

RECORD OF PROCEEDINGS

Minutes of *COUNCIL MEETING*

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10248

Held December 21, 1998

1998

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, December 21, 1998 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 Susan Lienesch
 James Reppert
 C. Mark Kingseed
 J. V. Stone
 Clerk of Council Marilyn McLaughlin
 Assistant Clerk of Council Peggy Whisman
 City Manager Gregory Horn
 Public Works Director Steve Weaver
 City Planner Steve Feverston
 Director of Finance William Bettcher
 City Engineer Norbert Hoffman
 Municipal Attorney Robert Farquhar
 Assistant to the City Manager Kelly Fackel
 Assistant Director of Finance Mark Schlagheck

Mayor Beals announced that Councilmember George Smith would not be present for this meeting. Mr. Singer moved that Mr. Smith 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 Meeting - November 16, 1998.
- Council Work Session Meetings - November 16, 1998.
 - November 23, 1998.
 - December 7, 1998.
 - December 14, 1998.

Joint Centerville/Washington Township Meeting - December 14, 1998.

Mr. Reppert requested that the minutes of the Council Meeting held November 16, 1998 be amended to include the following sentence in the 7th line from the bottom of page 4: "Mr. Feverston further explained that drainage easements would have served the same purpose as certain reserve areas". Mr. Reppert moved that the minutes of the foregoing meetings be approved as distributed and as amended. Mr. Kingseed seconded the motion. The motion passed unanimously.

Mrs. McLaughlin read a letter of resignation from Councilmember George O. Smith. Mr. Reppert moved that the resignation of Mr. Smith as a member of City Council be accepted with regret. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote. Mayor Beals outlined the procedure to be followed to fill this vacancy.

Mayor Beals brought attention to the fact that Centerville became a City 30 years ago. She presented to Mr. Stone a clock in appreciation of his 30 years of service as a Councilmember for the City of Centerville.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held December 21, 1998, continued19

Mr. Singer read a Proclamation, signed by all members of Council, in appreciation for the services of George O. Smith to the residents of Centerville as a member of City Council.

Mayor Beals highlighted the following events which took place during the past month:
On November 22, 1998, the Annual Christmas Tree Lighting Ceremony was held at Benham's Grove.

Mayor Beals and members of Council attended the National League of Cities Congress of Cities and Expositions in Kansas City, Kansas, on December 1 - 6, 1998.

On December 6, 1998, the Annual Christmas Walk took place in the Architectural Preservation District.

On December 8, 1998, Mayor Beals presented "For Achievement of Excellence" awards to 216 members of the Centerville High School Marching Jazz Band for placing 5th in the Nation at Bands of America Grand National Championships on November 12, 1998 in Indianapolis, Indiana. This presentation, which took place at the High School, was taped and will be shown during the January 25, 1999, Council Meeting.

Mayor Beals thanked all Board and Commission members for their many volunteer hours during 1998 and the many events and activities they provided the residents of Centerville.

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

Benham's Grove Administrator Judith Kunas will be retiring the first part of January, 1999.

Assistant Food and Beverage Director Eric Young has taken another position and will be leaving Yankee Trace.

Bob Orgonio, Assistant Pro at The Golf Course at Yankee Trace, has taken another position in Colorado.

Mr. Horn advised that a Community Image Campaign will be unveiled in later January. This is a campaign orchestrated by the Centerville City School Board of Education, Washington Township and the City of Centerville to promote the Centerville-Washington Township Community. All other community entities are being involved in this joint venture.

Primestar, a potential occupant for the Kmart building on South Main Street in Centerville, will locate out of State. Mr. Horn emphasized the amount of time Centerville's Economic Development Administrator William Stamper has spent to seek an occupant for this building.

Mr. Horn advised that Yankee Trace will resume winter hours beginning January 1, 1999 until March 22, 1999. The New Years Eve event scheduled in the Gallery is sold out.

Mr. Weaver announced the recycling of cardboard beginning January 4, 1999 to be commingled in Centerville's Recycling Program. He asked that all types of cardboard, other than pop and beer, contaminated and wax coated containers, be broken down and stacked to be collected with other recyclables. Upon question of Mr. Reppert, Mr. Weaver advised that cardboard will be separated from the other recyclables at the recycling center and sold to a different commodity.

