference room in the new Centerville Police facility. It has been determined by Horn and King Architects and Heapy Engineering that the City would best be served by seeking proposals from specialized companies for a complete package including the installation and provision of a technology system. The estimated cost for this package is \$100,000.00. Upon question by Mr. Singer, Mr. Horn pointed out that Heapy Engineering will serve as a consultant advising the City how this should be approached; they will review the proposals, and will be involved with the coordination of the installation of the equipment. Mr. Singer sponsored Resolution Number 52-01, A Resolution Authorizing The Adoption Of A Procurement Methodology For Evaluating And Securing A Technology Package For The City's New Police Facility And Waiving Competitive Bidding, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 53-01 ELMWOOD DRIVE SIDEWALK

Mr. Horn reviewed the following bids received for the installation of concrete sidewalk along the west side of Elmwood Drive and along the south side of Zengel Drive eastward from Pleasant Hill Drive toward Alston Woods Court.

L. J. DeWeese, Inc.	\$33,748.75 - Elmwood
	<u>13,443.75 - Zengel</u>
	47,192.50 - Total
R. B. Jergens Contractors	44,482.42 - Elmwood
	<u>21,577.00 - Zengel</u>
	66,059.42 - Total
Alexander Concrete & Construction	45,325.00 - Elmwood
	<u>0.00 - Zengel</u>
	45,325.00 - Total

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Flora Excavating	45,348.00 - Elmwood
	<u>19,356.50 - Zengel</u>
	64,704.50 - Total
TdM Construction Company	50,662.50 - Elmwood
	<u>21,902.50 - Zengel</u>
	72,565.00 - Total

The low bid submitted by L. J. DeWeese, Inc. for Elmwood Drive in the amount of \$33,748.75 was below the engineer's cost estimate. Mr. Horn recommended that Council accept this low bid and include the bid of \$13,443.75 for sidewalk along Zengel Drive. The remaining portion of Zengel Drive will be completed in 2002. Mr. Singer sponsored Resolution Number 53-01, A Resolution Accepting The Bid Submitted By L. J. DeWeese, Inc. For The Concrete Sidewalk Construction - Elmwood Drive - 2001 Project, 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. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 54-01 CENTERVILLE STATION ROAD CULVERT

Mr. Horn reviewed the following bids received for the replacement of culverts along Centerville Station Road:

Kinnison Excavating	\$27,066.00 - Forest Field
	<u>15,675.00 - Farm</u>
	42,741.00 - Total
Total Excavating	26,235.00 - Forest Field
	<u>16,990.00 - Farm</u>
	43,225.00 - Total
R. B. Jergens Contractors, Inc.	29,238.68 - Forest Field
	<u>20,829.32 - Farm</u>
	50,068.00 - Total
TdM Construction Company	32,406.00 - Forest Field
	<u>19,765.00 - Farm</u>
	52,171.00 - Total
Flora Excavating	43,722.14 - Forest Field
	<u>20,184.73 - Farm</u>
	63,906.87 - Total
L. J. DeWeese Company, Inc.	42,545.00 - Forest Field
	<u>27,000.00 - Farm</u>
	69,545.00 - Total

Mr. Hoffman advised that the low bid submitted by Kinnison Excavating in the amount of \$42,741.00 is below the engineer's cost estimate. Proposed is the replacement of two metal culvert pipes: one just east of the entrance into Forest Field Park and one approximately 800 feet east of that location. These pipes will provide for the enclosure of open ditches along the side of Centerville Station Road. Dr. Gresham sponsored Resolution Number 54-01, A Resolution Accepting The Bid Submitted By Kinnison Excavating For The Centerville Station Road Culvert Improvement Project - 2001, 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. Mr. Krass

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seconded the motion. The motion passed by unanimous vote.

CENTERVILLE CITY SCHOOL DISTRICT PERSONNEL APPEALS BOARD
APPOINT LOUIS BORDONARO

Mr. Kingseed moved that Louis Bordonaro be appointed as a member of the Centerville City School District Personnel Appeals Board. Mr. Krass seconded the motion. The motion passed unanimously.

CENTERVILLE ARTS COMMISSION APPOINT HARISH TRIVEDI

Mrs. Lienesch moved that Harish Trivedi be appointed as a member of the Centerville Arts Commission. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

PERSONNEL APPEALS BOARD REAPPOINT NORMAN PLAIR

Mr. Singer moved that Norman Plair be reappointed as a member of the Personnel Appeals Board for the City of Centerville. Mrs. Lienesch seconded the motion. The motion passed unanimously.

CENTERVILLE ARTS COMMISSION REAPPOINT CARLA BLEIL

Dr. Gresham moved that Carla Bleil be reappointed as a member of the Centerville Arts Commission. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: Sally D. Bick
Mayor

ATTEST:

Marie Ann Saughel
Clerk of Council