

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1014B

Held

April 19,

19 93

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, April 19, 1993 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 Brooks Compton

Councilmembers C. Mark Kingseed

J. V. Stone

Mark Beasley

Sally Beals

James Singer

Clerk of Council Marilyn McLaughlin

City Manager Gregory Horn

Assistant City Manager Michael Haverland

City Engineer Norbert Hoffman

Municipal Attorney Robert Farquhar

Assistant to the City Manager Judith Gilleland

Mayor Heintz advised that new equipment was being used by Cable Council to telecast this Council Meeting which should produce better reception.

The Minutes of the following Meetings had been distributed prior to this Meeting:

Council Meeting - March 1, 1993.

- March 15, 1993.

- April 5, 1993.

Council Work Session Meetings - March 1, 1993

- March 15, 1993.

- March 22, 1993.

- April 5, 1993.

Mr. Compton moved that the Minutes of the foregoing Meetings be approved as distributed. Mr. Beasley seconded the motion. The motion passed by unanimous vote; however, Mr. Compton, Mr. Kingseed and Mr. Stone abstained from the Minutes of the April 5, 1993 Meetings.

Mayor Heintz administered the Oath of Office to Centerville Property Review Commission Member Jack Kostak.

Mayor Heintz advised that Tuesday, April 27, 1993 would be "Youth in Government Day" in Centerville. She introduced those students present at this Meeting that would represent City Officials and Officers on that day.

Mr. Beasley read a Proclamation issued by Mayor Heintz designating April 30, 1993 as "Arbor Day" in Centerville. This Proclamation was presented to City Beautiful Commission Chairman Michael Battaglia who, in turn, outlined activities planned for April 30 at Benham's Grove in celebration of Arbor Day.

Held April 19, 1993 continued

19

Mr. Compton read a Proclamation issued by Mayor Heintz designating April 18 through April 24, 1993 as "Driver Safety Awareness Week" in the City of Centerville. Mr. Charles Kronbach, representing General Motors, was present to receive this Proclamation and outline their program.

Mayor Heintz read information received from the Miami Valley Cable Council to inform the public of a five minute video program being shown on Cable TV to explain rate increases.

Mayor Heintz announced Clean-up Week in the City of Centerville May 10 - 13, 1993 during which time the City will pick up large items free of charge. Mr. Haverland outlined those items which the City does not pick up such as auto batteries, building materials, and chemicals. Mayor Heintz reminded the listening audience of the City's "Don't Bag it Policy" and asked residents not to bag grass clippings.

Mayor Heintz advised that a representative from Washington Township was asked to be present at this meeting to address questions relative to the Washington Township Fire Levy and the Washington Township Recreation Levy being placed before the electorate on May 4, 1993. Due to a meeting previously scheduled they were unable to have a representative present at this time. Mr. Compton, Centerville's representative on the Recreation Advisory Board, outlined information and answered questions of Councilmembers relative to the finances of the Recreation Center. Mayor Heintz announced a public information meeting scheduled for Monday, April 26, 1993, to begin at 9:00 P.M. in the Council Chambers, with a Washington Township representative present to answer questions concerning the two levies.

Mayor Heintz advised that the City has been informed by the United State Postal Service that the Post Office parking lot at Maple Avenue and Irongate Park Drive will be completely repaved within the next few weeks.

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

Sympathy was expressed to the Stolz family in the loss of Tom, a person who contributed great things to the Centerville community.

Progress continues at the Yankee Trace Golf Course construction site. Within approximately two months a study should be complete relative to types of homes best suited in particular areas, where construction should begin first, price ranges of homes and the absorption rate. A list of builders is being prepared for notification when more information is available. Mr. Horn outlined projects now in process at the Yankee Trace Golf Course.

Specifications are being prepared and the City should soon be out to bid for the City's Street Resurfacing Program for 1993.

The reconstruction of Poinciana Drive is well underway and should be completed soon.

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held April 19, 1993 continued 19

Preliminary options are being developed for drainage improvements in the Terrace Villa/Gorman Plats. These will be reviewed by the Stormwater Drainage Task Force in the very near future.

Mr. Stone announced the election, by unanimous vote, of Mr. Singer as Vice Chairman of the Miami Valley Cable Council. He identified a current conflict between the Cable Council and Continental Cablevision relative to rate increases. Work continues between both entities to resolve this situation.

Mrs. Beals outlined a legislative update she attended with Mayor Heintz sponsored by the Ohio Municipal League in Columbus, Ohio.