Ms. Fackel presented a Community Calendar and provided an update on the NIKE Dayton Open to be held at The Golf Club at Yankee Trace June 13 - 20, 1999.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10448

Held December 21, 1998, continued

19

YANKEE TRACE SECTION EIGHTEEN RECORD PLAN

Mr. Feverston reported on the Planning Commission Meeting held December 8, 1998. He reviewed the Record Plan for Yankee Trace, Section Eighteen, the development of 8.546 acres, zoned R-1c, Single-Family Residential, into 22 lots. Mr. Feverston located the subject property on a map being the extension of Gatekeeper Way and the construction of Dinwiddie Court in the Homestead section of Yankee Trace. The width of Dinwiddie Court will be 24 feet back to back of curb, sidewalk will be constructed along the south side of Gatekeeper Way, and 2 reserve areas are included on this Record Plan. The triangular reserve area along the south side of Gatekeeper Way is an addition to a park approved in a different section of Yankee Trace. The width of the lots in Section Eighteen will be 90 feet. The Planning Commission by unanimous vote, recommended approval of this Record Plan to City Council subject to the following conditions:

1. All minimum side (10 ft.) and rear (25 ft.) building setbacks shall be per the approved residential cluster development plan for the Homestead.
2. Gatekeeper Way and Dinwiddie Court shall be constructed with a roadway cross-section of 24 feet from back-of-curb to back-of-curb subject to approval by the City Engineer.
3. A sidewalk shall be constructed along the south side of Gatekeeper Way subject to approval by the City Engineer.
4. 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.

Mr. Feverston reviewed the recommendation for approval by the City Engineer subject to receipt of the following:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to assure the completion of the public improvements (grading, drainage, curbs, pavement, etc.) in the amount of \$154,770.00 of which \$3,000.00 is for Hiker Biker Trail installation.
3. Inspection fee in the amount of \$609.00.

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. The above Performance Bond may be reduced to \$25,000.00 (representing some site grading preparation for and placement of surface course of asphalt pavement) if and when a construction contract utilizing SAF funding is executed.

Upon question of Mrs. Lienesch relative to Planning Commission condition number 2, Mr. Feverston advised that the width of the streets in this section will be 24 feet back-of-curb to back-of-curb; the City Engineer oversees the profile and construction of the streets but cannot change the width designated. Mr. Kingseed moved that the Record Plan for Yankee Trace, Section Eighteen, be approved in accordance with all conditions recommended by the Planning Commission and the City Engineer. Mr. Reppert seconded the motion. The motion passed unanimously.

Mr. Reppert, speaking as Chairman of the Council Streets and Highways Committee, reviewed their meeting held October 12, 1998. The Committee, after discussing the possibility of the construction of two parking lots, one at the north and one at the south terminus of Virginia Avenue, recommended to City Staff, in the event parking lots were to be placed at the north and

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10748

Held December 21, 1998, continued19

south terminus of Virginia Avenue to support park activities, the soil be reinforced between the two lots below the finished grade to support vehicular traffic. The Committee also discussed and recommended that consideration be given to the placement of "Stub Street" signs at the end of streets that will be continued at some future date.

RESOLUTION NUMBER 58-98 YANKEE TRACE SUPPLEMENT TO AGREEMENT WITH GREAT TRADITIONS

Mr. Horn outlined for Council discussions and negotiations with Great Traditions Land and Development Group, Inc. which have resulted in a proposed supplement to the Agreement signed between the City of Centerville and Great Traditions on June 27, 1994. Included in the supplement is the bulk sale of 7.5 acres, more or less, owned by the City of Centerville to Great Traditions at a gross acreage purchase price of \$42,500.00. Said property being that parcel of land located to the east of the Yankee Street centerline, north of the Ronald Hill property, west of Yankee Trace Section one, and south of the land owned by Great Traditions, formerly owned by the Yankee Development Group. The supplement also provides that the developer is responsible for one full lane of pavement (12" wide), curb, storm sewers, catch basins and pedestrian paths. This includes the grading (excavations/embankments), restoration, construction plan preparation, permits, etc. Also included in the supplement is the provision that the developer is required to make thoroughfare improvements according to specifications set forth in a Typical Half Section Pavement Widening which is an attachment thereto. Mr. Horn explained that these provisions provide that thoroughfare improvements be made by either the Yankee Trace development Company or a third party; this 7.5 acre parcel is part of that property proposed for development as Bethany Lutheran Village. He recommended that this Resolution authorizing and directing the City Manager to enter into this supplemental agreement be passed contingent upon the approval of an overall Community Lifestyle Master Plan for Yankee Trace. Mr. Kingseed sponsored Resolution Number 58-98, A Resolution Authorizing And Directing The City Manager To Enter Into A Supplemental Agreement With Yankee Trace Development, Inc., To Supplement The Agreement Of June 27, 1994 Between The City And Great Traditions Land and Development Group, Inc., and moved that it be passed contingent upon the approval of an overall Community Lifestyle Master Plan for Yankee Trace. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

