

# RECORD OF PROCEEDINGS

Minutes of **COUNCIL MEETING**

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1014B

Held July 20, 1998

1998

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, July 20, 1998 at 8:00 p.m. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Thomas Kuhn, Pastor of the Church of the Incarnation and City Chaplain, and the Pledge of Allegiance to the Flag led by Boy Scout Zachery Deeter, with Deputy-Mayor James Singer presiding. Councilmembers and City Staff present were as follows:

Councilmembers	George Smith
	Susan Lienesch
	James Reppert
	C. Mark Kingseed
Clerk of Council	Marilyn McLaughlin
Assistant Clerk of Council	Peggy Whisman
City Manager	Gregory Horn
Assistant City Manager	Judith Gilleland
Public Works Director	Steve Weaver
City Engineer	Norbert Hoffman
City Planner	Steve Feverston
Municipal Attorney	Robert Farquhar
Assistant to the City Manager	Kelly Fackel

Deputy-Mayor James Singer advised that Mayor Sally Beals and Councilmember J. V. Stone would not be present for this meeting. Mr. Kingseed moved that Mayor Beals and Mr. Stone be excused from this meeting. Mr. Reppert seconded the motion. The motion passed unanimously.

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

Council Meetings -	June 15, 1998.
	June 29, 1998.
Council Work Session Meetings -	June 15, 1998.
	June 22, 1998.
	June 29, 1998.
	July 13, 1998.

Mrs. Lienesch moved that the minutes of the foregoing meetings be approved, as distributed. Mr. Smith seconded the motion. The motion passed unanimously; however, Mr. Singer abstained from the minutes of the June 15, 1998 meetings.

Mr. Singer, in the presence of Scout Master Mike Demers and Luane Deeter, presented Boy Scout Zachary Deeter a plaque in recognition of his heroic act to save the life of a fellow classmate on a school bus by applying the Heimlich maneuver.

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

July has been a record breaking month at Yankee Trace, both in golf course play and revenue.

Jazz on the green is being offered on the patio of the Gallery at Yankee Trace every Wednesday from 7:00 to 9:30 P.M. during the months of July and August.

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Event schedules for the free summer concert series at the Leonard E. Stubbs Memorial Park are available at the Centerville Municipal building and were included in the recent issue of the Town Crier.

An exterior inspection program is being undertaken by the City of Centerville; the first trial area being east of State Route 48, west of the Pleasant Hill Swim Club, north of Zengel Drive, and south of Alexandersville-Bellbrook Road.

The third phase of the ornamental street lighting installation program in the Architectural Preservation District is underway on East Franklin Street from Main Street east to Cemetery Drive.

The City's street resurfacing program is underway and should be completed prior to school commencing in the fall.

Mr. Reppert brought attention to the City Employee Picnic held July 12, 1998; it was a great event.

## YANKEE TRACE SECTION SIXTEEN RECORD PLAN

Mr. Feverston reviewed a Record Plan for Yankee Trace, Section Sixteen, for the development of 4.48 acres of R-1c, Single-Family Residential zoned land into twelve lots, located southeast of Charter Place between hole number 4 fairway and the golf green for hole number 5 of The Golf Club at Yankee Trace. A cul-de-sac is included on the plan off the extension of Yankee Trace Drive. Mr. Feverston outlined Planning Commission's unanimous vote to recommend approval of this Record Plan to City Council with the following conditions:

1. The easement extending to the west from the cul-de-sac of Wedgocreek Place shall be labeled on the Record Plan as a public utility and private driveway easement and subject to the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements as recorded for this development.
2. A final grading plan shall be subject to approval by the City Engineer.
3. Detailed design of the stormwater drainage system for this plan shall be approved by the City Engineer.
4. The storm and drainage easement in the rear yard of lots 287 through 290 shall extend to the rear lot line.
5. 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.
6. Lot #286 shall be modified on the southeastern boundary line to be consistent with lot #287 or a covenant shall be approved by the City Attorney to preserve the green space on lot #286.

Mr. Feverston reviewed the recommendation of City Engineer Norbert Hoffman that the Record Plan be approved subject to receipt of the following:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to assure the completion of the public improvements, which are not included as part of the Yankee Trace North (Spine Road) Improvement. Total balance of Performance Bond for final lift of asphalt and the remaining public

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improvements is recommended in the amount of \$120,000.00.

