

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held September 17, 2001 19

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 17, 2001, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Fritz Wiese, Pastor of Epiphany Lutheran Church, 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
- Douglas Cline
- Clerk of Council Marilyn McLaughlin
- City Manager Gregory Horn
- City Engineer Norbert Hoffman
- Finance Director Mark Schlagheck
- Municipal Attorney Robert Farquhar
- Assistant to the City Manager Jesse Lightle

- The minutes of the following meetings had been distributed prior to this meeting:
- Council Meeting - August 20, 2001.
  - Work Session Meetings - August 20, 2001.
  - August 27, 2001.
  - September 10, 2001.

Mr. Singer moved that the foregoing minutes be approved, as distributed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

City Beautiful Commission member, Jerry Huffman, presented the Centerville Business Pride September awards to Barry Diehl, Alex-Bell Veterinary Clinic, 6880 Loop Road, and Carol Harvey, Prudential Residenz Realtors, 7234 Far Hills Avenue. Mayor Beals and Mr. Huffman expressed appreciation to everyone who has assisted and participated in this program.

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

Congratulations were extended to the Centerville United Methodist Church for the addition and restoration of their facility in the Architectural Preservation District.

A branch of the Cornerstone Bank will open October 4, 2001, on Wilmington Pike.

The Center for Jewish Culture and Education on Versailles Drive will celebrate its groundbreaking on October 7, 2001.

A group of people will travel to Centerville's Sister City Waterloo, Ontario Canada to participate in their Thanksgiving and Oktoberfest, October 5 - 8, 2001.

The Centerville-Washington Township Historical Society Annual Ball will be held on October 20, 2001.

Beggar's Night has been scheduled in Centerville for Tuesday, October 30, 2001, between the hours of 6:00 P.M. and 8:00 P.M.

Mayor Beals reminded motorists to drive with care now that school is in session.



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People were asked to enjoy, not destroy Halloween decorations.

A letter was read by Mayor Beals received from Centerville's Sister City Bad Zwischenahn in Germany relative to the day of great tragedy in the United States on September 11, 2001.

Mr. Cline outlined the impact the tragedy in New York City had on his employer Morgan Stanley, and the loss of life and property experienced by his firm.

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

The John Kalamon Memorial and Scholarship Fund Golf Tournament was held this date. Appreciation was expressed to members of the Centerville Police Department, volunteers and Mr. and Mrs. Kalamon for their involvement.

The Dayton Open Board of Directors will hold a press conference on Wednesday, September 19, 2001, at 10:00 A.M., at Yankee Trace for the distribution of Charity money resulting from the Golf Tournament.

Pavement patching and repair continues on State Route 48, and is nearing completion.

Appreciation was expressed to City Staff for putting together a very successful Community Garage Sale in Centerville.

A Public Hearing will be held by Washington Township on Tuesday, September 18, 2001, relative to a rezoning request submitted by Carol Ratterman for a change of a 17 acre parcel of land, located at 441 West Spring Valley Road, to a multi-family residential zone classification. The City of Centerville has expressed an interest to purchase the subject property for an expansion to the Leonard E. Stubbs Memorial Park.

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

Mr. Singer announced a meeting scheduled for the Storm Water Task Force on October 4, 2001, at 7:00 P.M., in the Law Library. He asked that any resident having a drainage problem report their situation to the City Engineering Department.

Mr. Cline invited interested persons to become involved in the development of a Long Range Comprehensive Plan for the City of Centerville. A design firm has been selected. Mr. Cline identified the purpose for a new Comprehensive Plan for the future of the City of Centerville.

Mr. Joseph Koussa, 1537 Beaver Creek Lane, was present at this meeting to encourage citizens to conserve on the use of gasoline.