ORDINANCE NUMBER 5-93 ELMWOOD DRIVE TO EAST ELMWOOD DRIVE

The Public Hearing was held concerning Ordinance Number 5-93, an Ordinance to change the name of Elmwood Drive to East Elmwood Drive. Mr. Horn advised that this Ordinance has been recommended by City Planner Alan Schwab to eliminate a delivery problem being experienced by parcel delivery services to businesses located on Elmwood Drive, that portion west of State Route 48. Montgomery County has taken action to rename Elmwood Drive west of State Route 48 as West Elmwood Drive. Mr. Horn pointed out the fact that mail will be delivered to all residences whether or not the prefix East is used.

Mrs. Edith Billett, 101 Elmwood Drive, suggested that residential be designated under the sign for East Elmwood Drive and business be designated under the sign for West Elmwood Drive. Mr. Horn will discuss this suggestion with Washington Township. Mrs. Beals sponsored Ordinance Number 5-93, An Ordinance Changing The Name Of That Portion Of Elmwood Drive East Of Far Hills Avenue (SR48) And Located In The City Of Centerville, Ohio To East Elmwood Drive, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 7-93 STATE ROUTE 725 (AB)

Mr. Horn reviewed proposed Ordinance Number 7-93. The City of Centerville has requested funding from the Ohio Department of Transportation for reconstruction and widening of State Route 725 from Loop Road to Wilmington Pike in the City of Centerville. Passage of this Ordinance assures the City of State and Federal funding for the construction of this project at an approximate cost of over \$6,000,000.00. The City's share in this project is the cost of Preliminary and Final Engineering. This project will take 6 to 7 years to complete. Mr. Singer moved that Ordinance Number 7-93, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter of The Hereinafter Described Improvement And To Request Cooperation By The Director Of Transportation, be set for Public Hearing on May 17, 1993. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

Held April 19, 1993 continued

19

RESOLUTION NUMBER 19-93 WILMINGTON PIKE

Mr. Horn reviewed proposed Resolution Number 19-93, a Resolution of intent to appropriate a small parcel of land for Wilmington Pike right-of-way from Thomas E. Topp and Richard H. Topp. Mr. Stone sponsored Resolution Number 19-93, A Resolution Of Intent To Appropriate Certain Interests In Real Property And Easements For The Wilmington Pike Widening Project From Thomas E. Topp And Richard H. Topp, Parcel 21, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 20-93 INCREASE MEMBERSHIP ON SISTER CITY

Mayor Heintz advised that recently City Council interviewed very qualified applicants for appointment to the Sister City Committee. By increasing the membership on the Sister City Committee these appointments can be made. Mrs. Beals sponsored Resolution Number 20-93, A Resolution Amending Resolution Number 28-73 And Subsequent Resolutions To Expand The Sister City Membership From Thirteen To Fifteen, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed by unanimous vote of City Council.

RESOLUTION NUMBER 21-93 TRANSFER OF FUNDS

Mr. Horn reviewed a proposed Resolution to transfer \$450,000.00 from the Central Vehicle Purchasing Fund to the General Fund. Moneys can only be transferred by action of City Council and the Common Pleas Court pursuant to the Ohio Revised Code. The Central Vehicle Purchasing Fund is well funded and will continue to be funded in future years. By this transfer, short term financing can be offset for projects already approved by City Council. Upon question of Mr. Compton, Mr. Horn advised that monies remaining in the Central Vehicle Purchasing Fund are more than adequate to pay for equipment needed. Mr. Stone complimented the Service Department for repairs and upkeep of older equipment thus eliminating the need to purchase new equipment. Mr. Beasley stated his opposition to this transfer, he does not believe that monies in the Central Vehicle Purchasing Fund are excessive. Mr. Stone sponsored Resolution Number 21-93, A Resolution Declaring The Necessity For The Transfer Of \$450,000.00 From The Central Vehicle Purchasing Fund To The General Fund And Authorizing And Directing The Preparation And Filing of A Petition To The Common Pleas Court Of Montgomery County, Ohio, Authorizing The Said Transfer, and moved that it be passed. Mr. Compton seconded the motion. Upon request of Mr. Beasley, a roll call vote resulted in six ayes in favor of the motion; Mr. Beasley voted no.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10148

