

RECORD OF PROCEEDINGS

359

Minutes of

COUNCIL MEETING

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held July 17

/19 2000

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, July 17, 2000, 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 Douglas Cline
 Susan Lienesch
 Paul Gresham
 Roger Krass
 C. Mark Kingseed

Assistant to the Clerk of Council Debra James

City Manager Gregory Horn

Assistant City Manager Judith Gilleland

Public Works Director Steve Weaver

Finance Director Mark Schlagheck

Chief of Police Steve Walker

City Planner Steve Feverston

Acting Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting - June 19, 2000.

Work Session Meetings - June 19, 2000.

- June 26, 2000.

- July 10, 2000.

Joint Centerville/Washington Township Meeting - July 5, 2000.

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

Chief of Police Steve Walker present Officer Service Awards as follows:

Highly unusual circumstances - Jeffery Williams.

Continually demonstrating outstanding devotion to duty - Bryan Sears,

- Joseph LaVigne.

Lieutenant David Williams outlined the events which led to the presentation of these awards.

Chief Walker explained the John P. Kalamian Annual Memorial Scholarship Award Program. He announced the golf outing planned for September to support this program. John and Paula Kalamian, parents of the fallen Police Officer John Kalamian, presented awards to Kyle English and Jennifer Sucher.

Kent Bristol, Executive Director for the Miami Valley Cable Council, distributed to Council their 1999 Annual Report. Their objective for the current year relates to the deregulation of the energy industries in the State of Ohio. He is asking member Municipalities to pass a Resolution directing staff to work with Miami Valley Cable Council in the process of gathering data and studying the prospects and implication of energy aggregation in their Municipality.

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Upon suggestion of Mayor Beals, Mr. Bristol outlined the many advantages member Municipalities have enjoyed through the Cable Council.

Mayor Beals relayed the following information:

- Many activities took place during the past month which involved many volunteers and City Staff: BUY.COM Golf Tournament at the Golf Club at Yankee Trace, the Americana Festival on July 4, 2000, and the Garden Fest sponsored by The Friends of Benham's Grove. She expressed appreciation to all volunteers and City Staff for their many hours of service to the Centerville/Washington Township Community.
- Sarah Rickman has been awarded twice first place in the historic category of the Pikes Peak Writers Conference. She is the editor for the City's Town Crier and has authored two books.
- Appreciation was expressed to Deputy-Mayor James Singer for chairing the June 19, 2000 Council Meeting.
- A Russian baseball team will be in Centerville on July 21, 2000 to play the Centerville Elks middle school baseball team.
- Appreciation was expressed to David Cunningham for his 36 years of service as a member of the Washington Township Fire Department.

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

- The Bethel Road/Jeanette Drive Concrete Sidewalk Installation project will begin within the next two weeks.
- Work has begun on the South Main Street lighting and brick repair/installation project from Franklin Street south to Edenhurst Drive.
- Grinding is taking place on the alleys in the Architectural Preservation District.
- Three bids received for the Police Facility were higher than expected and exceeded the engineer's cost estimate. City Staff is reviewing the results and will recommend to Council the future course to follow.
- A meeting was held between Webb Management Services, Inc., the City of Centerville, Washington Township, and the Centerville City School Board relative to the construction of a Community Auditorium. This project is strictly in the discussion stage at this time.
- Negotiations continue with Great Traditions Land and Development Company relative to additional golf at The Golf Club at Yankee Trace.
- The Regional Transit Authority (RTA) has added a new bus route along Wilmington Pike from Feedwire Road to Clys Road connecting with other routes in the City of Centerville.

Miss Gilleland listed violations against the Centerville Zoning Code, resolutions, and unresolved issues during the month of June, 2000.

Miss Gilleland gave the Community Calendar for the coming month.

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ORDINANCE NUMBER 8-00 ZONING ORDINANCE AMENDMENT
CITY INITIATED POELKING, JAYNES, BIRCH PROPERTIES

Mr. Horn, reporting for the Planning Commission, advised that the Commission recommended approval of two City Initiated Rezoning Requests, to City Council.

Mr. Kingseed moved that Ordinance Number 8-00, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 10.481 Acres, More Or Less, From Washington Township Agriculture Zone Classification To Centerville R-1c, Single-Family Residential Zone Classification, be set for Public Hearing on August 21, 2000. Mr. Krass seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 9-00 ZONING ORDINANCE AMENDMENT
CITY INITIATED
YANKEE DEVELOPMENT, BOLLINGER, BURKHARDT, WILCOX PROPERTIES

Mr. Krass moved that Ordinance Number 9-00, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 43.043 Acres, More Or Less, From Washington Township Agriculture Zone Classification To Centerville R-1c, Single-Family Residential Zone Classification, be set for Public Hearing on August 21, 2000. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

CHARTER REVIEW REPORT FROM COMMISSION

Mrs. James read the report from Charter Review Commission Chairman J. V. Stone advising that the Commission found no reason to submit to the electorate an amendment to the Centerville City Charter at this time. Mayor Beals explained the fact that the Charter must be reviewed every eight years. For this reason a Commission of nine members were appointed in January, 2000 to conduct this review and submit a recommendation to City Council. She pointed out that the Charter can be amended if deemed necessary during the eight year period. Mrs. Lienesch moved that the report of the Charter Review Commission be accepted. Dr. Gresham seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 10-00 GAS FRANCHISE WITH DAYTON POWER AND LIGHT

