

RECORD OF PROCEEDINGS

Minutes of **COUNCIL MEETING**

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1048

Held February 19, 1996

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, February 19, 1996, 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 with Mayor Sally Beals presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor C. Mark Kingseed

Councilmembers J. V. Stone

Brooks Compton

James Singer

Susan Lienesch

James Reppert

Clerk of Council Marilyn McLaughlin

Assistant Clerk of Council Peggy Whisman

City Manager Gregory Horn

Assistant to the City Manager Judith Gilleland

City Planner Alan Schwab

City Engineer Norbert Hoffman

Public Works Director Steve Weaver

Municipal Attorney Robert Farquhar

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

Council Meeting - January 15, 1996.

- February 12, 1996.

Council Work Session Meetings - January 15, 1996.

- January 22, 1996.

- February 5, 1996.

- February 12, 1996.

Council Retreat - January 12, 13, 1996.

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

Mayor Beals introduced Centerville-Washington Township Bicentennial Commission members Scott Liberman and Sandy Warner, and Centerville-Washington Park District Program Director Carol Kennard, present at this meeting to explain the "A Tree To Grow By" program during 1996. A tree will be planted for each newborn in Centerville and Washington Township either at the individual's place of residence or in a public place. The trees will be Sugar Maple and will be planted twice in 1996 and once in 1997. Mayor Beals presented a Certificate and Book (A Living Tree) to parents Athena and Ray Baker and Melanie Ray, born January 4, 1996 at 7:12 A.M., the first newborn in 1996.

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Mr. Kingseed read a Certificate of Congratulations presented by Mayor Beals to Centerville High School Soccer Coach Brian Stevens for his selection as Division 1 National Coach of the Year by the National Soccer Coaches Association of America.

Mayor Beals presented "For Achievement of Excellence" medals from the City of Centerville to Junior World Racquetball Championship Winners Adrienne Fisher and Kelly Fisher.

Centerville Lions Club members James Moore and George Darner were in attendance at this meeting to present to the City of Centerville a share of the proceeds from the sale of refreshments at the concession stand in the Leonard E. Stubbs Memorial Park during the Summer Concert Series in 1994 and in 1995.

Mrs. McLaughlin announced the receipt of a letter of resignation from Bradley W. Evers, a member of the Centerville City School District Personnel Appeals Board. Mr. Singer moved that Mr. Evers' resignation be accepted with regret. Mr. Kingseed seconded the motion. The motion passed unanimously.

Mayor Beals outlined the following activities which have occurred and will occur during the coming weeks:

The first National Issues Forum was held at the Centerville Library on January 25, 1996. The National Issues Forum is jointly sponsored by Centerville, Washington Township, Centerville Schools, the Library, the Interact Club, Centerville Womens Civic Club, Centerville Womens Republican Club and Seniors Inc.

Another National Issues Forum "Pocket Book Pressures" will be held on February 22, 1996, and a third "The Troubled American Family" on March 28, 1996, at 7:00 P.M. at the Centerville Library.

Celia Elliott was honored on January 30, 1996 for 50 years of service as a member of the Washington-Centerville Public Library Board of Trustees.

On February 4, 1996 Shirley Heintz was honored for 12 years as Mayor and 4 years as a member of Council for the City of Centerville.

The Centerville-Washington Township Bicentennial is now in full swing. A Bicentennial event - Festival of Faith was held at the Church of the Incarnation on February 4, 1996 involving a total of 200 voices from 7 churches.

A book "A Sense of Community" has been published commemorating this community's 200th birthday, and is available for purchase.

Mayor Beals outlined the many items of memorabilia that are available through the Centerville-Washington Township Bicentennial Commission.

The many Bicentennial events which will take place during the months of February and March were highlighted by Mayor Beals. She reminded the listening audience to refer to the Town Crier and the Centerville Bellbrook Times for a listing of

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Mayor Beals announced her appointment to the Montgomery County Solid Waste Advisory Committee and the National League of Cities Energy, Environment and Natural Resources Committee. She, accompanied by members of Council, will attend the National League of Cities Conference in Washington, D.C. beginning March 8, 1996.

