

DAYTON LEGAL BLANK CO. FORM NO. 1074H

Held May 31, 199 2000

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Wednesday, May 31, 2000, at 7:00 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 Beals presiding. Councilmembers and City Staff present were as follows:

- Deputy-Mayor James Singer
- Councilmembers Susan Lienesch
- Douglas Cline
- Roger Krass
- Paul Gresham
- Clerk of Council Marilyn McLaughlin
- City Manager Gregory Horn
- Assistant City Manager Judith Gilleland
- Finance Director Mark Schlagheck
- Municipal Attorney Robert Farquhar
- Assistant to the City Manager Kelly Fackel

Mayor Beals advised that Councilmember Mark Kingseed was out of town on business and would not be attending this meeting. Mrs. Lienesch moved that Councilmember Mark Kingseed be excused from this meeting. Mr. Cline seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 17-00 THIRD AMENDMENT TO THE AGREEMENT BETWEEN YANKEE TRACE DEVELOPMENT, INC. AND THE CITY OF CENTERVILLE

Mr. Horn reviewed a proposed amendment to the Agreement between Yankee Trace Development, Inc. and the City of Centerville. This is the third amendment to the Development Agreement executed in 1994 for the development of the City owned land in the vicinity of The Golf Club at Yankee Trace. Provided by the Agreement is Special Assessment Financing, Phase V: funds to be used to extend the Spine Road, Yankee Trace Drive, into Parcel 12 and to construct the related infrastructure improvements of Parcel 12. It provides that the property owners in Parcel 12 be assessed the same as levied upon other property owners in Yankee Trace. Mr. Singer sponsored Resolution Number 17-00, A Resolution Authorizing The City Manager To Execute A Third Amendment To An Agreement Between The City And The Corporate Predecessor Of Yankee Trace Development, Inc. Originally Executed On June 27, 1994, and moved that it be passed. Mr. Cline seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 18-~~00~~ NECESSARY TO PROCEED WITH SAF V

Mr. Horn reviewed a proposed Resolution to declare it necessary to make certain improvements, such as roadway improvements, clearing, grading, draining, curbing, paving, constructing sanitary sewers, storm sewers, water mains and sidewalks in Yankee Trace. The proposed Resolution has been approved by the City's Bond Counsel. James Sullivan, Vice President and Treasurer for Yankee Trace Development, Inc., identified improvements to be made according to the revised plan for Parcel 12. SAF, Phase V will provide the finances

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necessary for the improvements to be made in Parcel 12 and the construction of the Spine Road further to the south. Mr. Krass sponsored Resolution Number 18-00, A Resolution Declaring It Necessary To Improve Yankee Trace Drive And Club View Drive, Between Certain Termini, By Clearing, Grading, Draining, Curbing, Paving, Constructing Sanitary Sewers, Storm Sewers, Water Mains, And Sidewalks, Together With All Necessary Appurtenances Thereto, And Also To Improve Yankee Trace Drive, Wedgestone Place, Bentgrass Lane, Yankee Trace Drive, Villa Vista Place, Wedgestone Court, Haley Drive And Heritage Lake Drive, As Provided Herein To The Extent Of Available Funds, And Declaring An Emergency, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 19-00 CABLE TELEVISION

Mr. Horn reviewed a proposed Resolution to provide for the change of control of the cable television franchise holder from Time Warner, Inc, to AOL Time Warner. This change of control has been worked out by Kent Bristol, Executive Director, Miami Valley Cable Council, and has his recommendation for approval. It provides no change in the franchise fee. Dr. Gresham sponsored Resolution Number 19-00, A Resolution Approving A Change Of Control From Time Warner Inc. To AOL Time Warner, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 6-00 DETERMINING TO PROCEED WITH SAF 5

Mr. Horn advised that the passage of an Ordinance determining to proceed with the improvements outlined in Resolution Number 17-00 is necessary in order to proceed with SAF, Phase V. Upon question of Mrs. Lienesch, Mr. Horn advised that the cost for sidewalks is included in the Special Assessment Financing. Mr. Krass sponsored Ordinance Number 6-00, An Ordinance Determining To Proceed With The Improvement Of Yankee Trace Drive And Club View Drive, Between Certain Termini, By Clearing, Grading, Draining, Curbing, Paving, Constructing Sanitary Sewers, Storm Sewers, Water Mains, And Sidewalks, Together With All Necessary Appurtenances Thereto, And Also To Improve Yankee Trace Drive, Wedgestone Place, Bentgrass Lane, Yankee Trace Drive, Villa Vista Place, Wedgestone Court, Haley Drive And Heritage Lake Drive, As Provided Herein To The Extent Of Available Funds, And Declaring An Emergency, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

Mr. Horn advised that Notice to Bidders will be placed in newspapers during the next week for the new police facility. Bids will be received until June 29, 2000.

There being no further business the meeting was adjourned.

RECORD OF PROCEEDINGS

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Minutes of

Meeting

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Approved: Sally D. Beals
Mayor

ATTEST:

Marie J. Saughel
Clerk of Council

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