

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held October 15

10 2001

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 15, 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 Kelvin Mitchell, Pastor of the Seventh Day Adventist Church, and the Pledge of Allegiance to the Flag led by Dave and Dan Evans, Boy Scouts from Pack 516, 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
 Assistant to the Clerk of Council Debra James
 City Manager Gregory Horn
 Assistant City Manager Judith Gilleland
 City Engineer Norbert Hoffman
 City Planner Steve Feverston
 Economic Development Administrator Chris Pozzuto
 Finance Director Mark Schlagheck
 City Horticulturist Michael Engler
 Golf Professional Patrick Bayley
 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 Meetings - September 17, 2001.

- October 1, 2001

Work Session Meetings - September 17, 2001.

- October 1, 2001.

- October 8, 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 Dr. Gresham abstaining from the minutes of the meeting held October 8, 2001.

Mayor Beals presented a Certificate of Recognition to Terry Trepanier and Dr. Randy Marriott, Fire Fighters and Paramedics with the Washington Township Fire Department for their participation in emergency rescue services at the scene of the disaster in New York City on September 11, 2001. Mr Trepanier wa accompanied by his dog Woody.

Mr. Pozzuto showed pictures of award winning locations chosen for their beautification in the Business Pride Program sponsored by the City of Centerville.

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Mr. Alex Pearl introduced members of the City Beautiful Commission present at this meeting and explained the Summer Residential City Beautification Award Program in the City of Centerville. Mayor Beals and Mr. Pearl presented a book "The Big Book of Garden Solutions" to the following award winners in the Beautification Program. Pictures were shown of each residence.

June

Tom and Kathy Vyrostek	2422 Severn Lane
Pat O'Hare	6179 Laurelhurst Lane
Mark and Anne Romer	1310 Harewood Court
Brian and Susan Fenner	56 Weller Avenue
Dave and Peggy Brooker	155 East Franklin Street
Gary and Geri Anderson	9770 Rose Arbor Drive
Gary and Beth Gardner	1571 Heritage Lake Drive

July

Marcia Heben	6509 Atterbury Court
Jeanne Campbell	712 Kings Row Avenue
Terry and Noreen Husher	8234 Station House Road
Richard and Caren Van Vleck	7790 Stanley Mill Drive
Gary and Debbie Eby	84 Tuxworth Road
Tim and Jane Gaines	122 Lakeview Drive
Gary and Michelle Hudson	135 Devay Avenue
William and Sandy Demoray	1487 Courtyard Place

August

Cindy Smallwood	6510 Staverton Drive
Harold and Jeannette Gaskill	890 East Whipp Road
Chet and Joan Layne	1521 Langdon Drive
Debby and Dwayne Adams	1345 Brainard Woods Drive
Tom and Pat Schwartz	244 Martha Avenue
Terry and Beverly Cole	170 Laurel Oak Drive
Bob and Sue Merland	361 Island Lake Court
Ray and Bev Steinbicker	1050 Charter Place

Mayor's Award Winner

Marlene and Dale Nelson	7755 Bigger Road
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A short reception was held at this time to show appreciation to all participants.

Mayor Beals reported the following events which have taken place during the past month and will take place during the coming weeks:

On October 5 - 8, 2001, visitors from Centerville completed a very successful trip to Sister City Waterloo, Ontario, Canada, to celebrate with them their Oktoberfest and Thanksgiving. Dr. Gresham outlined the many outstanding events which were planned by the Waterloo Sister City Committee and enjoyed by all.

\$20,000.00 was raised in the recent John Kalaman Golf Tournament to be placed in the Scholarship Fund in memory of fallen Centerville police officer John Kalaman.

A ground breaking ceremony was held on Sunday, October 6, 2001 for the new Jewish Center to be located just off Loop Road to the east.

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Mayor Beals attended the Ohio Municipal League Conference in Toledo, Ohio, October 10-12, 2001.

The Centerville-Washington Township Historical Society Annual Ball will take place on Saturday, October 20, 2001 at Yankee Trace.

Beggars' Night has been scheduled in Centerville for Tuesday, October 30, 2001.

