

RECORD OF PROCEEDINGS

Minutes of

COUNCIL MEETING

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held March 18, 199619

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, March 18, 1996, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilmember 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 C. Mark Kingseed

Councilmembers 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

Chief of Police William Lickert

Public Works Director Steve Weaver

Golf Course Superintendent John Miller

Municipal Attorney Robert Farquhar

Mr. Singer moved that Councilmember J. V. Stone be excused from this meeting. Mr. Kingseed seconded the motion. The motion passed unanimously.

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

Council Meeting - February 19, 1996.

Council Work Session Meetings - February 19, 1996.

- March 4, 1996.

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

Mayor Beals introduced Ohio House of Representative Robert Corbin in attendance at this meeting. Representative Corbin addressed House Bill 565 recently passed in an effort to set speed limits on highways and super highways at one level. He solicited the City's support and cooperation for the speed limit on Interstate 675 to be set at 65 miles per hour. This change has been supported by other entities involved. Mr. Reppert moved that the City support the speed limit to be set at 65 miles per hour on Interstate 675. Mr. Kingseed seconded the motion. Upon question of Mr. Compton, Chief of Police William Lickert offered his support for the speed limit change. The motion passed unanimously.

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Representative Corbin briefly address House Bill 36, the Annexation Bill currently before a Senate Select Committee, and advised that a status report has been sent to Clerk of Council Marilyn McLaughlin for distribution to members of Council. He believes that if this Bill comes out of the Senate prior to November, 1996, it will do so before recess approximately May 14, 1996.

Mayor Beals administered the Oath of Office to Centerville Arts Commission Members Lori Kindrick and Kimberly Kayler Izenon.

Mayor Beals and Chief of Police William Lickert presented awards to Susan Freeze, Lloyd Crump and to Nancy Wight receiving for Ruth Masing, Certificates of Recognition for actions they took above and beyond that which is expected, during and after a robbery that occurred on December 1, 1995, at the South Main Street branch of BancOne in the City of Centerville.

Mr. Gerald Hauer, 2358 Adirondack Trail, Co-Chair of the Legacy of Green Celebration Dayton '96, was present at this meeting to update Council on two major events: the Legacy of Green, and Champion's/Hometown Heroes Weekend. The Legacy of Green is a program designed to leave permanent visible green space throughout the region leaving something for children and grandchildren to enjoy. Champion's/Hometown Heroes Weekend will be held during Memorial Day Weekend at which time many Champions and national celebrities of the Greene/Montgomery County Region will be honored. Mr. Hauer also outlined a third year free tree program of the Dayton Rotary which has now been tied into CD'96. Through this program free two year old seedlings are available at several locations and during special events taking place in the Dayton Metropolitan Area.

Mayor Beals announced two Business Breakfasts being held at The Gallery at Yankee Trace to provide City Officials and members of City Staff to become better acquainted with the business community.

Mayor Beals outlined past performances and future events sanctioned by the Centerville-Washington Township Bicentennial Commission being enjoyed by community residents.

Mayor Beals advised that the annual volunteer salute has been scheduled for April 11, 1996. Planned is a special evening honoring the citizens who serve on City Boards and Commissions as well as CIVIC volunteers. Invitations for this event are in the process of being mailed.

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A ribbon cutting ceremony was held this date at the Outback Steak House, a new business located in the Cross Pointe Shopping Center, attended and ribbon cut by Mayor Beals.

Mayor Beals advised that from March 8 - 12, 1996, members of Council attended the National League of Cities Congressional Conference in Washington, D.C. Mrs. Lienesch briefly reviewed sessions and activities attended during the Conference. She also highlighted a full day Conference recently held by the Ohio Municipal League for newly elected Municipal Officials.

Mayor Beals announced the issuance of the following two Proclamations during the past month:

Medical Laboratory Week - April 14-20, 1996.

Memorial Month (a "None for Under 21" campaign to remember the young people killed in alcohol-related traffic crashes and to make sure that these senseless deaths don't happen to any other young people) - April, 1996.

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

He attended with Chief Lickert the International Chiefs of Police Facilities Planning Seminar recently held in Columbus relative to the design and construction of new police facilities.

Employees of the City of Centerville have attended three joint educational training programs during the past several weeks.

The Golf Club at Yankee Trace will open as soon as possible, weather permitting.

Bids for the City's Street Resurfacing Program for 1996 are being prepared and will be let for bids in the near future.

Many outstanding Bicentennial events have occurred and are planned for the remainder of 1996. Information concerning these events will be contained in the City's Town Crier.

The City's recycling program is up in excess of ten percent during the first two months of 1996.

Renovation continues at the City's South Suburban Road annex building.