Business Breakfasts have been scheduled for March 7 and March 21, 1996 to begin at 7:30 A.M. in the Gallery at The Golf Club at Yankee Trace. These are opportunities for business owners to become better acquainted with Officials from the City of Centerville.

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

Membership fees, green fees and other charges at The Golf Club at Yankee Trace are listed in the most recent issue of the Town Crier.

A training program relative to planning, design and construction of police facilities will be offered during a Chiefs of Police Seminar in Columbus. This program will be attended by Police Chief William Lickert and Mr. Horn.

Bids have been received by the Washington Township Trustees, the lead agency, for the joint Spring Valley Road Improvement Project. Six bids have been received, one of which will be accepted within the next few weeks by Washington Township.

Employees of the City of Centerville are attending Cardiac Pulmonary Recessitation and First Aid and Safety Training during the current week.

Mr. Horn advised that the final payment of \$15,000.00 seed money for the Centerville-Washington Township Bicentennial Commission is due at this time from the City of Centerville. Mr. Reppert moved that said payment of \$15,000.00 be made. Mr. Singer seconded the motion. The motion passed unanimously.

Scott Liberman, Chairman of the Centerville-Washington Township Bicentennial Commission, was present at this meeting to review events which will take place during the month of February, Bicentennial month in the schools.

YANKEE TRACE SECTION FIVE RECORD PLAN

Mr. Schwab reviewed the Record Plan for Yankee Trace, Section Five, and located the subject property on a map, being situated east off Yankee Trace Drive, north of Social Row Road and between fairways fifteen and seventeen of The Golf Club at Yankee Trace. Section Five consists of 5.6702 acres of land divided into thirteen lots, zoned R-1c, Single-Family Residential. The Planning Commission, by unanimous vote, recommended approval to City Council of this Record Plan subject to the following conditions:

1. Prior to the recording of this plat, the right-of-way for Yankee Trace Drive shall be dedicated from Social Road to the north end of this plat.

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2. The City shall receive from the developer and approve a detailed plan for the skin improvements (mounding, white horse park fencing, entranceways, limestone walls, landscaping, etc.) along the north side of Social Row Road adjacent to this plat.
3. A sight distance easement shall be provided along the Yankee Trace Drive frontage of lot 136 subject to approval by the City Engineer.
4. A covenant shall be placed on the Record Plat that prohibits vehicular access to Yankee Trace Drive from lots 109, 110 and 121 subject to approval by the City Engineer.
5. A street name for the cul-de-sac street shall be subject to approval by the Planning Department.
6. Detailed design of the stormwater drainage system for this plat including grading shall be approved by the City Engineer.
7. In lieu of completion of the required improvements prior to the recording of this 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 streets within this plat shall be required to be part of the Performance Bond and Subdivider's Agreement because of the individual platted lots incorporated within the plat.

Mr. Compton moved that the Record Plan for Yankee Trace, Section Five, be approved subject to all conditions recommended by the Planning Commission and subject to the following recommendations of the City Engineer:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to assure completion of the public improvements (pavement, curbs and drainage, etc.) in the amount of \$84,530.00.
3. Inspection fee in the amount of \$266.00.

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.

Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

YANKEE TRACE SECTION SIX RECORD PLAN

Mr. Schwab reviewed the Record Plan for Yankee Trace, Section Six. He located the subject property on a map being a 7.7020 acre partial of land situated east of Yankee Street and west of fairway eight at The Golf Club at Yankee Trace. Proposed is the division of said property into fifteen Single-Family Residential lots. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City

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1. The City shall receive from the developer and approve a detailed plan for the skin improvements (mounding, white horse park fencing, entranceways, limestone walls, landscaping, etc.) along the east side of Yankee Street adjacent to this plat.
2. Detailed design of the stormwater drainage system for this plat including grading shall be approved by the City Engineer.
3. 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 streets within this plat shall be required to be part of the Performance Bond and Subdivider's Agreement because of the individual platted lots incorporated within the plat.