RESOLUTION NUMBER 71-01 CERTIFY TAX RATES

Mr. Schlagheck reviewed a proposed Resolution to certify tax rates for the City of Centerville to the Montgomery County Auditor for the year 2002. To be levied is \$2.35 inside the ten mil limitation for a total of \$1,145,015.00. Mr. Krass sponsored Resolution Number 71-01, Resolution Accepting The Amounts And Rates As Determined By The Budget Commission



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And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

#### RESOLUTION NUMBER 72-01 OPPOSITION TO SENATE BILL 5

Mr. Horn outlined a referendum petition being circulated to place the question of the approval or rejection of amended Senate Bill 5 on the November 2002 election ballot for the voters to decide the fate of this annexation reform bill. He identified the negative effects that this bill will have on Cities in the State of Ohio. A proposed Resolution has been prepared for the Council of the City of Centerville to publicly support opposition to Senate Bill 5. Mr. Singer explained how the City of Centerville has opposed different versions of this bill for the past several years. He asked citizens to sign the referendum petition. He identified this bill as misbegotten, anti-City, anti-Economic Development and anti-Property Rights. Mr. Singer explained the fact that this bill is the result of legislators with Township backgrounds. Mr. Singer sponsored Resolution Number 72-01, Resolution Of Support For "No On State Control Of Property Rights", and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

#### RESOLUTION NUMBER 73-01 SUPPORT AUSTIN ROAD INTERCHANGE

Mr. Horn outlined the need for an interchange at Austin Road and Interstate 75; this matter has been considered and discussed for several years. A Resolution has been prepared to show Centerville's support for this interchange whether or not State Route 892 becomes a reality. Passage of this Resolution has been recommended by the South Metro Chamber of Commerce and many other area Cities. Mr. Cline pointed out the importance of this interchange as Long Range Comprehensive Plans are developed by the City and Washington Township. Mr. Cline sponsored Resolution Number 73-01, A Resolution Of Support For The Proposed Austin Road Interchange, Which Is Currently Being Studied As An I-75 Connector In Southern Montgomery County, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

#### RESOLUTION NUMBER 74-01 SUPPORT RECONSTRUCTION OF I-75 EXIT 47

Mr. Horn reviewed a proposed Resolution showing Centerville's support for the reconstruction of the Exit 47, Central Avenue/Dixie Drive Interchange with Interstate 75 in West Carrollton. Support for the passage of this Resolution has been promoted by the City of West Carrollton. This Resolution has been prepared as requested by West Carrollton with the caveat that an Interstate 75 Austin Road Interchange remains as Centerville's number one priority. Mrs. Lienesch sponsored Resolution Number 74-01, A Resolution Of Support For The Reconstruction Of The Exit 47, Central Avenue/Dixie Drive Interchange With I-75 In West Carrollton, Ohio, Which Is Currently Being Studied As Part Of The Ohio Department Of Transportation I-75 Corridor Study And The North/South Transportation Initiative, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.



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RESOLUTION NUMBER 75-01 DECLARE SURPLUS PROPERTY

Mr. Horn reviewed a proposed Resolution to declare certain vehicles and equipment owned by the City of Centerville as surplus property. Vehicles and equipment no longer of use by City employees must be declared surplus in order that they may be offered for sale at public auction or dispose of according to the Centerville Municipal Code. Mr. Cline sponsored Resolution Number 75-01, A Resolution Declaring Specific Equipment And Vehicles 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.

RESOLUTION NUMBER 76-01 ACCEPT SALT BID

Mr. Horn advised that bids were opened for salt supplies for the coming year. This was a joint bid of Southwest Ohio Purchaser's for Government handled by the City of Middletown. The low bid submitted for the City of Centerville was from IMC Salt, Inc. The costs for salt have been increased about \$5.00 to \$7.00 per ton over the previous year. These increases are due to the increased cost of fuel. Dr. Gresham sponsored Resolution Number 76-01, A Resolution Accepting The Bid From IMC Salt, Inc., And Authorizing The City Manager To Enter Into An Agreement With IMC Salt, Inc., For The Purchase Of Highway Rock Salt For Snow And Ice Control For 2001/2002 For The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 77-01 PARAGON ROAD IMPROVEMENTS