CHRIST COMMUNITY CHURCH REZONING

The Public Hearing was held concerning the Rezoning Request filed by Christ Community Church for 0.8098 acres of land located at 6020 Bigger Road. Requested is a change from R-PD, Residential Planning Development, to O-S, Office Service zone classification. Mr. Schwab located the subject property on a map and identified adjacent zone classifications and land uses; said uses being a funeral home to the north, vacant land being developed into a multi-family residential community to the south and east, and offices to the west. The Planning Department Staff recommended approval of this

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Rezoning Request to the Planning Commission in consideration of the fact that the property is situated adjacent to and across from commercial uses, the zone classification requested is consistent with office use on the opposite side of Bigger Road and the funeral home to the north. The Planning Commission, by a vote of 3-2, recommended denial of this Rezoning Request to City Council considering that the present zoning permits multi-family development and said permitted use would be consistent with the property to the south and east.

Reverend Herbert Hoover, Pastor of the Christ Community Church, gave a brief history of the Church's purchase of the subject property and their intended use. Due to other developments the lot has become unsuitable for a church and for a private residence, but conducive to office use.

Mr. Walter Brent, staff member for the Christ Community Church, offered his support for the zone change as requested.

Mr. Thomas Snyder, Prudential Residential Realtors, outlined his efforts to market the property; he has received inquiries for office use but not residential use. He offered his support for O-S, Office Service zoning.

Mr. Kingseed sponsored Ordinance Number 1-96, An Ordinance Amending Ordinance Number 11-86, Dated July 21, 1986, The Zoning Ordinance By Rezoning 0.8098 Acres More Or Less, From Centerville R-PD Classification To Centerville O-S Classification, and moved that it be passed. Mrs. Lienesch seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 3-96 BUILDING CODE

Mr. Compton moved that Ordinance Number 3-96, An Ordinance Amending The Centerville Municipal Code, Part 14 Building And Housing Code, Chapter 1424 National Electric Code, And Adopting The 1996 Electric Code-NFPA 70-1996 By Reference, be set for Public Hearing on April 15, 1996. Mr. Kingseed seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 12-96 SPRING VALLEY ROAD IMPROVEMENT

Mr. Horn outlined a joint project between Washington Township and the City of Centerville for the improvement of Spring Valley Road from Main Street to Paragon Road. It has been the procedure for the entity having the largest segment of the project in its jurisdiction to be the lead agency, thus making Washington Township the lead agency in this particular project. The apparent low and best bid submitted by the John R. Jurgensen Company will be awarded by Washington Township as soon as a few minor right-of-way issues have been resolved. Centerville's estimated share of this project is \$721,819.70, of which approximately 50% will be paid by the Ohio Public Works Commission. Mr. Horn advised that the bid will soon be awarded and the project underway. Mr. Compton sponsored Resolution Number 12-96, A Resolution

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Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Cooperate With Washington Township As The Lead Agency For The Spring Valley Road Improvement Project, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 13-96 RIGHT OF WAY AND EASEMENT
SPRING VALLEY ROAD

Mr. Horn reviewed a request received from the Dayton Power & Light Company for a 25 foot wide right of way and easement along the north side of Spring Valley Road in the City of Centerville in order to relocate large overhead power lines to make way for the widening of said roadway. These lines will be relocated by the Dayton Power & Light Company at no cost to the City of Centerville. Mrs. Lienesch sponsored Resolution Number 13-96, A Resolution Authorizing The City Manager To Grant A Right Of Way And Easement, On Behalf Of The City Of Centerville, To The Dayton Power & Light Company For The Installation Of Electric Lines Along The North Side Of Spring Valley Road, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 14-96 TEMPORARY RIGHT OF WAY AND EASEMENT
SPRING VALLEY ROAD

Mr. Horn reviewed a request received from the Dayton Power & Light Company for a temporary construction easement for the distribution of electric lines along the north side of Spring Valley Road and through the Leonard E. Stubbs Memorial Park. Mr. Kingseed sponsored Resolution Number 14-96, A Resolution Authorizing The City Manager To Grant A Temporary Right Of Way And Easement, On Behalf Of The City Of Centerville, To The Dayton Power & Light Company For The Distribution Of Electric Lines Along The North Side Of Spring Valley Road And Through Stubbs Park, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 15-96 CONSULTING SERVICES ROBERT WALKER

Mr. Horn reviewed a proposed Agreement between the City of Centerville and Robert Walker for occasional outside economic development assistance. Mr. Reppert sponsored Resolution Number 15-96, A Resolution Authorizing And Directing The City Manager To Enter Into An Agreement With Robert Walker For Consulting Services For The City Of Centerville, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote.