3. Inspection Fee in the amount of \$295.00.

Mr. Reppert moved that the Record Plan for Yankee Trace, Section Sixteen, be approved as recommended by the Planning Commission subject to all conditions listed by the Planning Commission and City Engineer. Mr. Smith seconded the motion. The motion passed by unanimous vote of City Council.

Mr. Reppert, speaking as Chairman of the Streets and Highways Council Committee, advised that the Committee will forward their recommendation to City Council relative to the extension of Virginia Avenue from Bristol Drive to Spring Valley Road during the August 17, 1998 Council Meeting.

**MICHAEL SHIELDS, JOHN TOLLEFSON, WILLIAM VENANZI APPEAL TO COUNCIL  
CHARLES SIMMS DEVELOPMENT WELLER FARM**

The Public Hearing was held concerning an Appeal filed by Michael Shields, John Tollefson and William Venanzi against the Planning Commission's approval of a Planning Commission Special Approval Application submitted by Charles Simms Development Company for the development of 24.47 acres of land into a single-family residential cluster development consisting of 47 lots; property located along the east side of Clyo Road and north of Black Oak Drive, more particularly known as the Weller Farm. Mr. Feverston reviewed the plan as submitted and approved by the Planning Commission. The property in question is zoned R-1c, Single-Family Residential, and permits a density not to exceed 2 dwelling units per acre. Parkland is included in the plan in lieu of a fee for parkland dedication. The clustering of dwellings on the most developable areas leaves the stream valley and wooded areas untouched, placing them in reserve areas as well as preserving a 3.85 parcel within the development for the existing Weller homestead. Mr. Feverston compared this plan's similarity with one previously submitted to be considered if a portion of the property was rezoned to R-PD. All streets within the development will be public with a four foot sidewalk on one side with a connection through the reserve area. Planning Commission's unanimous approval of this Special Approval Application was subject to the following conditions:

1. The .65 acres of parkland shall be dedicated as required by Ordinance 15-86, an Ordinance which establishes parkland dedication or fee-in-lieu requirements for new subdivisions or developments. The final configuration of the .65 acre park shall be subject to approval by the City Planner.
2. Forest Walk Drive shall be redesigned to reduce the sharp curve between Clyo Road and Forest Creek Drive, subject to approval by the City Engineer.
3. The approach to the private drive for the Weller lot shall be concrete and an asphalt or concrete drive shall be constructed to the building setback line on Forest Walk Drive, subject to approval by the Planning Department.
4. A sidewalk shall be installed on the south side of Forest Walk Drive between Forest Creek Drive and Clyo Road.
5. The portion of the walkway between lots 23 and 24 and adjacent to lot 42 shall be constructed of 4 inch thick concrete. The portion of the walkway that connects Forest Creek Drive and Deer Run Road shall be constructed of either 4 inch thick concrete or asphalt. All walks shall have a minimum of 4 feet.
6. A detailed stormwater drainage plan shall be approved by the City Engineer

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showing stormwater drainage calculations and incorporating retention, detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance. The developer shall work with the City Engineer to provide stormwater detention at the southeast corner of the property. The proposed detention basin shall be constructed in a manner to minimize disturbance of the wooded area, subject to approval by the City Engineer.

7. Prior to any construction, grading or adding fill material on this property, a silt fence shall be installed by the developer at the construction limits around all wooded areas and the stream traversing through the property. This fence shall be installed at the drip line of the tree canopy and maintained in a workmanlike condition at all times and shall remain in place until all construction is complete, the slopes are established, seeded and mulched.
8. A Performance Bond or other construction guarantee shall be posted by the developer for all landscape, screening or bufferyard improvements required by the Zoning Ordinance subject to approval by the City Engineer. This bond or guarantee shall be in accordance to the Guarantee of Construction and Installation of Improvements; Inspections Section of Part Twelve, Title Four of the Code of Ordinances.
9. The treatment of the edge along the retention pond shall be subject to approval by the Planning Commission.
10. All street names shall be approved by the City Planning Department.
11. No signs are being approved as part of this application.

