

RECORD OF PROCEEDINGS

Minutes of Council Meeting

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1014B

Held May 15, 1995

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 15, 1995 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 Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor J. V. Stone
 Councilmembers Sally Beals
 James Singer
 C. Mark Kingseed
 Clerk of Council Marilyn McLaughlin
 Assistant Clerk of Council Peggy Whisman
 City Manager Gregory Horn
 Municipal Attorney Robert Farquhar
 Assistant City Manager Michael Haverland
 Assistant to the City Manager Judith Gilleland

Mayor Heintz advised that Councilman Brooks Compton would arrive later during this meeting and Councilman Mark Beasley would not be present for this meeting. Mr. Singer moved that Mr. Compton and Mr. Beasley 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 - April 17, 1995.
 Council Work Session Meetings - April 17, 1995.
 April 24, 1995.
 May 1, 1995.
 May 8, 1995.

Mr. Stone advised that added to the minutes of the May 1, 1995 Work Session meeting, last paragraph, should be the following "This suggestion arose out of a discussion concerning the importance of having City Staff and the City comply with all the building regulations we have in the City, we expect private citizens to adhere to those rules and regulations and we expect the City to do also." Mrs. Beals moved that the minutes of the foregoing meetings be approved as distributed and corrected. Mr. Stone seconded the motion. The motion passed by unanimous vote; however, Mr. Kingseed abstained from the minutes of the Work Sessions held May 1 and May 8, 1995.

The minutes of the Joint Meeting held between City Council and the Washington Township Trustees had been distributed prior to this meeting. Mr. Stone moved that the minutes of the Joint Meeting be approved as distributed with typos being corrected. Mr. Singer seconded the motion. The motion passed by unanimous vote.

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Mayor Heintz administered the Oath of Office to the following Board and Commission members:

Cindy Kerr - Board of Architectural Review.

John Dorko - Centerville Property Review Commission.

Patricia Jacobs and DeAnn Hurtado - Centerville City Beautiful Commission.

Patrick Hansford - City Planning Commission.

Mr. Compton entered the meeting at this time.

Mayor Heintz advised that Theater Under The Stars Productions (TUTS) will make their new home for their summer series at the Amphitheater in the Leonard E. Stubbs Memorial Park. She presented to Donnah Dieterle, President of the Board, a Certificate of Welcome, read by Mr. Stone. Ms. Dieterle thanked the City for this warm welcome to the City of Centerville and announced the productions and dates for their summer series. Pat Carson, Board Member/Co-Founder/Producer, also expressed thanks to the City of Centerville for their new home in Centerville.

Mayor Heintz announced the issuance of the following Proclamations during the past month:

Proclamation designating May 12, 1995 as Lions Club of Centerville Day in Centerville.

Proclamation designating May 23, 1995 as County Corp Day in the City of Centerville.

Proclamation designating the week of May 14-May 20, 1995 as Peace in the Valley Week in Centerville.

Mayor Heintz brought attention to concerns expressed annually relative to the walking of dogs and the owner's removal of excreta after the animal relieves itself. Pointing out the fact that Ordinances cannot be passed for everything, she asked residents to be considerate of their neighbors and other residents concerning this matter. Mrs. Beals gave a demonstration of an effective way to remove this excreta from another's property.

Mayor Heintz outlined a trip recently organized by the Miami Valley Economic Development Council for the Leadership Group of the Montgomery County Dayton Area to Washington, D. C., at which time attributes were put forth relative to the Wright Patterson Air Force Base with government officials.

Mayor Heintz announced that she will not seek re-election in November, 1995.

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

Light fixtures along South Main Street have been retrofitted and reinstalled.

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Landscaping along the improved portion of South Main Street, weather permitting, should be completed within the week.

The golf outing held this date at The Golf Club at Yankee Trace was an outstanding event. Mr. Horn described damages to the golf course and along Yankee Street due to the severe storm which occurred in the early morning hours of Sunday, May 14, 1995.

The site is being prepared for the installation of an asphalt walkway along the north side of Alexandersville-Bellbrook Road between Loop Road and Clyo Road.