Held April 19, 1993 continued

19

RESOLUTION NUMBER 22-93 STATE ROUTE 48 LANDSCAPING

Mr. Horn reviewed the following bids received for the State Route 48 Access Road Landscaping Improvement project:

Siebenthaler Company	
Base Bid	\$31,979.20
Phase 1	17,607.30
Phase 2	8,317.55
Phase 3	6,054.35
Grounder Landscaping	
Base Bid	48,141.00
Phase 1	32,617.00
Phase 2	5,325.00
Phase 3	10,199.00
Rindler Landscaping	
Base Bid	38,875.00
Phase 1	22,345.00
Phase 2	5,921.00
Phase 3	7,993.00
Grass Roots Landscaping	
Base Bid	35,841.00
Phase 1	22,145.00
Phase 2	5,703.00
Phase 3	7,993.00

Mr. Horn advised that the City Beautiful Commission, assisted by local architects, has developed plans and prepared specifications for beautification along the State Route 48 access road. The Chairman of the City Beautiful Commission recommends acceptance of the low and best bid received from the Siebenthaler Company for Phase 1, total amount not to exceed \$17,607.00. City Beautiful Commission Chairman Michael Battaglia identified the area included in the Base Bid (from Fireside Drive to North Village Drive) and that area included in Phase 1 (that area between the gazebo and China Hut. Plantings and replantings in this area will provide for continuous bloom through the summer months. Upon question of Mr. Compton, Mr. Battaglia advised that work could be completed within 30 days from the date the bid is awarded. As questioned by Mr. Beasley, Mr. Battaglia advised that the plants are guaranteed for a period of one year, the area will be maintained by the successful bidder for two weeks following planting. Mrs. Beals sponsored Resolution Number 22-93, A Resolution Accepting The Bid Of The Siebenthaler Company For North State Route 48 Access Road Landscaping Improvements In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION APPOINT MARY CRAMER

Mr. Beasley moved that Mrs. Mary M. Cramer be appointed as a member of the City Beautiful Commission. Mr. Kingseed seconded the motion. The motion passed unanimously.

Held April 19, 1993 continued

19

SISTER CITY COMMITTEE APPOINT CREASE AND BOWLUS

Mr. Stone moved that Mr. Pierre L. Crease and Mrs. Nancy Bowlus be appointed as members of the Sister City Committee. Mrs. Beals seconded the motion. The motion passed by unanimous vote of City Council.

BOARD OF TAX APPEALS

Mayor Heintz advised that David Hall has indicated his desire to continue to serve the City of Centerville as a member of the Board of Tax Appeals. Mr. Singer moved that Mr. David Hall be reappointed as a member of the Board of Tax Appeals for an additional term of office. Mr. Kingseed seconded the motion. The motion passed unanimously.

RESOLUTION 23-93 WILMINGTON PIKE

Mr. Horn reviewed three Resolutions which authorize the City to purchase right-of-way necessary for the Wilmington Pike improvement project. Mr. Hoffman was successful in negotiating these purchases with the following property owners:

Daniel E. Pilarczyk, Archbishop of Cincinnati as Trustee for St. Francis of Assisi Roman Catholic Church for 0.524 acres at a purchase price of \$15,100.00,

Metropolitan Builders and Developers, Inc. for 0.021 acres at a purchase price of \$1,749.00 plus \$1.00 for a temporary easement outside the right-of-way.

Dayton Korean Baptist Church for 0.279 acres at a purchase price of \$6,000.00.

Mr. Compton sponsored Resolution Number 23-93, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With Daniel E. Pilarczyk, Archbishop Of Cincinnati As Trustee For St. Francis Of Assisi Roman Catholic Church For The Purchase Of Real Property For Road Right Of Way Purposes And Authorizing The Payment Therefore, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 24-93 WILMINGTON PIKE

Mr. Singer sponsored Resolution Number 24-93, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With Metropolitan Builders And Developers, Inc. For The Purchase Of Real Property For Road Right Of Way Purposes And Authorizing The Payment Therefore, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed unanimously.

RECORD OF PROCEEDINGS

534

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held April 19, 1993 continued 19

RESOLUTION NUMBER 25-93 WILMINGTON PIKE

Mr. Stone sponsored Resolution Number 25-93, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With Dayton Korean Baptist Church For The Purchase Of Real Property For Road Right Of Way Purposes And Authorizing The Payment Therefore, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved:

Shaley F. Kents
Mayer

ATTEST:

Marilyn J. Saughel
Clerk of Council