Mr. Feverston read the five Basis for Appeal submitted by representatives of the adjacent neighborhood:

1. Number of homes calculation per Centerville City Regulations indicates that Streets and Right of Ways are not to be included in the calculation. The proposed development was calculated including development streets and right of ways, resulting in an increased number of lots than would otherwise be allowed.
2. Character of the development (Residential Cluster Development) with lot sizes as small as 8000 square feet is not in keeping with the surrounding neighborhoods. Previous to this proposal (at the time of the rezoning request) the Residential Cluster Development included increased lot sizes, especially along the border with Deer Run Road residents.
3. Street size in the development is inadequate. Previous to this proposal (at the time of the rezoning request), the Residential Cluster Development included full size sub-division streets (same as the attached Deer Run Road size).
4. Sidewalks in the development are inadequate. For safety concerns, the development deserves sidewalks on both sides of the street.
5. Setback requirements in the development are inadequate. Due to the small lot sizes, setback requirements are at a minimum distance. This puts homes along Forest Walk Drive within 30 feet of the existing property on Deer Run Road. Previous to this proposal (at the time of the rezoning request), the Residential Cluster Development included increased setback along this border.

Mr. Feverston addressed the above stated basis of appeal as follows:

1. Density up to this date has included acreage in proposed rights-of-way when calculating the average lot size for residential cluster developments. He made reference to an opinion rendered by the City's Attorney that the language

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contained in the Zoning Ordinance is ambiguous and could be interpreted either way; in this case interpretation would be in favor of the applicant.

2. The City has permitted Residential Cluster Development throughout various R-1c zoned districts.
3. Street widths are twenty-four feet back to back of curb which are the same as constructed in Deer Run.
4. Sidewalks will be constructed in a looping system creating a circular pedestrian pathway through the entire development.
5. Setback flexibility is in accordance with provisions of the Centerville Zoning Ordinance.

William Venanzi, 1180 Deer Run Road, asked for a continuance for the consideration of the Appeal due to the absence of a full Council and the fact that a vote of the majority of the whole Council is required to uphold the Appeal. He identified the issue as a total community concern and a concern involving the Centerville-Washington Park District which should be considered by the entire City Council.

Charles Simms, developer, saw no need for a continuance in this matter. He has satisfied all concerns of the Park District as outlined by Mr. Venanzi. Mr. Simms advised that he has met with City Staff and has satisfied all their concerns with the proposed development. He stated his concurrence with all conditions of approval required by the Planning Commission. Mr. Simms identified this as a good housing development for the City of Centerville.

Upon a poll taken of Council concerning the question of a continuance in this matter. Mr. Smith saw no need for a continuance; a majority of Council was present at this meeting; this is a matter which has been pending a decision for some time. Mr. Kingseed supported a continuance and Mr. Reppert saw no need for a continuance. Mr. Singer offered his support for a continuance. Upon question of Mrs. Lienesch, Mr. Feverston advised that the Zoning Ordinance provides no time restraints upon City Council to render a decision on an Appeal. Mr. Farquhar clarified the fact that there are no time restraints concerning a matter of this type in the Ohio Revised Code. Mr. Kingseed moved that the Public Hearing on this Appeal to Council be continued until an August 10, 1998 Council Meeting. Mrs. Lienesch seconded the motion. A roll call vote resulted in three nos against the motion; Mr. Singer and Mr. Kingseed voted yes.

Michael Shields, 1104 Deer Run Road, distributed to Council calculations for Black Oak Forest, Sections One and Two, comparing the density proposed for the Weller Farm including street rights-of-way and density in sections of Black Oak Forest. He stated his objection to the lot sizes, the width of streets, and the lack of sidewalks on both sides of the streets in the Weller Farm development. Mr. Shields pointed out that setbacks abutting Deer Run Road are greater than those proposed in the development proposed by Mr. Simms.

David Yingling, 1050 Deer Run Road, outlined recent negotiations with Mr. Simms which involved relocating Forest Walk Drive 5 feet to the south, increasing the rear setbacks for lots along the north side of Forest Walk Drive to 35 feet and eliminating 1 lot along that area in order to increase the lot sizes so that the size of these lots could be comparable with those in Black Oak Forest. Due to the fact that no agreement could be reached in these negotiations, he requested that the Appeal be granted.

Ken Wilson, 7650 Stanley Mill Drive, stated his concern with the small size for a neighborhood park which is included in this proposed development.

Fritz Treiber, 1480 Ambridge Road, expressed concern with potential flooding of properties downstream caused by this development. He outlined problems he has experienced on his property over the past several years.