YANKEE TRACE DEVELOPMENT, INC. MAJOR USE SPECIAL APPROVAL RESIDENTIAL LIFESTYLE COMMUNITY

The Public Hearing was held concerning an application submitted by Yankee Trace Development Inc., to incorporate The Golf Course at Yankee Trace, existing Yankee Trace residential parcels, and future Yankee Trace residential parcels into an overall Community Lifestyle Master Plan. Mr. Feverston reviewed this application which, after several months of consideration by the Planning Commission, is recommended for approval to City Council. This Master Plan will give the direction needed for the future development of Yankee Trace as a residential lifestyle community. Mr. Feverston located the subject property on a map, being situated along Yankee Street, north of Social Row Road and south of Spring Valley Road. The zoning of this 547.7 acre parcel is R-1c, Single-Family Residential. The proposal consists of the

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held December 21, 1998, continued19

Feverston explained how this application meets all the basic requirements for a lifestyle community. The designation of lifestyle community is an overlay to the R-1c zoning classification which will allow some attached housing where deemed most appropriate. Mr. Feverston pointed out that the plan previously approved for Yankee Trace did include the potential for some attached housing. He explained the fact that this Master Plan includes acreage on the west side of Yankee Street, known as the Homestead, and additional acreage to the north of the golf course in the lifestyle community. Mr. Feverston reviewed an Illustrative Plan submitted by Great Traditions Land and Development Group, Inc. with this application to show how the remaining undeveloped acreage in Yankee Trace could be developed. Included on this Illustrative Plan is the development of the additional acreage to the north of the golf course with some attached housing. Lutheran Social Services of the Miami Valley proposes to develop this land into a retirement community concept to be an extension of Bethany Lutheran Village. Proposed is the construction of 220 units (50 being included in an assisted living facility with the remainder in single and double villa style homes). Mr. Feverston explained that Great Traditions has requested the following density for two undeveloped parcels located west of Yankee Street and north and west of Holes Creek: parcel number 25 - 4.2 dwelling units per acre, and parcel number 1 - 4.0 dwelling units per acre. He identified the plan before Council at this time as the same plan considered and recommended for approval by the Planning Commission, subject to the following conditions:

1. All plans for "skin improvements" including the gas street lights, hiker/biker paths, signs, decorative wall, horse park fence, and landscape mounding are approved as per the original residential cluster development plan approved by the Planning Commission on August 9, 1994, and the agreement between the City of Centerville and Great Traditions Development Group, Inc.
2. The hiker/biker path shall extend through parcel 12 from Yankee Trace Drive to the southwest corner of the parcel to provide access to the Yankee Trace clubhouse subject to approval by the City Planner.
3. A roadway(s) shall be constructed through parcels 14 and 15 to connect Yankee Trace Drive to Paragon Road and to Shawnee Trail. The final design of the roadway(s) shall be subject to approval by the Planning Commission.
4. The design and cross-section of all roadways are approved as per the original residential cluster development plan approved by the Planning Commission on August 9, 1994.
5. All building setbacks to the golf course shall be 40 feet unless specifically approved by the Planning Commission. Building setbacks to all other lot lines shall be per the original residential cluster development plan approved by the Planning Commission on August 9, 1994, and the agreement between the City of Centerville and Great Traditions Development Group, Inc.

Richard Marshall, 1222 Waters Edge Drive, stated opposition to the inclusion of The Golf Club at Yankee Trace acreage being included in the calculations for overall density for this lifestyle community; it is not open space available for public use without cost for recreational purposes. In outlining the costs which residents must pay for amenities in Yankee Trace, he expressed concern with the possible devaluation of their properties due to the density changes proposed. He suggested that in exchange for impacts on residents, that residents receive an adjustment in golf course memberships.