Mr. Schwab reviewed the following recommendations for approval by the City Engineer:

1. Acceptable Subdivider's Agreement, including homeowner's agreements for maintenance of private streets.
2. Performance Bond to assure the completion of the private access improvements (grading, drainage, curbs, pavement and sidewalks or hiker-biker path, etc.) in the amount of \$73,270.00.
3. Inspection fee in the amount of \$300.00.

A one year Maintenance Bond will be required when the private street improvements are completed and the Performance Bond released. The amount of the Maintenance Bond will be determined at that time.

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

RESOLUTION NUMBER 5-96 PUBLIC SERVICE MONTH

Mr. Horn reviewed a proposed Resolution in support of declaring March 1996 as "Public Service Month" upon request of Celebration Dayton and in conjunction with the Centerville-Washington Township Bicentennial Commission. Mr. Singer sponsored Resolution Number 5-96, A Resolution Of Support For The CD '96 Celebration Of The 200th Anniversary Of Our Area In Conjunction With The Centerville-Washington Township Bicentennial And To Recognize Significant Accomplishments Local Government And Public Servants Have Made Over The Past 200 Years, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 6-96 SURPLUS PROPERTY

Mr. Horn explained the fact that the Police Department currently possesses four .223 caliber automatic Ruger rifles which have not been used for the past five years as well as three cases of ammunition. By declaring this property surplus, Federal law provides that said equipment can be sold to another authorized law enforcement agency. Mr. Kingseed sponsored Resolution Number 6-96, A Resolution Declaring Specific Equipment No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines As Stated Herein, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 7-96 SIDEWALK EASEMENT
CENTERVILLE STATION ROAD

Mr. Hoffman advised that an easement is needed for the installation of a sidewalk across the property owned by Andrew W. And Stephanie A. Irwin Hittle which will complete the sidewalk along Centerville Station Road from the St. Leonard Center east to the northeast corner of the Hittle tract of land. Mr. Compton sponsored Resolution Number 7-96, A Resolution Authorizing The City Manager To Accept An Easement, On Behalf Of The City Of Centerville, From Andrew W. Hittle And Stephanie A. Irwin Hittle For The Installation, Maintenance, Repair And Use Of A Public Sidewalk, and moved that it be passed. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 8-96 THOMAS STOLZ WILL

Mr. Horn explained the fact that a will construction action has been filed in the estate of Thomas Stolz, a long time supporter and friend of the City of Centerville, willing to the City five percent of the net value of his estate on the condition that it commenced the construction of a swimming pool in the southeast corner of the Leonard E. Stubbs Memorial Park on Spring Valley Road within five years of the date of Mr. Stolz's death. Based upon the fact that there is no intention to proceed with the construction of said swimming pool within the near future, City Staff and Legal Counsel recommended that the City disclaim interest under the will of Thomas Stolz and request dismissal from the will construction action thus causing the money to stay within the estate. Mr. Reppert sponsored Resolution Number 8-96, A Resolution Disclaiming Interest Of The City Of Centerville Under The Thomas Stolz Will, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

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COUNCIL POLICY MEMO 96-1 DRAINAGE

Mr. Weaver reviewed a proposed amendment to Council Policy Memo 87-1 to provide projects that the City can use to accommodate maintenance in ditches that are in improved drainage easements, to provide the City the opportunity to clean these areas, to provide for the reconstruction and reshaping of the improved ditches, and to provide the City the latitude to fund these projects in whole in lieu of sharing the cost with property owners. He reviewed the various conditions which must be met for public participation in the cleaning of drainage ditches on private property. Mr. Singer, speaking as Chairman of the Stormwater Drainage Task Force, identified this Policy as being consistent with what the City has done in the past concerning various ditches. Mr. Singer moved that the City of Centerville, Policy Memo 96-1, Public Participation In The Cleaning Of Drainage Ditches On Private Property, be approved. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 9-96 GLENBURN DITCH