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Mr. Simms pointed out that the park dedication in this development will connect to an adjacent park. Flooding will not be increased due to density, the acreage is being divided into 48 lots. Mr. Simms explained how he has respected the rights of adjacent property owners and emphasized the fact that the rights of the property owner must also be respected. He explained how he has met all requirements of the Zoning Ordinance and all requests of City Staff with this development, no Variances are included.

Mr. Feverston advised that the .65 acre park in this development abuts Forest Walk Park and will provide access to the park for Deer Run residents and residents in this development.

Mr. Hoffman located stormwater detention areas proposed in the northwestern portion of the property and explained how stormwater management in the southeastern portion should cause an improvement downstream.

In answer to questions of Mrs. Lienesch, Mr. Horn advised that the Stormwater Drainage Task Force does not get involved with individual subdivisions, the City Staff considers drainage capacities as development takes place. Mr. Simms advised that he could not agree to all requests of the appellants during negotiations.

Mr. Feverston clarified for Mr. Kingseed the fact that Mr. Simms has met all requirements of the Centerville Zoning Ordinance. The density has been calculated in the same manner as all other residential cluster developments constructed in Centerville since 1986.

Mr. Smith moved that the Appeal filed by Michael Shields, John Tollefson and William Venanzi against the decision rendered by the Planning Commission approving a Planning Commission Special Approval Application submitted by Charles Simms for a Single-Family Residential Development Plan for property located along the east side of Clio Road and north of Black Oak Drive, be denied. Mr. Reppert seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Singer voted no.

**ORDINANCE NUMBER 20-98 CITY INITIATED REZONING  
KARRAS PROPERTY WILMINGTON PIKE/ALEXANDERSVILLE-BELBROOK ROAD**

The Public Hearing was held concerning Ordinance Number 20-98. Mr. Feverston reviewed this proposed Ordinance which is a City initiated rezoning for a portion of the property located at the southwest corner of Alexandersville-Bellbrook Road and Wilmington Pike and owned by Andreas G. Karras Family Trust. He pointed out that in May 1997, City Council directed the Planning Department to review all properties, particularly those which are undeveloped in the City for the appropriateness of their current zoning. Since that time such a review has been conducted. In October 1997, the Planning Department submitted its findings to City Council. In December 1997, City Council agreed that rezonings proceed with 14 of 15 properties listed, of which the subject property was one of the 14, to be rezoned from B-PD, Business-Planned Development to O-PD, Office-Planned Development. Mr. Feverston located the property proposed to be rezoned on a map being the southern half of the total 24,399 acres bordering the stream, and identified adjacent zone classifications and land uses. He reviewed the zoning history for the subject land and uses permitted in Business-Planned development and Office-Planned Development zone classifications. He explained how the proposed Office-Planned Development zoning meets all the objectives outlined in the City's Comprehensive Plan, the Land Use Plan and the Policy Plan adopted by City Council several years ago; it will provide the transitional buffer between zone classifications intended by the Comprehensive Plan. The Planning Commission recommended approval of this rezoning to City Council and adopted the following Staff analysis:

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1. The proposed rezoning to O-PD is consistent with the City's Comprehensive Plan. The majority of this land is considered as a buffer where transitional uses are considered appropriate. The O-PD zoning district is considered a transitional zoning district.
2. This rezoning is compatible with the surrounding land uses and provides a transition of land uses between the commercial lands north and east of this property with the residential zoned lands south and west of this proposed rezoning.
3. This property is situated at the extreme southern edge of a strip commercial district along Wilmington Pike in Sugarcreek Township that is centered between I-675 and Clio Road. This commercial strip began in 1987 and currently there is approximately 664,000 square feet of retail space in Sugarcreek Township from I-675 to Alexandersville-Bellbrook Road. Additional lands within this commercial strip area available and improved for commercial development.
4. The size of this commercial strip was not anticipated by the City when the subject property was rezoned to business in 1972 and again in 1986.
5. The Centerville Comprehensive Development Plan and Policy Plan discourages strip commercial development.
6. The location of the zoning boundary that bisects this property is logical as it is proposed. This boundary generally follows the Whites Corner Tributary and the FEMA flood plain. The tributary and flood plain is a natural division in this property.