John Sherman, 1558 Gatekeeper Way, presented to Council a petition signed by residents in the Homestead section of Yankee Trace, expressing their concern with the proposed density

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1048

Held December 21, 1998, continued

19

change in the acreage west and north of the creek and with a potential increase of traffic on Heritage Lake Drive.

Greg Arnold, 1603 Heritage lake Drive, explained this proposal as a different vision from that originally presented to home buyers in Yankee Trace. Viewing City Council as underwriting this proposal, he asked that members of Council listen to the electorate and not to the developer.

Upon question of Marlene Pinsky, 9694 Preserve Place, Mr. Feverston explained how the 7.5 acre parcel will be sold ultimately to Lutheran Social Services of Miami Valley for the development of Bethany Lutheran Village.

Mr. Marshall pointed out that, in reflecting the views of most residents in Yankee Trace; they welcome Bethany Lutheran Village to the neighborhood.

Brenda Bockoven, 1586 Heritage Lake Drive, expressed concern with the potential increase in traffic on Heritage Lake Drive traversing past a park area.

Upon question of Mr. Singer, Mr. Feverston advised that the acreage developed into the golf course was included in the density calculations when the overall Residential Development Plan was approved in 1994. Mr. Singer pointed out that lots and streets can be changed in parcels as they are approved for development, but the overall density is controlled in a residential lifestyle community. In answer to a question of Mr. Singer, Mr. Feverston advised that if this Residential Lifestyle Community Master Plan is approved, individual sections must continue to come before the Planning Commission and City Council for approval.

Upon question of Mr. Kingseed, Mr. Feverston advised that the street layout from section 25 in the Homestead will come before Council as sections are approved. Mr. Kingseed emphasized the importance of this, in consideration of the safety for children using the park area on Heritage Lake Drive.

Upon request of Mr. Reppert, Mr. Horn outlined the following changes that have taken place in Yankee Trace since the Residential Development Plan was approved in 1994:

1. The City did expect some attached housing in areas where it has not occurred.
2. The size of homes in different locations has changed.
3. The price of homes in the Homestead area is more than anticipated.
4. The development proposed for Bethany Lutheran Village was unknown.
5. The western portion of the Homestead is more dense than expected.

Mr. Horn pointed out that in 1994 both the City and the developer recognized that changes may be necessary in the size and price of homes to be constructed in Yankee Trace depending upon the absorption rate through the years.

Upon question of Mrs. Lienesch, Mr. Feverston advised that buffering and screening is not required between sections or parcels; however, if deemed necessary, City Council can make this a requirement as sections are approved.

Mayor Beals pointed out that Great Traditions has purchased additional land which makes Yankee Trace a much larger development. The Master Plan now being considered is the best way to include some attached housing as anticipated in 1994.

Upon question of Mr. Reppert, Mr. Horn advised that if Great Traditions had not purchased the acreage west of the Homestead area, the only control the City would have over its development would be roadway access.

Jim Sullivan, Vice President and Treasurer of Great Traditions, outlined where they are currently with development and financially relative to Yankee Trace. They are 2/3 of the way through the acquisition of additional raw land which is included on the proposed Master Plan, 50% through the lot platting process, and 1/3 of the way through the project from an overall sales

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held December 21, 1998, continued19

standpoint. He pointed out that the proposed residential lifestyle community has been a joint product between the City and Great Traditions. The rules and guidelines contained in the Lifestyle Community Ordinance protects the City, the developer and the residents. Mr. Sullivan offered their support for the rules stipulated in the Ordinance, the process to be followed for existing developments, and the process for changes to be enacted. He explained the fact that Great Traditions is bound by design review guidelines in Yankee Trace; they will not abridge those guidelines. He further stated that all design review covenants, deeds and restrictions, and all aesthetic factors will remain unchanged; they will abide by and adhere to those controls. Mr. Sullivan explained how the Master Plan creates visuals for homeowners; Great Traditions is open to any dialogue that needs to take place generated by concerns of residents, they will remain as open to the residents as possible. Mr. Sullivan agreed with all five conditions recommended for approval by the Planning Commission; they will abide by 913 units and with the density established.

Jim Kiefer, Director of Engineering for Great Traditions, identified on a map those areas of Yankee Trace which will be governed by the rules and guidelines of the Lifestyle Community Ordinance. He pointed out the fact that attached units previously anticipated for construction on the west side of Yankee Street are now being proposed by Lutheran Social Services of Miami Valley on the east side of Yankee Street, north of the golf course. Mr. Kiefer advised that the buildout at Yankee Trace will probably be less than 913 units.