Election Day is Tuesday, November 6, 2001.

Kelly Fackel, Communications and Public Relations Manager for the Miami Conservancy District, and a member of the 3CMA, City-County Communications & Marketing Association, was present at this meeting to present to Centerville's Community Resources Coordinator Maureen Russell Hodgson and Centerville Police Officer Steve Maynard the 2001 Savvy Award from 3CMA. The Savvy Awards program incorporates the prestigious City Hall Public Information Awards Competition. The awards recognize outstanding local government achievements in communications, public sector marketing, and citizen-government relationships. The award was received for "Centerville Reports". Mrs. Hodgson outlined the program and thanked the reporters and the producer of Centerville Reports.

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

Appreciation was expressed to Centerville's Code Enforcement Officer Don Creech and Maureen Russell Hodgson for a very successful Community Garage Sale held on September 14 and 15, 2001. In addition to 238 residential registrations, businesses, apartment complexes and The Franciscan at St. Leonard participated in the event. Mr. Horn asked for feedback from residents for consideration in the future.

A new pavilion has been constructed in the Leonard E. Stubbs Memorial Park just north of the Amphitheater.

The dates for the BUY.COM Dayton Open Golf Tournament have tentatively been set for July 8 - 14, 2002, with the tournament itself taking place on the 11th, 12th, 13th and 14th. This is a Golf Channel date which will take the tournament to the next level. Sponsorships are currently being solicited.

The new Centerville police facility should be completed as scheduled with occupancy occurring near December 10, 2001.

Nearly all of the additional nine holes at The Golf Club at Yankee Trace have been seeded.

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

YANKEE TRACE SECTION TWENTY-SIX RECORD PLAN

Mr. Feverston reported on the Planning Commission meeting held September 25, 2001. He reviewed a proposed Record Plan for Yankee Trace, Section Twenty-Six, which is the extension of Olde Georgetown Way west to Washington Church Road. Mr. Feverston located the subject property on a map. The zoning of this 5.908 acre parcel of land is primarily R-1c, Single-Family Residential with a 0.966 acre of land pending rezoning by City Council. Proposed

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is the division of this land into 24 single family lots. A Lifestyle Community Master Plan has been approved for the subject property. The lots on the north side of Olde Georgetown Way will develop with traditional homes with driveway entrances from a public street. The lots on the south side will develop with the neo-traditional style homes with driveway access at the rear of the lots from a private drive. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council subject to the following conditions:

1. The .966 acre portion of this parcel that is currently zoned Washington Township Agriculture, WT-A, must be rezoned to R-1c, Single-Family Residential, by the City Council.
2. A covenant shall be placed on the Record Plat that restricts direct vehicular access from Lots 447-457 to Olde Georgetown Way subject to approval by the City Attorney.
3. Washington Church Road shall be widened to include an additional land of pavement, curb, sidewalk, and stormwater drainage subject to approval by the City Engineering Department.
4. All side and rear yard building setbacks shall be in accordance with the approved Residential Cluster Development Plan.
5. A final grading and stormwater drainage plan shall be subject to approval by the Engineering Department.
6. The 20 foot stormwater drainage easement located on the north side of this plat shall be extended to the west and stub into the north property line 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.
9. The final design of all "skin improvements" (decorative walls, mounding, street lights, and picket fencing) shall be subject to approval by the Planning Department.
10. The final landscaping plan for Reserve R-BY and R-BZ shall be subject to approval by the City Planning Department.
11. 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. The private drive within this plat shall be required to be part of the Performance Bond and Subdivider's Agreement because of the frontage and direct access it provides to individual platted lots.

Mr. Feverston reviewed the recommendation of the City Engineer that this Record Plan be approved subject to the following conditions:

1. Acceptable Subdivider's Agreements.

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2. Performance Bond to assure the completion of the public improvements (grading, drainage, curbs, pavement, etc.) in the amount of \$284,000.00 which represents the total estimated cost of public streets, curb, drainage, pavement, sidewalk and private access drive. \$17,000.00 of the total \$284,000.00 represents the cost to install sidewalks.