Activities scheduled at Yankee Trace for the dedication and opening of the Gallery at Yankee Trace were outlined: June 24-Volunteer Recognition Dinner, June 25-Community Open House, June 26-Formal Luncheon, June 27-Opening Day.

Mr. Haverland reminded residents of Operation Clean-Sweep in the City of Centerville occurring the week of May 15, 1995. He outlined those items which may and may not be picked up by the City's Service Department. In consideration of comments made many times relative to the cost for waste collection in the City of Centerville, Mrs. Beals pointed out the fact that this is one of the services provided residents free of charge.

Mr. Compton complimented the City Staff for an outstanding job done on the South Main Street Improvement Project.

ORDINANCE NUMBER 7-95 ZONING ORDINANCE AMENDMENT
REZONING REQUEST OF HILLS BUILDING & CONSTRUCTION SERVICES NO. 3

Mr. Horn briefly reviewed a Rezoning Request submitted by Hills Building & Construction Services No. 3, Inc. for the rezoning of approximately 30.661 acres of land from R-1c, Single Family Residential, to R-PD, Residential Planned Development, zone classification, for property located at the northeast quadrant of Bigger Road and Interstate 675. Mr. Compton moved that Ordinance Number 7-95, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 30.6618 Acres More Or Less, From Centerville R-1c Classification To Centerville R-PD Classification, be set for Public Hearing on June 19, 1995. Mr. Stone seconded the motion. The motion passed unanimously.

Lee Althen, 325 Annette Drive, was present at this meeting to express concern with the lack of maintenance, upkeep and completion of the Leonard E. Stubbs Memorial Park as perceived by Thomas Stolz. Mr. Horn outlined upkeep and maintenance of the park being provided by City Staff as well as a private contractor. He advised that the City recognizes the fact that certain areas of the park need upgrading and better maintenance. Mr. Horn will discuss complaints expressed by Mr. Althen with City Staff and with the contractor.

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TAX BUDGET 1996

Mayor Heintz advised that the Tax Budget for the City of Centerville for the year 1996 to be submitted to the Montgomery County Auditor requires a Public Hearing. Mrs. Beals moved that the City of Centerville Tax Budget for 1996 for submission to the Auditor of Montgomery County be set for Public Hearing on June 19, 1995. Mr. Singer seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 33-95 STATE ROUTE 48 JOURNALIZE SPEED LIMITS

Mr. Horn briefly reviewed a proposed Resolution to establish prima facie speed limits for a portion of State Route 48 as requested by the State of Ohio, Director of Transportation. Mrs. McLaughlin pointed out the fact that the speed limits as specified in the Resolution are those speed limits currently in effect in the designated areas and have been for several years. This Resolution merely reaffirms and journalizes the speed limits for the State of Ohio, Department of Transportation. Mrs. Beals sponsored Resolution Number 33-95, A Resolution Requesting That The Director Of Transportation Establish Prima Facie Speed Limits For A Portion Of State Route 48 In The City Of Centerville, Ohio, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 34-95 SUPPORT MOUND PROJECT

Mr. Horn reviewed proposed Resolution Number 34-95, a Resolution in support of a proposal "Mound Project 2000" being developed by the Department of Energy's Miamisburg Area and Ohio Field offices to be presented to the Department of Energy Headquarters in order that environmental restoration of the Mound facility in Miamisburg may be accelerated. He pointed out the fact that it would be well for this entire region if the Department of Energy is in a financial situation to continue with its commitments toward the clean-up of the Mound. Mr. Stone sponsored Resolution Number 34-95, A Resolution Supporting The Mound Project 2000 Environmental Restoration Proposal For The Department of Energy's Mound Facility, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 35-95 SOUTH MAIN STREET RIGHT OF WAY

Mr. Farquhar explained that when South Main Street was widened in the City of Centerville and property was donated to the City for right of way by the Beerman partners, a very small portion of said land was owned by a different partnership. It is necessary for the City at this time to accept the donation of this 0.0076 acres tract of land from Centerville Associates III Limited Partnership. Mr. Stone sponsored Resolution Number 35-95, A Resolution Accepting The Dedication Of A 0.0076 Acre Tract

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Of Land From Centerville Associates III Limited Partnership For The Widening Of State Route 48 In The City Of Centerville, Ohio, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed with five ayes in favor of the motion, Mrs. Beals abstained.