Upon question of Mr. Kingseed, Mr. Sullivan explained that included on this proposed plan is the maintenance of the 90 foot Holes Creek bed which separates the properties east of the creek from parcels 1 and 25 west of the creek; this creek bed will be preserved with natural vegetation. Mr. Sullivan advised that the target market for parcel number 25 is the empty nester (60-70 units). Mr. Kingseed pointed out that if the market shifts, then the density in parcel number 25 must shift also. Mr. Sullivan supported Mr. Kingseed's concept. Mr. Kingseed moved that the Major Use Special Approval Application submitted by Yankee Trace Development, Inc. for an overall Lifestyle Community Master Plan for Yankee Trace be approved subject to all conditions recommended by the Planning Commission and subject to the tree line on Holes Creek west of the Homestead be maintained and if necessary added to, if in the opinion of the City Manager adding trees is necessary in order to maintain an adequate 90 foot buffer between the two neighborhoods. Mr. Reppert seconded the motion. The motion passed unanimously.

**ORDINANCE NUMBER 27-98 LANDMARK DESIGNATION
WILSON-WELLER HOUSE**

The Public Hearing was held concerning Ordinance Number 27-98. Mr. Feverston reviewed this proposed Ordinance to designate the Wilson-Weller house located at 7520 Clyo Road as a landmark. He located the subject property on a map and identified adjacent land uses. The outbuildings on this property are not included in this City initiated landmark designation; they have no historic value. Mr. Feverston pointed out that this 4.7 acre parcel upon which the house and outbuildings are located is part of a Master Plan previously approved for the Forest Walk development. The Planning Commission has found this landmark designation to be in conformance with the City's Comprehensive Plan and found no negative impact upon adjacent properties. The Board of Architectural Review has recommended the designation of the Wilson-Weller house as a landmark.

Adrian Rose, 104 Cushwa Drive, encouraged passage of Ordinance number 27-98.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held December 21, 1998, continued19

Mr. Reppert sponsored Ordinance Number 27-98, An Ordinance To Designate The House Addressed As 7520 Clyo Road And Known By Local Historians As The Wilson-Weller House, As A Landmark Within The City Of Centerville, Ohio, And Amending Ordinance No. 8-91, An Ordinance Establishing Procedures And Criteria To Designate 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, Alteration, Development, Construction, Or Demolition Of A Designated Landmark, and moved that it be passed. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 32-98 FEES THE GOLF CLUB AT YANKEE TRACE

The Public Hearing was held concerning Ordinance Number 32-98. Mr. Horn reviewed this proposed Ordinance to increase some fees associated with The Golf Club at Yankee Trace. He identified changes in the standard golf fees as the major differences for 1999. Mr. Reppert sponsored Ordinance Number 32-98, An Ordinance To Amend Ordinance Number 20-97, Adopting All Fees Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 33-98 ELECTRICITY FROM DAYTON POWER & LIGHT

The Public Hearing was held concerning Ordinance Number 33-98. Mr. Horn reviewed this proposed Ordinance to grant unto the Dayton Power and Light Company a non-exclusive franchise to supply electricity in the City of Centerville for a period of 10 years, with automatic 5 year renewals unless notice is given by either party. The City's current agreement with the Dayton Power and Light Company expires very shortly. Upon question of Mr. Singer, Mr. Horn advised that the Ordinance includes the provision that rights-of-way and easements are subject to the City's jurisdiction and power to enact right-of-way Ordinances or regulations. Mr. Stone sponsored Ordinance Number 33-98, An Ordinance Granting To The Dayton Power And Light Company, Its Successors And Assigns, An Electric Franchise In The City Of Centerville, State Of Ohio, For A Period Of Ten (10) Years, Automatically Renewing For Additional Periods Of Five (5) Years Unless Notice Is Given, Commencing On The Effective Date Of This Ordinance, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

Adrian Rose, 104 Cushwa Drive, endorsed the construction of a pedestrian crosswalk at the intersection of Alexandersville-Bellbrook Road and State Route 48.

Mayor Beals pointed out that several Ordinances to follow for Council's consideration are budgetary Ordinances for the City of Centerville. Some have been prepared as emergency legislation in order that books can be closed for 1998 and appropriations made for the year 1999.

