

RECORD OF PROCEEDINGS

256

Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1014B

Held

June 21

19 99

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, June 21, 1999, 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 Beals presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor	James Singer
Councilmembers	J. V. Stone
	James Reppert
	C. Mark Kingseed
	Susan Lienesch
	Douglas Cline
Clerk of Council	Marilyn McLaughlin
City Manager	Gregory Horn
Assistant City Manager	Judith Gilleland
Public Works Director	Steve Weaver
City Planner	Steve Feverston
Municipal Attorney	Robert Farquhar
Director of Finance	William Bettcher

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

- Council Meeting - May 17, 1999.
- Council Work Sessions - May 17, 1999.
- May 24, 1999.
- June 7, 1999.
- June 14, 1999.

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

Mayor Beals administered the Oath of Office to City Beautiful Commission members Jerry Huffman and Carl Friese.

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

The first NIKE Dayton Open golf tournament was completed with success on Sunday, June 20, 1999 with John Wilson as the winner. Thanks was extended to all sponsors, volunteers, City Staff, and the committee for an outstanding tournament.

Caution was expressed for the safety of children with school out of session for the summer months.

Two schools in the Centerville-Washington Township community have been declared Blue Ribbon schools: Incarnation and Ida Weller Elementary.

Sympathy was expressed to Centerville's Economic Development Administrator William Stamper upon the death of his wife.

On Memorial Day, a new tomb stone was dedicated in the Centerville Cemetery in the center of town for Revolutionary War Veteran Felix Hoover.

On June 8, 1999, a ground breaking ceremony was held for Bethany Commons to be located just north of The Golf Club at Yankee Trace.

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Clerk of Council, Marilyn McLaughlin was one of 19 Clerks nominated to receive the Quill award from the International Institute of Municipal Clerks. Sarah Rickman received the Bronze Quill award for ~~the Sister City publication in~~ Centerville's Town Crier.

The summer concert series will begin in the Leonard E. Stubbs Memorial Park on Sunday, July 4, 1999, preceded by a reception at Yankee Trace for the Americana Festival Grand Marshals. Concerts will be held in the park on Thursdays and Sundays according to the schedule published in the Town Crier.

The Americana Festival will be held on Monday, July 5, 1999, with the parade beginning at 10:00 A.M., and concluding with fireworks in the evening.

On July 10, 1999 the sculpture in the Leonard E. Stubbs Memorial Park "All the Woods a Stage" will be dedicated.

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

Appreciation was expressed to everyone involved in the NIKE Dayton Open golf tournament. It was a true community spirit.

Mr. Horn outlined the following summer projects currently underway in the City of Centerville:

Restoration and improvements to the Asahel Wright House.

Installation of sidewalk along Rahn Road.

Improvements to the Centerville Municipal Building parking lot.

Repair and resurfacing of streets included in the City's 1999 street improvement program.

Improvements to North and South Main Street.

Miss Gilleland gave the community calendar for the following month.

ORDINANCE NUMBER 7-99 LANDMARK DESIGNATION
PETER SUNDERLAND HOUSE

The Public Hearing was held concerning Ordinance Number 7-99. Mr. Feverston reviewed this City Initiated Application for Landmark Designation for the Peter Sunderland House located at 595 East Alexandersville-Bellbrook Road on a 13.34 acre parcel of land owned by Michael LeMaster. The zoning of the subject property is B-PD, Business Planned Development. The application is for the preservation of the original significant portion of this old limestone house plus the rear addition containing a pitched roof. The two-story garage, connector, and the flat-roof additions are excluded and may be removed. Mr. Feverston located the subject property on a map and outlined adjacent land uses. This historic house was included on the Master Plan previously approved by City Council for the construction of the RETS Technical Center which is located to the immediate south of the Peter Sunderland house. The Board of Architectural Review, by unanimous vote, recommended the passage of an Ordinance to designate the Peter Sunderland House as a Landmark.

Adrian Rose, 104 Cushwa Drive, offered his support for the Landmark Designation and restoration of the Peter Sunderland house.