Mr. Feverston pointed out that some members of the Planning Commission felt that the B-PD zoning, as defined, was a mistake in the zoning.

Mr. Farquhar pointed out that the property which is the subject of the rezoning is owned by three Karras Family Trusts and John Sotiropoulos and his wife.

Hans Soltau, Attorney for the three Karras Family Trusts and Sotiropoulos, questioned why they were at this meeting due to the fact that on December 1, 1997 City Council agreed with the Planning Department and directed the initiation of this rezoning. Mr. Farquhar clarified that only City Council can pass an Ordinance to rezone property. Mr. Soltau outlined previous zone classifications for the subject property over the past several years which permitted a large scale development during which time the zoning in Sugarcreek Township was known and the City's Comprehensive Plan retained the zoning of this property as B-2. He advised that his clients purchased the property in 1983 and have paid taxes on the property since that time as well as bringing sewer upon the property so that it would be developable. In 1986, when a new zoning scheme took place in Centerville, the zoning in Bellbrook and Sugarcreek Township was known, the zoning on this property remained the same. In 1988 the Policy Statement did not change the zoning nor was the property rezoned in 1994 when the large retail establishments were constructed in Sugarcreek Township. He explained that in 1997 the City decided to change the zoning on the subject property, it was listed for sale, it is an investment for his clients, they have received an offer in excess of \$3,000,000 for 31 acres of land, they have gone through the landmark process, and now the rezoning for 14 of these acres, the City is taking away the rights of his clients. He asked the City of Centerville to protect the rights of property owners.

Dale Lynch, Best Investments Services, 7385 Far Hills Avenue, advised that he has marketed property for the Karras family and Mr. Sotiropoulos for 3 to 4 years. During this same time he has marketed property in the south metro corridor and only received one call from a client interested in office space. He pointed out that currently 426,000 square feet of office space in the south metro corridor remain empty. The property remaining in the B-PD zone classification has

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very poor soil conditions making it costly to develop. Mr. Lynch explained that the property owners have found one buyer who can develop the entire acreage. The Meijer Company cannot build on anything less than the entire acreage. Mr. Lynch advised that the subject property is one of the largest parcels in southern Montgomery County; the zoning as proposed makes development costs monumental and a selling price next to impossible that retailers are willing to pay.

Susan Weeks, 2370 Donamere Circle, submitted to Council copies of petitions presented to the Planning Commission, signed by 1689 residents in support of the proposed rezoning. She cited the following issues supported by Centerville's Policy Plan:

1. Business and commercial uses should serve the needs of the community while maintaining the single-family residential character of Centerville. Ms. Weeks expressed concerned with potential increased crime, traffic, noise and a 24 hour operation being detrimental to neighbors, a decrease in property values and Centerville's tax base.
2. Preserving and protecting the City's past, present and future for all generations. Ms. Weeks supported the landmark designation of the Henry Opdyke-Eleazer Williamson homestead.
3. Relative to environmental impact, Ms. Weeks stressed the importance of the stream that runs through the property in question and how the proposed type development would negatively impact the water quality in rivers down stream.

Ferne Reilich, 211 Pelwood Drive, pointed out that sometimes people do not know how to deal with changes, there is no guarantee when a person purchases property that they will make a profit. She asked Council to approve this rezoning which is long overdue.

Dr. Dwight Pemberton, 7190 Brookmeadow Drive, explained how change has taken place over the past 100 years. He offered his support for the rezoning.

John Barrett, 7551 Pelway Drive, brought attention to traffic problems which currently exist in the area of Wilmington Pike and Alexandersville-Bellbrook Road. He expressed concern with increased traffic a large development would create and potential drainage from a large blacktop area.

Martha Boice, 7712 Eagle Creek Drive, expressed appreciation for landmark status of the homestead. Upon question of Mrs. Boice, Mr. Horn advised that investigation continues relative to the demolition of the barns on the property prior to a permit having been obtained.

Lonnie Holloway, 7511 James Bradford Drive, stressed the importance of peaceful progressive neighborhoods. Property values need to remain as high as possible.