ORDINANCE NUMBER 34-98 1998 APPROPRIATIONS EMERGENCY

Mr. Reppert sponsored Ordinance Number 34-98, An Emergency Ordinance To Repeal Ordinance 27-98 In Its Entirety And To Make Appropriations For The Current Expenses And

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held December 21, 1998, continued

19

Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1998, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 35-98 1998 APPROPRIATIONS

Mr. Kingseed moved that Ordinance Number 35-98, An Ordinance To Repeal Ordinance 27-98 In Its Entirety And To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1998, be set for Public Hearing on January 25, 1999. Mrs. Lienesch seconded the motion. The motion passed unanimously.

CAPITAL IMPROVEMENT PROGRAM 1999-2003

Mr. Singer moved that the Capital Improvement Program for the City of Centerville for years 1999-2003, be adopted. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 47-98 INCOME TAX ALLOCATION

Mrs. Lienesch sponsored Resolution Number 47-98, A Resolution Authorizing The Allocation Of Income Tax Receipts Received On And After January 1, 1999 To The General Fund, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 36-98 1999 APPROPRIATIONS EMERGENCY

Mr. Singer sponsored Ordinance Number 36-98, An Emergency Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1999, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 37-98 1999 APPROPRIATIONS

Mrs. Lienesch moved that Ordinance Number 37-98, An Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1999, be set for Public Hearing on January 25, 1999. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 38-98 PERSONNEL EMERGENCY

Mr. Reppert sponsored Ordinance Number 38-98, An Emergency Ordinance To Repeal Ordinance Number 31-97 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates of Pay, And Regulations For Employees Associated With The Food Service, Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace, City Of Centerville, Ohio, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held December 21, 1998, continued19

ORDINANCE NUMBER 39-98 PERSONNEL

Mr. Kingseed moved that Ordinance Number 39-98, An Ordinance To Repeal Ordinance Number 31-97 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates of Pay, And Regulations For Employees Associated With The Food Service, Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace, City Of Centerville, Ohio, be set for Public Hearing on January 25, 1999. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

ORDINANCE NUMBER 40-98 PERSONNEL

Mr. Singer sponsored Ordinance Number 40-98, An Emergency Ordinance To Repeal Ordinance Number 29-98 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 41-98 PERSONNEL EMERGENCY

Mr. Singer moved that Ordinance Number 41-98, An Ordinance To Repeal Ordinance Number 29-98 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on January 25, 1999. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 48-98 PERSONNEL CITY MANAGER

Mayor Beals advised that proposed Resolution Number 48-98 renews the City Manager's employment contract for a period of five years commencing July 1, 1999. Mr. Singer moved that the proposed amendment to the City Manager's Agreement which is an attachment to Resolution Number 48-98 include a twelve month prior notice of termination and compensation instead of the current nine month prior notice of termination and compensation. Mr. Reppert seconded the motion. The motion passed unanimously. Mr. Stone sponsored Resolution Number 48-98, A Resolution To Amend Resolution Number 1-95 By Renewing The City Manager's Employment Contract For A Five Year Term Commencing July 1, 1999, and moved that it be passed as amended. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 49-98 PUBLIC DEFENDER

Mr. Horn reviewed proposed Resolution Number 49-98 which authorizes the execution of a contract between the City of Centerville and the Montgomery County Public Defender Commission for legal counsel to indigent persons charged with violations of the City's Municipal Ordinances, the outcome of which could result in the loss of liberty of said persons. The cost of this service in 1998 was \$3,300.00; the cost in 1999 is estimated at \$3,500.00. Mr. Reppert sponsored Resolution Number 49-98, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With The Montgomery County Public Defender Commission Providing For Legal Counsel To Indigent Persons Charged With Violations Of The City's Municipal Ordinances, The Outcome Of Which Could Result In The Loss Of Liberty Of Said Persons; Providing For The Payment For Said Services And Providing For A Term Commencing January

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held December 21, 1998, continued19

1, 1999 And Terminating On December 31, 1999, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 50-98 ALCOHOLISM

Mr. Horn reviewed proposed Resolution Number 50-98 to authorize a contract between the City of Centerville and the Combined Health District of Montgomery County, for the implementation, operation and maintenance of a program for the prevention and treatment of alcoholism and chemical dependency. This contract provides for the payment of 10 percent of the funds received by the City of Centerville from the State of Ohio for liquor permit fees. The estimated payment by the City for the year 1998 is \$1,804.00. Mrs. Lienesch sponsored Resolution Number 50-98, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With The Combined Health District Of Montgomery County For The Implementation, Operation And Maintenance Of A Program For The Prevention And Treatment Of Alcoholism And Chemical Dependency And Providing For The Payment Of Fees, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 51-98 ALEX-BELL ROAD AND SR48 PEDESTRIAN SIGNALS