Mr. Horn reviewed the following bids received for the Yankee Trace Improvements, Paragon Road Reconstruction and Widening project in the City of Centerville:

R. B. Jergens, Inc.	\$372,194.26
Leo B. Schroeder Inc.	441,827.75
Phillips Sand & Gravel Company	454,265.20
R. E. Holland Excavating Inc.	459,135.60
Pyper Construction Company	489,309.50
Baker Concrete Construction	535,426.14
L. P. Cavett Company	541,584.62

He recommended acceptance of the bid submitted by R. B. Jergens, Inc. in the amount of \$372,194.26 plus the authorization to expend up to approximately 5 percent or \$20,000.00 additional if extra work becomes necessary. Mr. Horn outlined the improvements to be made. Acceptance of this bid is contingent upon the City Manager's determination that all necessary project funding is in place. Mr. Singer sponsored Resolution Number 77-01, A Resolution Accepting The Bids Submitted By R. B. Jergens, Inc. for Yankee Trace Improvements, Paragon Road Reconstruction And Widening, 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. Cline seconded the motion. The motion passed by unanimous vote of City Council.



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## YANKEE TRACE, SECTION TWENTY-SEVEN BOND REDUCTION

Mr. Hoffman reviewed his recommendation that the Performance Bond posted on Yankee Trace, Section Twenty-Seven, be reduced from \$732,000.00 to \$40,000.00. This amount is sufficient to complete the remaining non-SAF-funded work (10 percent repair of curb work, remaining site grading, temporary seeding and final asphalt paving). Mr. Krass moved that the Performance Bond posted on Yankee Trace, Section Twenty-Seven, be reduced to \$40,000.00. Mr. Kingseed seconded the motion. The motion passed unanimously.

## YANKEE TRACE, SECTION EIGHTEEN BOND RELEASE

Mr. Hoffman advised that the final course of asphalt is now in place for Yankee Trace, Section Eighteen. He recommended that the Performance Bond/Letter of Credit be released subject to the receipt of a one year Maintenance Bond in the amount of \$8,000.00. Mr. Cline moved that the Performance Bond/Letter of Credit posted on Yankee Trace, Section Eighteen, be released as recommended by the City Engineer. Mr. Krass seconded the motion. The motion passed by unanimous vote.

## YANKEE TRACE, SECTION NINETEEN BOND RELEASE

Mr. Hoffman advised that the final course of asphalt is now in place for Yankee Trace, Section Nineteen. He recommended that the Performance Bond/Letter of Credit be released subject to the receipt of a one year Maintenance Bond in the amount of \$8,000.00. Dr. Gresham moved that the Performance Bond/Letter of Credit posted on Yankee Trace, Section Nineteen, be released as recommended by the City Engineer. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

## YANKEE TRACE, SECTION TWENTY-ONE BOND RELEASE

Mr. Hoffman advised that the final course of asphalt is now in place for Yankee Trace, Section Twenty-One. He recommended that the Performance Bond/Letter of Credit be released subject to the receipt of a one year Maintenance Bond in the amount of \$15,000.00. A \$2,025.00 Sidewalk Bond, Letter of Credit or cash deposit should be established to assure completion of the concrete sidewalk. Any cash deposit would be refunded as the sidewalk is completed. Mr. Cline moved that the Performance Bond/Letter of Credit posted on Yankee Trace, Section Twenty-One, be released as recommended by the City Engineer. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

## BOARD OF ARCHITECTURAL REVIEW REAPPOINT MARTHA SHELEY

Mr. Singer moved that Martha Sheley be reappointed as a member of the Board of Architectural Review for an additional term of three years. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.



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Mrs. Lienesch moved that, in line with comments made by Mr. Koussa during this meeting, City Council encourage residents of Centerville to keep their environment in mind. Mr. Singer seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals  
Mayor

ATTEST:

Maile J. Langille  
Clerk of Council