Mr. Horn reviewed the following bids received for improvements to be made to the Glenburn Ditch:

Excel Contracting, Inc.	Part A	\$25,197.00
	Part B	\$16,495.00
	Total	\$41,692.00
R. B. Jergens, Inc.	Part A	\$47,310.00
	Part B	\$23,885.00
	Total	\$71,195.00
TdM Construction	Part A	\$67,420.00
	Part B	\$42,860.00
	Total	\$110,280.00

Mr. Weaver outlined repairs to be made to the Glenburn Ditch in order to bring the ditch back into the proper channel configuration to provide for a more proficient flow. Mr. Hoffman explained the fact that although these bids were received in October, 1995, the low and best bidder has agreed to meet the specifications at the quoted price. Upon suggestion of Mayor Beals, Mr. Weaver emphasized the necessity of keeping drainage easements clear of trees, high grass, weeds and other materials in rear yards. Mr. Compton sponsored Resolution Number 9-96, A Resolution Accepting The Bid From Excel Contracting, Inc. For The Glenburn Ditch Stabilization/Restoration Project For The City Of Centerville, And Authorizing The City Manager To Enter Into An Agreement In Connection Herewith, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

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RESOLUTION NUMBER 10-96 IRONGATE/MAIN TRAFFIC SIGNAL

Mr. Horn reviewed the one bid received for the installation of a traffic signal at the intersection of Irongate Park Drive and Main Street:

The Wagner-Smith Company \$44,861.00

Mr. Horn advised that the installation of said traffic signal is the result of a Petition and strong support by local businesses in order to enhance pedestrian safety and facilitate vehicle access to Main Street. An independent analysis has warranted this signalization improvement. Mr. Hoffman identified the type signal to be installed as being semi activated. Upon suggestion by Mr. Reppert, Mr. Hoffman will take the removal of the crosswalk in front of Benham's Grove under consideration. In answer to a question of Mrs. Lienesch, Mr. Hoffman advised that in consultation with the Washington Township Fire Department, a decision may be made prior to the installation of the traffic signal that a special fire-preemption system is not warranted at this time. Mr. Kingseed sponsored Resolution Number 10-96, A Resolution Accepting The Bid Submitted By The Wagner-Smith Company For The Purchase and Installation Of A Traffic Signal At The Intersection Of Irongate Park Drive And Main Street And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION APPOINT SANDI LAURA L. BERNAUER

Mr. Compton moved that Sandi Laura L. Bernauer be appointed as a member of the City Beautiful Commission. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

CENTERVILLE ARTS COMMISSION
APPOINT KIMBERLY KAYLER IZENSON AND LORI KINDRICK

Mr. Kingseed moved that Kimberly Kayler Izenson be appointed to the unexpired term vacated by Bianca Wellbrock and Lori Kindrick to the unexpired term vacated by Robert McMillan, Sr., as members of the Centerville Arts Commission. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

BOARD OF TAX APPEALS REAPPOINT LOWELL STEBBINS

Mr. Compton moved that Lowell Stebbins be reappointed as a member of the Board of Tax Appeals. Mr. Stone seconded the motion. The motion passed by unanimous vote.

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RESOLUTION NUMBER 11-96 PURCHASE OF VEHICLES

Mr. Horn explained the fact that the State of Ohio offers a cooperative purchasing program for jurisdictions Statewide. He recommended that through this program the City purchase the following two vehicles:

Ford Taurus from Mike Pruitt's Lima Ford, Inc., purchase price \$15,237.00

Dodge Intrepid from Nelson Auto Group, purchase price \$15,252.19

The purchase of these vehicles has been included in the City's Capital Improvement Program for 1996. Mr. Stone sponsored Resolution Number 11-96, A Resolution Authorizing The City Manager To Participate In A Contract With The Department Of Administrative Services, Office Of State Purchasing For The Purchase Of Two (2) Vehicles For The City Of Centerville In Accordance With Ordinance Number 19-88, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beale
Mayor

ATTEST:

Marilyn J. Saughel
Clerk of Council