RESOLUTION NUMBER 36-95 WASTE DISPOSAL

Mr. Horn reviewed proposed Resolution Number 36-95, a Resolution changing the first amendment to the Waste Delivery and Disposal Agreement between the County of Montgomery and the City of Centerville to provide for the upgrade and retrofit of the north incinerators, expand the transfer station operation and deactivate (mothball) the south incinerators, thus bringing the agreement in line with City Council's previous position. Passage of this Resolution has been requested by the Montgomery County Department of Solid Waste Management. As pointed out by Mr. Singer, the \$70,000.00 figure for capital costs included in item 4.1 of the Resolution was changed to \$70,000,000. Mr. Singer sponsored Resolution Number 36-95, A Resolution Amending The First Amendment To The Waste Delivery And Disposal Agreement Between The County Of Montgomery And The City Of Centerville Authorized By Resolution Number 20-95, and moved that it be passed. Mrs. Beals seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 37-95 SUPPORT MIAMI VALLEY ECONOMIC DEVELOPMENT COALITION

Mr. Horn reviewed a proposed Resolution supporting the mission of the newly established Miami Valley Economic Development Coalition as well as the missions of the Regional Economic Strategies Forum and the I-70/75 Development Association to cause our economic growth to continue to improve the standard of living for all citizens of the region. This Resolution has been refined in a more positive format than previously recommended. Mr. Singer sponsored Resolution Number 37-95, A Resolution Supporting The Mission Of The Miami Valley Economic Development Coalition As Part of A Comprehensive Regional Program, and moved that it be passed. Mrs. Beals seconded the motion. The motion passed by unanimous vote of City Council.

COUNCIL POLICY MEMO 95-2 EMPLOYEE GREEN FEES

Mr. Horn reviewed a proposed Council Policy to provide City employees the same green fees at The Golf Club at Yankee Trace as City residents pay. Mr. Stone moved that City of Centerville, Policy Memo 95-2, The Golf Club at Yankee Trace, Employee Green Fees, be approved as submitted. Mrs. Beals seconded the motion. The motion passed by unanimous vote.

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YANKEE TRACE SECTION ONE LETTER OF CREDIT REDUCTION

Mr. Horn reviewed a recommendation from City Engineer Norbert Hoffman that the Letter of Credit posted by Great Traditions for Yankee Trace, Section One, be reduced. All improvements except for the final course of asphalt, sidewalks and miscellaneous items have been completed. Mr. Hoffman recommended that the Letter of Credit in the amount of \$305,000 be reduced to \$40,000. Mr. Stone moved that the Letter of Credit posted by Great Traditions for Yankee Trace, Section One, be reduced as recommended by the City Engineer. Mr. Compton seconded the motion. The motion passed unanimously.

CENTERVILLE ARTS COMMISSION APPOINT STEVIE ANN HARDYAL

Mr. Compton moved that Stevie Ann Hardyal be appointed as a member of the Centerville Arts Commission. Mrs. Beals seconded the motion. The motion passed by unanimous vote.

CENTERVILLE-WASHINGTON TOWNSHIP BICENTENNIAL COMMISSION
APPOINT NANCY DINNEEN

Mr. Kingseed moved that Nancy Dinneen be appointed to replace James Reppert as a member of the Centerville-Washington Township Bicentennial Commission. Mr. Compton seconded the motion. The motion passed unanimously.

CENTERVILLE CITY BEAUTIFUL COMMISSION
REAPPOINT CARLEY VAN DER KLOET AND DEBORAH BORGER

Mrs. Beals moved that Carley Van Der Kloet and Deborah Borger be reappointed as members of the Centerville City Beautiful Commission. Mr. Compton seconded the motion. The motion passed by unanimous vote.

CENTERVILLE CITY SCHOOL DISTRICT PERSONNEL APPEALS BOARD
REAPPOINT NORMAN YOUNG

Mr. Singer moved that Norman Young be reappointed as a member of the Centerville City School District Personnel Appeals Board. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

There being no further business, the meeting was adjourned.

Approved: 

Mayor

ATTEST: 

Clerk of Council