Mr. Horn reviewed proposed Resolution Number 51-98 to authorize the execution of a contract with the Miami Valley Transit Authority for the receipt of funding from RTA not to exceed \$7,000.00 for the installation of pedestrian signals at State Route 48 and Alexandersville-Bellbrook Road. This is a joint co-operative project between the City of Centerville and Washington Township. Mr. Stone sponsored Resolution Number 51-98, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Execute A Contract With The Miami Valley Regional Transit Authority To Provide Funding For The Installation Of Pedestrian Signals At State Route 48 And Alexandersville-Bellbrook Road, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 52-98 BUS STOP ENHANCEMENT

Mr. Horn reviewed proposed Resolution Number 52-98, authorizing the execution of a contract with the Miami Valley Transit Authority for the receipt of a grant from RTA not to exceed \$8,750.00 for the enhancement of a bus stop at the Centerville High School. Mr. Kingseed sponsored Resolution Number 52-98, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Execute A Contract With The Miami Valley Regional Transit Authority To Provide Funding For Bus Stop Enhancement At The Centerville High School In The City Of Centerville, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 53-98 NIKE STAFF SUPPORT

Mr. Horn reviewed a proposed Resolution encouraging and authorizing employees of the City of Centerville to participate in the NIKE Dayton Open golf tournament to be held at The Golf Club at Yankee Trace. During the week of the tournament it will be necessary for many of

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1012B

Held December 21, 1998, continued19

the City Staff to be involved in its operations; this event will benefit the entire Centerville-Washington Township community. Mr. Singer sponsored Resolution Number 53-98, A Resolution Supporting The NIKE Dayton Open Golf Tournament And Encouraging And Authorizing Employees Of The City To Participate In Assuring Its Success, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 54-98 ACCEPT BID FROM LAN CONNECTIVITY SYSTEM

Mr. Schlagheck reviewed the following bids received for a local area network connectivity system for the Centerville Municipal Building.

ProTec Concepts, Ltd.	\$119,573.02
Esquire Data Corporation	128,728.00
Computer Creations, Inc.	205,278.24
CommSys	212,397.61

The system bid includes computer wiring, network hardware, an administrative server, several work stations and updating some of the printers now in use. Mr. Schlagheck pointed out that the bid submitted by ProTec Concepts, Ltd. did not include training. As a result of consideration of all aspects of the bids received the bid received from Esquire Data Corporation is the low and best bid. Mr. Schlagheck explained that only a portion of the bid price will be paid at this time, the remaining will be paid as installations occur in the future. Mr. Stone sponsored Resolution Number 54-98, A Resolution Accepting The Bid Submitted By The Esquire Data Corporation For A Local Area Network (LAN) Connectivity System For The Centerville Municipal Building, And Authorizing The City Manager To Enter Into An Agreement In Connection Herewith, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 55-98 YANKEE TRACE ROAD IMPROVEMENTS

Mr. Hoffman advised that bids were received from the following Companies for certain roadway improvements in Yankee Trace:

Dinnen Excavating, Inc.	\$278,852.78
Demmy Construction Company	281,201.62
Jergens - Bales Contractors Inc.	283,497.30
R. B. Jergens Contractors	285,165.95
TdM Construction Company, Inc.	299,539.78

Mr. Horn pointed out that these improvements are part of the Special Assessment Financing being utilized in Yankee Trace. Mr. Hoffman recommended acceptance of the bid submitted by Dinnen Excavating, Inc. for the bid amount of \$278,852.78. Work should begin either in February or March with a completion date of May 31, 1999. Mr. Singer sponsored Resolution Number 55-98, A Resolution Accepting The Bid Submitted By Dinnen Excavating, Inc., For The Yankee Trace Improvements, Yankee Trace Drive And Wedgestone Court Project For The City Of Centerville, And Authorizing The City Manager To Enter Into An Agreement In Connection Therewith, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held December 21, 1998, continued19

RESOLUTION NUMBER 56-98 CITY HALL PARKING LIGHTS

Mr. Weaver advised that bids were received from the following Companies for the installation of lights in the parking lot of the Centerville Municipal Building:

Reddy Electric Company	\$41,500.00
Rieck Mechanical Services	49,869.00
Buckeye Electric Company	49,950.00

Mr. Weaver recommended acceptance of the low bid submitted by Reddy Electric Company for the bid price of \$41,500.00. The project consists of the replacement of 14 lights in the parking lot, with lights very similar to those recently installed along East Franklin Street. Reddy Electric worked with the Dayton Power and Light Company during the installation of the East Franklin Street lights. Mr. Kingseed sponsored Resolution Number 56-98, A Resolution Accepting The Bid Submitted By The Reddy Electric Company For The City Hall Parking Lot Lights For The City Of Centerville And Authorizing The City Manager To Enter Into An Agreement In Connection Therewith, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 57-98 PUBLIC WORKS UNIFORMS

Mr. Weaver reviewed the following two bids received for uniforms for employees in the Public Works Department:

Cintas Corporation	\$16,863.60	Two Year
Van Dyne Crotty	19,994.00	Two Year

Based upon past experience, Mr. Weaver recommended that the low bid submitted by Cintas Corporation be accepted for a two year period at the bid price of \$16,863.60. Mr. Stone sponsored Resolution Number 57-98, A Resolution Accepting The Bid Submitted By The Cintas Corporation For The Public Works Uniform Bid For The City Of Centerville And Authorizing The City Manager To Enter Into An Agreement In Connection Therewith, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

SOUTH METRO PARK, SECTION TWO
YANKEE TRACE, SECTIONS TWO, FIVE, SIX A, NINE, SIXTEEN, SEVENTEEN A
BOND REDUCTIONS AND RELEASES

Mr. Hoffman recommended the following Bond Reductions and Releases:

South Metro Park, Section Two - Performance Bond Reduction.

Yankee Trace, Section Two - Performance Bond/Letter of Credit Release.

Yankee Trace, Section Five - Performance Bond/Letter of Credit Reduction.

Yankee Trace, Section 6A and Section 9 - Performance Bonds/Letters of Credit Releases.

Yankee Trace, Section Sixteen - Performance Bond Reduction.

Yankee Trace, Section Seventeen A - Performance Bond/Letter of Credit Reduction.

Mr. Reppert moved that the foregoing listed Bond Reductions and Releases be approved as recommended by Mr. Hoffman. Mr. Reppert seconded the motion. The motion passed by unanimous vote.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10748

Held December 21, 1998, continued19

CENTERVILLE ARTS COMMISSION APPOINT JO ANN RIPLEY

Mr. Kingseed moved that Jo Ann Ripley be appointed as a member of the Centerville Arts Commission. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

BOARD OF ARCHITECTURAL REVIEW APPOINT JAMES TREFFINGER CHAIRMAN

Mr. Singer moved that James Treffinger be reappointed as Chairman of the Board of Architectural Review for an additional year. Mr. Kingseed seconded the motion. The motion passed unanimously.

BOARD OF TAX APPEALS REAPPOINT STEPHEN MIKULA, GINA TOLLEFSON

Mr. Singer moved that Stephen Mikula and Gina Tollefson be reappointed as members of the Board of Tax Appeals. Mr. Singer seconded the motion. The motion passed by unanimous vote.

CENTERVILLE PROPERTY REVIEW COMMISSION REAPPOINT DAN CARFAGNO, CHAIRMAN AND JAMES WASSON

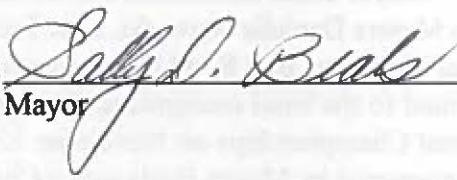
Mrs. Lienesch moved that Dan Carfagno be reappointed as Chairman of the Centerville Property Review Commission for an additional year, and James Wasson be reappointed as a member for an additional term. Mr. Reppert seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE REAPPOINT JOANNA CLAY, CHAIRMAN; SUZANNE HOLLOWAY AND JOHN SPOOR AS MEMBERS

Mr. Singer moved that Joanna Clay be reappointed as Chairman of the Sister City Committee for an additional year, and Suzanne Holloway and John Spoor be reappointed as members for additional terms. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

Mayor Beals wished all a Merry Christmas and a Happy New Year.

There being no further business, the meeting was adjourned.

Approved: 

Mayor

ATTEST:


 Clerk of Council