3. Inspection fee in the amount of \$645.00.

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.

Upon questions of Mrs. Lienesch, Mr. Feverston advised that there was no discussion during the Planning Commission meeting relative to the type of street lighting to be installed. Mr. Jim Kiefer, Great Traditions Land and Development Company, advised that they are aware of Council's concern with the continued use of gas lights burning 24 hours each day. They are still hopeful for an energy saving device for the gas lights. Mayor Beals pointed out that no numbers have ever been given relative to costs of gas lights vs electric lights. Mrs. Lienesch questioned when Great Traditions will make a switch from gas lights to electric lights in Yankee Trace. Mr. Kiefer advised that with just two more sections to be developed, it is not their intent to make a switch to change the looks at Yankee Trace. He pointed out that the gas lights can be converted sometime in the future if that is the desire of the property owners in Yankee Trace. Mr. Kiefer will provide City Council with some cost figures relative to the use of gas lights vs the use of electric lights.

Mr. Krass moved that the Record Plan for Yankee Trace, Section Twenty-Six, be approved as recommended by the Planning Commission and the City Engineer including all conditions as stated. Mr. Kingseed seconded the motion. The motion passed unanimously.

Mr. Singer, speaking as Chairman of the Stormwater Drainage Task Force, advised that during their meeting on Thursday, October 4, 2001, there was good general review of recent improvements made and items to be addressed in the year 2002.

Ms. Toni Perry, Director of External Affairs for SBC Ameritech, was present at this meeting to outline their activities, services offered, grant monies available, awards won by SBC during the past year, and an audit recently conducted by Liberty Consulting which defines Ameritech's progress in restoring and sustaining a high level of customer service. SBC Ameritech has applied to the PUCA for approval to provide long distance service to their customers in the State of Ohio in the year 2002.

ORDINANCE NUMBER 26-01 2001 REAPPROPRIATIONS

Mr. Schlagheck reviewed a proposed Ordinance to make adjustments to appropriations in some of the funds previously established for the year 2001. Mr. Cline moved that Ordinance Number 26-01, An Ordinance To Amend Ordinance 36-00 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, 2001, be set for Public Hearing on November 5, 2001. Dr. Gresham seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 79-01 POLICE FACILITY FURNISHINGS

Mr. Horn advised that there is a need for additional furnishings for the new police facility in the amount of \$115,000.00 prior to the move into the facility in December, 2001. He recommended that a lease/purchase agreement be executed with Banc One Leasing Corporation for a four year period at an interest rate of 3.66 percent. After the four year period, the furniture will become the property of the City of Centerville. Mr. Singer sponsored Resolution Number 79-01, A Resolution Authorizing The City Manager, On Behalf Of the City Of Centerville, To Execute A Contract With Banc One Leasing Corporation And Authorizing Declaration Of Official Intent, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 80-01 POLICY FACILITY TRAINING ROOM EQUIPMENT

Mr. Horn advised that the City determined that competitive bidding was not practical for the purchase of training room AV systems for the new police facility due to the fact that the only supplier of such equipment is Delta Innovations Ltd. The purchase price of said equipment was negotiated with the company that can best serve the needs of the City of Centerville in the amount of \$71,000.00. Mr. Horn outlined the many purposes for which this equipment will be used in the new facility. Mr. Cline sponsored Resolution Number 80-01, A Resolution Ratifying The Action Of The City Manager In Executing A Contract In The Amount of \$71,000.00 For Training Room AV Systems With Delta Innovations Ltd. And Waiving Competitive Bidding, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 27-01 SR 48 RESURFACING 2003