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Mr. Reppert sponsored Ordinance Number 7-99, An Ordinance To Designate The House Addressed As 595 East Alexandersville-Bellbrook Road And Known By Local Historians As The Peter Sunderland House, As A Landmark Within The City Of Centerville, Ohio, And Amending Ordinance No. 8-91, An Ordinance Establishing Certain Houses, Buildings, Structures, Areas, Or places As Landmarks Within The City Of Centerville, Ohio, And To Establish Procedures And Requirements To Regulate The Renovation, Rehabilitation, Remodeling, Addition, Alternation, Development, Construction, Or Demolition Of A Designated Landmark, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

2000 TAX BUDGET

The Public Hearing was held concerning Centerville's Tax Budget for the year 2000 for submission to the Montgomery County Auditor for consideration by the Montgomery County Budget Commission. Mr. Bettcher explained the fact that this is the estimated County tax Budget for the City of Centerville, which by law, must be submitted on or before July 21st. Failure to comply with this will result in the loss of the City's local government fund. The City's estimated receipts for the year 2000 is \$20,552,520.00. Mr. Stone moved that the Tax Budget for the City of Centerville for the year 2000 be approved for submission to the Montgomery County Auditor. Mr. Cline seconded the motion. The motion passed by unanimous vote.

Dr. Michael DeBord, 1620 Silverlake Drive, appeared before Council at this time relative to the Planning Commission's approval of a Preliminary Plan for Section 21 in Yankee Trace. Mr. Feverston explained this application submitted by the Yankee Trace Development Company for a residential cluster development as part of the community lifestyle approved for Yankee Trace several months previous. This Plan which details lot layouts and roadway configuration was submitted to the Planning Commission for final approval. Following will be the submittal of a Record Plan to the Planning Commission for a recommendation to City Council. Dr. DeBord expressed concern with the narrow setbacks between homes, the development of vacant land which neighbors believed would be parkland, the view of the lake being obstructed by two story buildings, and the lack of commonality between this development and the established homes to the north. Mr. Feverston described Section 21 as a single-family residential development, with ten feet between homes, neo-traditional design with picket fences along the street, gas lights as used throughout Yankee Trace, and sidewalk on both sides of the street. Mr. Feverston explained the fact that the lake, which did not previously exist, was created as part of the irrigation system for The Golf Club at Yankee Trace, The density approved for the lifestyle community is 3.70 dwelling units per acre. The applicant in this case is proposing a density of 3.05 units per acre.

Adrian Rose, 104 Cushwa Drive, expressed appreciation to the City of Centerville for flower and tree beds being put in place on North Main Street.

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Laverne Pearson, 1516 Silverlake Drive, expressed concern with potential flooding in his neighborhood with the development of Section 21 in Yankee Trace and questioned whether adequate land was available north of the lake for the construction of the homes as proposed. Mr. Horn explained the fact that the land north of the lake is developable; lots in this area have been included on plans for several years. The developer must build within FEMA boundaries; elevations will be required to meet FEMA standards. Homes will be located on only one side of the street.

Bill Kemp, 1615 Silverlake Drive, expressed concern with the proposed alleys to be constructed along the rear of the homes in Section 21. Mr. Feverston advised that it will not be a typical alley; it will be a private lane or drive to access the homes in that particular area. He explained how there will be a separation between the private drive and the homes to the north which will vary in width. Landscaping, screening, mounding, or fencing will be addressed in this area when the Record Plan is considered to provide separation between the two different housing types.

Verlee Raasch, 1651 Heritage Lake Drive, cited the lack of maintenance by Yankee Trace for that area located adjacent to her property and other areas west of Yankee Street. Mr. Horn pointed out that the area just west of 1651 Heritage Lake Drive is the next section of Yankee Trace to be developed.

RESOLUTION NUMBER 20-99 SALE OF BULLETPROOF VESTS

Mr. Horn advised that the Police Department has bulletproof vests which have exceeded the service life for the daily use by a police officer. Chief Walker has recommended that some of these vests be used for training purposes by Sinclair Community College's Basic Police Academy. Mrs. Lienesch sponsored Resolution Number 20-99, A Resolution Authorizing The Disposal Of Ten Used Bullet Proof Vests By The Sale Of Same For The Sum Of \$1.00 To Sinclair Community College, A Public Body, In Accordance With The Provisions Of Section 212.05 Of The Centerville Municipal Code, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 21-99 SET DATE TO DESIGNATE PUBLIC DEPOSITORIES