Mr. Horn reviewed a proposed Ordinance to amend Ordinance Number 5-00, passed by City Council in June, 2000 which granted to the Dayton Power and Light Company a gas franchise in the City of Centerville. Ordinance Number 5-00 included a sentence which should have been omitted. Mr. Horn read the following sentence being deleted by the proposed Ordinance "The City hereby reserves the right to amend or abolish this right to enter upon and in, use and occupy the streets, alleys, avenues, public places and ways of the City at any time by the passing of a subsequent ordinance". Mrs. Lienesch moved that Ordinance Number 10-00, An Ordinance To Amend Ordinance Number 5-00, An Ordinance Granting To The Dayton Power And Light Company, Its Successors And Assigns, A Gas Franchise In The City Of Centerville, State Of Ohio, For A Period Of Five (5) Years, Automatically Renewing For Additional Periods

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Of Five (5) Years Unless Notice Is Given, Commencing On The Effective Date Of This Ordinance, be set for Public Hearing on August 21, 2000. Mr. Krass seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 11-00 YANKEE TRACE SALE OF BONDS

Mr. Horn reviewed a proposed Ordinance for the issuance and sale of bonds of the City of Centerville in the maximum aggregate principal amount of \$1,100,000 for the purpose of paying the property owner's expense for public improvements in Yankee Trace in anticipation of the collection of special assessments from said property owners. Mr. Kingseed sponsored Ordinance Number 11-00, An Ordinance Providing For The Issuance And Sale Of Bonds In The Maximum Principal Amount Of \$1,100,000 For The Purpose Of Paying The Property Owners' Portion, In Anticipation Of The Collection Of Special Assessments Heretofore Levied, Of The Cost Of Improving Yankee Trace Drive And Club View Drive, Between Certain Termini, By Clearing, Grading, Draining, Curbing And Paving, Constructing Sanitary Sewers, Storm Sewers, Water Mains And Sidewalks, Together With All Necessary Appurtenances Thereto, And Also Yankee Trace Drive, Wedgestone Place, Bentgrass Lane, 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. Singer seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 12-00 ALEX-BELL IMPROVEMENT

Mr. Horn reviewed a proposed Ordinance to allow the City to assume 100 percent of the right-of-way and utility relocation expense involved in the widening and reconstruction of Alexandersville-Bellbrook Road (State Route 725) in the City of Centerville. In order for this project to move forward as quickly as possible the City needs to assume these expenses. The City has agreed to participate significantly along with the Ohio Public Works Commission in this project. Mr. Horn advised that construction is anticipated to take place in the year 2001. Mrs. Lienesch moved that Ordinance Number 12-00, An Ordinance Amending Ordinance 7-93 To Allow The City To Assume 100% Of The Right-Of-Way And Utility Relocation Expense, be set for Public Hearing on August 21, 2000. Mr. Krass seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 25-00 YANKEE TRACE IMPROVEMENTS SECTION 23

Mr. Horn reviewed the following bids received for improvements in Yankee Trace, Section 23:

Pyper Construction Company	\$1,032,760.75
SilverHawk Construction	1,080,376.80
R. E. Holland Excavating	1,183,244.25
SK Construction Company	1,223,122.00

Mr. Horn recommended acceptance of the Bid submitted by Pyper Construction Company in the bid amount plus five percent additional if extra work becomes necessary. Mr. Singer sponsored Resolution Number 25-00, A Resolution Accepting The Bid Submitted By Pyper Construction

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Company For Yankee Trace Improvements Yankee Trace Section 23 For 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 unanimously.

RESOLUTION NUMBER 26-00 CONCRETE SIDEWALK BETHEL AND JEANETTE

Mr. Horn reviewed the following bids received for the construction of concrete sidewalk on Bethel Road and Jeanette Drive:

L. J. DeWeese, Inc.	\$55,515.00
TdM Construction Company, Inc.	55,890.00
Benazer Excavating & Concrete	58,284.00
Jergens-Bales Contractors, Inc.	65,675.00

Mr. Horn recommended that the bid submitted by L. J. DeWeese be accepted in the bid amount. Dr. Gresham sponsored Resolution Number 26-00, A Resolution Accepting The Bid Submitted By L. J. DeWeese, Inc. For Concrete Sidewalk Construction Bethel Road and Jeanette Avenue For 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. Singer seconded the motion. The motion passed by unanimous vote.

SISTER CITY COMMITTEE REAPPOINT SHIRLEY OGLESBEE

Mr. Singer moved that Shirley Oglesbee be reappointed as a member of the Sister City Committee for the City of Centerville. Mrs. Lienesch seconded the motion. The motion passed unanimously.

CENTERVILLE ARTS COMMISSION REAPPOINT CHET BAUCH

Mrs. Lienesch moved that Chet Bauch be reappointed as a member of the Centerville Arts Commission. Mr. Krass seconded the motion. The motion passed by unanimous vote of City Council.

Mayor Beals invited residents to volunteer to serve on City Boards and Commissions. Information can be obtained from the Clerk of Council's office.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals
Mayor

ATTEST:

Marilee McLaughlin
Clerk of Council