Mr. Horn advised that the City's Engineering Department has been working with the Ohio Department of Transportation for the resurfacing of State Route 48 from Alexandersville-Bellbrook Road south to Sheehan Road. He reviewed a proposed Ordinance for the resurfacing of State Route 48 from Alexandersville-Bellbrook Road to Edenhurst Drive in the year 2003. ODOT will provide funding on an 80/20 basis with the State providing the 80 percent of the funding for this project. The City will pay 100 percent of the cost to install and /or repair curb ramps and any other work beyond the resurfacing treatment. Mrs. Lienesch moved that Ordinance Number 27-01, An Ordinance Enacted By The City of Centerville, Montgomery County, Ohio, Referred To As The Local Public Agency (LPA) To Give Consent To The Director Of Transportation To Complete The Project As Stated Herein, be set for Public Hearing on November 5, 2001. Dr. Gresham seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 28-01 SR 48 RESURFACING 2005

Mr. Horn reviewed a proposed Ordinance for the resurfacing of State Route 48 from

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Horn outlined costs which will be the responsibility of the City of Centerville and costs which will be the responsibility of the State of Ohio. ODOT will assume and bear 100 percent of the necessary costs of this State's highway improvement project. If the City requests certain features deemed unnecessary by the State, the City will contribute 100 percent of the cost of those items. Dr. Gresham moved that Ordinance Number 28-01, An Ordinance Enacted By The City of Centerville, Montgomery County, Ohio, Referred To As The Local Public Agency (LPA) To Give Consent To The Director Of Transportation To Complete The Project As Stated Herein, be set for Public Hearing on November 5, 2001. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 81-01 GRANT EASEMENT TO DP&L

Mr. Hoffman reviewed a proposed Resolution to grant unto the Dayton Power & Light Company a right-of-way and easement across property owned by the City of Centerville east of Paragon Road. This easement is necessary in order for DP&L to relocate the transmission line which crosses the property where the additional golf holes are being constructed for The Golf Club at Yankee Trace. Mr. Kingseed sponsored Resolution Number 81-01, A Resolution Authorizing The City Manager To Grant A Right Of Way And Easement, On Behalf Of The City of Centerville, To The Dayton Power & Light Company To Provide For The Relocation Of A Transmission Line Which Provides Service To Yankee Trace, and moved that it be passed. Mr. Krass seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 29-01 GOLF FEES FOR 2002

Mr. Horn reviewed a proposed Ordinance to adjust some of the fees charged at The Golf Club at Yankee Trace for the year 2002. This Ordinance has been prepared as an emergency measure in order to have the fees effective in time for Christmas gift certificates. Mr. Bayley advised that there are no changes in the regular golf fees; fees for practice holes have been deleted; and fees are established for the nine hole expansion. Mr. Krass sponsored Ordinance Number 29-01, An Emergency Ordinance To Amend Ordinance Number 26-00, Adopting All Fees Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, and moved that it be passed. Mr. Cline seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 30-01 GOLF FEES FOR 2002

Mr. Kingseed moved that Ordinance Number 30-01, An Ordinance To Amend Ordinance Number 26-00, Adopting All Fees Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, be set for Public Hearing on November 5, 2001. Mr. Singer seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 82-01 RECOGNIZE JOSEPH KOUSSA

Mrs. Lienesch sponsored Resolution Number 82-01, A Resolution Recognizing Joseph Koussa For His Efforts To Save Energy And Protect Our Environment, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

CENTERVILLE ARTS COMMISSION APPOINT AMY KRUG

Mr. Krass moved that Amy Krug be appointed as a member of the Centerville Arts Commission. Mr. Cline seconded the motion. The motion passed unanimously.

BOARD OF ARCHITECTURAL REVIEW REAPPOINT HEIDI MILLER

Mrs. Lienesch moved that Heidi Miller be appointed to an additional term of three years as a member of the Board of Architectural Review. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

CENTERVILLE ARTS COMMISSION REAPPOINT ERICA CHENOWETH

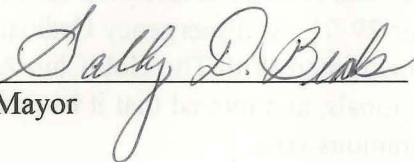
Mr. Singer moved that Erica Chenoweth be reappointed as a member of the Centerville Arts Commission. Mrs. Lienesch seconded the motion. The motion passed unanimously.

Mr. Singer moved that Council convene into Executive Session to address a personnel matter. Mr. Kingseed 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