Mr. Reppert sponsored Ordinance Number 20-98, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning A Portion Of A 24.399 Acre Tract Of Land From Centerville B-PD, Business-Planned Development Zone Classification To Centerville O-PD, Office-Planned Development Zone Classification, and moved that it be passed. Mr. Kingseed seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

**ORDINANCE NUMBER 21-98 CITY INITIATED REZONING  
YANKEE DEVELOPMENT GROUP PROPERTY**

The Public Hearing was held concerning Ordinance Number 21-98, a City initiated rezoning for property owned by Yankee Development Group, situated east of Washington Church Road, west of the Homestead at Yankee Trace and south of Silvercreek Estates.



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Proposed is a change for 29.574 acres from Washington Township Agriculture zoning classification to Centerville R-1c zone classification. Mr. Feverston located this recently annexed acreage to the City of Centerville on a map and identified adjacent zone classification and land uses. The purpose of this rezoning is to establish a City zone classification. The Planning Commission, by a vote of 5-0, recommended passage of this Ordinance to City Council.

Walter Dowden, 9836 Washington Church Road, questioned how many lots, the size of the lots and how close lots on this property would be to his rear property line. Mr. Feverston outlined R-1c, Single-Family Residential provisions as contained in the Centerville Zoning Ordinance. Mr. Horn explained the possibility of this property being developed as part of Yankee Trace in which case it would be included in the Yankee Trace residential community. He advised that under the Lifestyle Community Ordinance recently passed by Council the possibility exists that it could be developed with smaller lot sizes and with attached and detached housing.

Mr. Kingseed sponsored Ordinance Number 21-98, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 29.574 Acres, More Or Less, From Washington Township Agriculture Zone Classification To Centerville R-1c, Single-Family Residential Zone Classification, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 21-98 GRANT EASEMENT TO DAYTON POWER & LIGHT

Mr. Horn reviewed a proposed Resolution to grant a 10 foot wide right-of-way and easement across property owned by the City of Centerville which was previously railroad right-of-way. In 1996 an easement was granted to the Dayton Power & Light Company in order that a pipeline could be installed to transmit and distribute gas service to a residence; this right-of-way was never utilized. The Dayton Power & Light Company now requests an easement for a different location across the same City owned property. Mr. Smith sponsored Resolution Number 21-98, A Resolution Repealing Resolution Number 56-96 In Its Entirety And Authorizing The City Manager To Grant A Right Of Way, On Behalf Of The City Of Centerville, To The Dayton Power & Light Company For The Installation Of A Pipeline To Transmit And Distribute Natural, Artificial And/Or Liquefied Petroleum Gas Across Railroad Right-Of-Way Purchased By The City Of Centerville, and moved that it passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

## RESOLUTION NUMBER 22-98 SOLID WASTE MANAGEMENT PLAN

Mr. Horn reviewed a proposed Resolution for the City of Centerville to approve and ratify the amended Montgomery County Solid Waste Management Plan. In 1988, the Ohio General Assembly passed House Bill 592 which required the establishment of solid waste management districts. The Montgomery County Solid Waste Management District was formed to fulfill the requirements of the Bill which required districts to develop solid waste management plans. These plans must be updated to the Ohio EPA every three years. Mr. Horn outlined some of the projects included in this plan. Upon question of Mr. Singer, Mr. Horn advised that it is the goal of the Montgomery County Solid Waste District to reuse the incinerators at some time in the future. Mr. Smith sponsored Resolution Number 22-98, A Resolution Approving And Ratifying The Amended Montgomery County Solid Waste Management Plan, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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APD BRICK SIDEWALK CONSTRUCTION PROJECT REJECT BIDS

Mr. Weaver outlined the City's intention to replace concrete and repair sidewalk along East Franklin Street with brick along with the installation of decorative lighting, included in the City's overall streetscape plan for the Architectural Preservation District. One bid for the brick sidewalk installation was received from DSTI Development, Inc. in the amount \$138,163.00. Due to the fact that this bid is over twice the amount of the City's estimate for the project, he recommended that this one bid be rejected. He advised that City Staff is reevaluating unit costs to ascertain a method to complete this project in 1998. Mr. Reppert moved that the one bid received for the APD Brick Sidewalk Construction Project from DSTI Development, Inc. be rejected. Mr. Smith seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION APPOINT THOMAS MISKE

Mr. Kingseed moved that Thomas J. Miske be appointed as a member of the City Beautiful Commission for the City of Centerville. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

There being no further business, the meeting was adjourned.

Approved: James E. Singer Deputy Mayor

ATTEST:

Maril McLaughlin

Clerk of Council