Mr. Bettcher reported that every two years agreements must be renewed for the deposit of public funds of the City of Centerville in area banks. The City currently has contracts with eight banks for the deposit of said funds, contracts which will expire on August 22, 1999. It is necessary for City Council, by Resolution, to estimate the amount of public monies to be deposited for a period of two years. Awards will be made during the Council Meeting scheduled for July 19, 1999. Mr. Reppert sponsored Resolution Number 21-99, 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. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

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RESOLUTION NUMBER 22-99 CABLE TV FRANCHISE TRANSFER

Mr. Horn outlined discussions which have transpired between the Miami Valley Cable Council and member Municipalities relative to the transfer of the Cable TV franchise from Media One to Time Warner Entertainment Company. Details have been worked out, concerns have been satisfied, and the Cable Council recommends to all member Municipalities approval of this franchise transfer. Mr. Stone sponsored Resolution Number 22-99, A Resolution Acting On The Request Of Media One To Transfer Its Cable Television Franchise To Time Warner Entertainment Co., L.P., and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 23-99 CITY HALL PARKING LOT IMPROVEMENTS

Mr. Weaver reviewed bids received for improvements to the City Hall Parking Lot which includes curbing, gutter installation, drainage improvements, asphalt overlay, and entrance improvements to the property. The following bids were received:

Matrix Highway Construction	\$55,969.16
L. J. DeWeese Company, Inc.	62,440.00
Allied Builders, Inc.	62,968.91
TdM Construction Company	67,489.00
Barrett Paving, Inc.	76,755.50

Mr. Weaver recommended acceptance of the low bid submitted by Matrix Highway Construction in the amount of \$55,969.16 plus an additional 10% of the bid for contingencies and additional items recommended during the construction process. Mr. Kingseed sponsored Resolution Number 23-99, A Resolution Accepting The Bid Submitted By Matrix Highway Construction & Supply Company, Inc. For The Reconstruction Of The City Hall Parking Lot For The City Of Centerville, Ohio, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 24-99 1999 SIDEWALK PROGRAM

Mr. Weaver reviewed the bids received for the installation of concrete sidewalk along Rahn Road which includes a portion of Marshall Road and Applecreek Road. He identified the location of the proposed sidewalk. The following bids were received:

L. J. DeWeese Company, Inc.	\$ 92,523.00
TdM Construction	93,009.00
R. A. Miller	102,194.00
Thompson Excavating	104,766.75
Allied Builders, Inc.	106,749.85

In consideration of the fact that the properties along Marshall Road are in the City while the right-of-way is located in Washington Township, the Township will pay one-half the cost for the installation of sidewalk along Marshall Road. Mr. Weaver recommended acceptance of the bid submitted by L. J. DeWeese Company, Inc. in the amount of \$92,523.00 plus 10% of the bid for contingencies and additional items found necessary during the construction process. Mr. Kingseed sponsored Resolution Number 24-99, A Resolution Accepting The Bid Submitted By L. J. DeWeese, Inc., For The Construction Of Concrete Sidewalk - Rahn Road (Including Marshall and Applecreek Roads) For The City Of Centerville, Ohio, and moved that it be passed.

Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

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COUNCIL POLICY MEMO 99-1 MEMBERSHIP ON BOARDS, COMMISSIONS, COMMITTEES

Mr. Reppert moved that City of Centerville, Policy Memo 99-1, Membership on City Boards, Commissions, Committees, be approved. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

BOARD OF ARCHITECTURAL REVIEW APPOINT PAUL CLARK

Mr. Cline moved that Paul Clark be appointed as a member of the Board of Architectural Review for a term of three years. Mr. Stone seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 25-99 COUNCIL CHAMBERS PRESENTATION SYSTEM

Miss Gilleland outlined equipment which has been included in the specifications prepared for the purchase and installation of a presentation system for the Council Chambers. Only one complete bid was received. Miss Gilleland recommended acceptance of the bid received from Audio Visual Systems, Inc. in the amount of \$28,089.00. Mr. Singer sponsored Resolution Number 25-99, A Resolution Accepting The Bid Submitted By Audio Visual Systems, Inc., For A Council Meeting Presentation System 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. Cline seconded the motion. The motion passed by unanimous vote of City Council.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals
Mayor, City of Centerville, Ohio

ATTEST: Maui J. Laughlin
Clerk of Council,
City of Centerville, Ohio