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CLEMANS, NELSON & ASSOCIATES**

Mr. Horn reviewed a proposed Management Consultant Agreement between the City of Centerville and Clemans, Nelson & Associates, Inc., in order that the City may retain this Ohio Corporation for a period of one year for personnel services as deemed necessary during the duration of said Agreement. Mr. Compton sponsored Resolution Number 16-96, A Resolution Authorizing And Directing The City Manager To Enter Into An Agreement With Clemans, Nelson & Associates, Inc., For Consulting Services For The City Of Centerville, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 17-96 SURPLUS PROPERTY

Mr. Horn advised that equipment and materials at the City's South Suburban annex building during the current renovation program have been found to no longer be of use. It is necessary to rid these items as quickly as possible due to storage restraints. In answer to a question by Mayor Beals, Mr. Horn advised that some of the equipment will be sold at public auction following public notice in a newspaper of general circulation within the City of Centerville. Mr. Compton sponsored Resolution Number 17-96, A Resolution Declaring 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. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 18-96 CD'96 COMPACT OF GREEN

Mr. Horn reviewed a proposed Resolution authorizing the City of Centerville's participation in the 1996 Compact of Green, a project sponsored by Celebration Dayton '96. Centerville's contribution is through its continuing policy to provide walkways and bikeways linking neighborhoods and communities together, and through the Centerville-Washington Township Bicentennial Commission's project "Trees for Newborns". Mayor Beals pointed out the fact that Centerville continues to be designated as a "Tree City USA" and provides a tree planting program for school age children on Arbor Day. Mr. Compton sponsored Resolution Number 18-96, A Resolution Authorizing Participation In The 1996 Compact Of Green, and moved that it be passed. Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

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RESOLUTION NUMBER 19-96 MOWING CITY PROPERTIES

Mr. Horn reviewed bids received for the mowing of curb lawn areas, median areas and other public grounds in the City of Centerville from the following private contractors:

Tangeman & Sons Lawn & Landscaping, Kettering, Ohio
 RK Property Management, Inc., Dayton, Ohio
 Harlow Landscaping Company, Xenia, Ohio
 Earthday Lawn & Landscape, Beavercreek, Ohio
 M & S Lawn Service, Kettering, Ohio

Mr. Horn recommended acceptance of the low and best bid submitted by M & S Lawn Service for parcels 2a and 11, and the low and best bid submitted by RK Property Management, Inc. for parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, and 14. He pointed out the fact that bids received for 1996 were less than those submitted in 1995. Mr. Horn identified those areas included on the bid sheet and brought Council's attention to a tabulation sheet prepared by Mr. Weaver. Mr. Compton sponsored Resolution Number 20-96, A Resolution Accepting The Bids Submitted By M & S Lawn Service And RK Property Management, Inc., For The Mowing Of Grass On City Owned Properties Throughout The Community And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Reppert seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 20-96 GOLF COURSE CHEMICALS

Mr. Horn reviewed bids received for the purchase of chemicals for The Golf Club at Yankee Trace for the year 1996. Bids were received from the following suppliers:

Lesco, Inc., Rocky River, Ohio.
 Terra International, Inc., Cedarville, Ohio.
 Cannon Turf Supply, Inc., Fishers, Indiana.
 United Horticultural Supply, Piqua, Ohio.
 G. W. Hill Company, Florence, Kentucky.

He reviewed a recommendation from Mr. Miller that the following bids be received:

Terra International, Inc., \$22,463.70 for Alliette, Banner, Daconil, Oftanol, Sevin, Eagle, Merit and the Spray Dye indicator.

United Horticultural Supply, \$3,349.05 for MCPP and Subdue.

G. W. Hill Company, \$4,956.00 for Sentinel.

Mr. Horn pointed out that the total cost for chemicals of \$30,768.75 is less than Mr. Miller's expected needs for the current year. However, these costs could vary depending upon weather conditions. Mr. Kingseed sponsored Resolution Number 20-96, A Resolution Accepting A Portion Of The Bids Submitted By Terra, International, Inc., United Horticultural Supply, And G. W. Hill Company, For The Purchase Of Yankee Trace Golf Course Chemicals For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be

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passed. Mr. Compton seconded the motion. The motion passed unanimously.

CITY PLANNING COMMISSION REAPPOINT JAMES DURHAM

Mayor Beals announced the term expiration of James Durham as a member of the City Planning Commission. Mr. Kingseed moved that James Durham be reappointed as a member of the City Planning Commission. Mr. Reppert seconded the motion. The motion passed by unanimous vote of City Council.

There being no further business, the meeting was adjourned.

Approved: Sally D. Beals
Mayor

ATTEST:

Marie J. Saughel
Clerk of Council