

RECORD OF PROCEEDINGS

BAYTON LEGAL BLANK CO. 10144

Held February 17, 19 92

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, February 17, 1992 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilman James Singer, and the Pledge of Allegiance to the Flag led by Boy Scouts from Troop 299, with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

- Deputy-Mayor Brooks Compton
- Councilmembers C. Mark Kingseed
- J. V. Stone
- James Singer
- Mark Beasley
- Sally Beals

- Clerk of Council Marilyn McLaughlin
- City Manager Darryl Kenning
- Assistant City Manager Michael Haverland
- Assistant to the City Manager Judith Gilleland
- Municipal Attorney Robert Farquhar
- City Planner Alan Schwab
- City Engineer Norbert Hoffman

Mayor Heintz introduced Boy Scouts present at this Meeting.

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

- Council Meeting - January 20, 1992.
- Council Work Session Meetings - January 20, 1992.
- January 27, 1992.
- February 3, 1992.
- February 10, 1992.

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

Mayor Heintz and Mr. Stone outlined the flag raising ceremony of a MIA/POW flag held February 17, 1992 at the War Memorial in the Leonard E. Stubbs Memorial Park. The purpose of this event was to remind citizens of the many service men and women still missing in action.

NESTLE CREEK SECTION SIX RECORD PLAN

Mr. Kenning reviewed the Planning Commission Meeting held Tuesday, January 28, 1992. Mr. Schwab reviewed the Record Plan for Nestle Creek, Section Six, proposed to be located east of Bigger Road and north of Alexandersville-Bellbrook Road. He located the subject property on a map and identified adjacent zone classifications and land uses. The zoning of this 8.2079 acre parcel is R-1c, Single-Family Residential. The number of residential lots is 17 in this section which will abut the Cheltenham Subdivision located to the east, by tying into Baldwin Drive. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council subject to the

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following conditions:

1. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

2. 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. Schwab reviewed the conditions of approval recommended by the City Engineer for this Record Plan:

1. Acceptable Subdivider's Agreement.

2. Performance Bond to cover the public improvements (pavement, curbs, drainage, sidewalks, etc.) in the amount of \$151,060.00 of which \$24,480.00 is for public sidewalks.

3. Inspection Fee in the amount of \$535.00.

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.

Mrs. Beals moved that the Record Plan for Nestle Creek, Section Six, be approved as recommended by the Planning Commission and City Engineer including all conditions previously outlined. Mr. Singer seconded the motion. The motion passed by unanimous vote.

Mrs. Beals, speaking as Chairman of the Benham's Grove Designers Showhouse, reminded the listening audience to purchase commemorative bricks with name inscribed to be placed in memory lane at Benham's Grove. She also advised that tickets will soon go on sale for the Showhouse to be held April 25 through May 10, 1992.

Mr. Compton, speaking as Chairman of the Mayor's Committee to Study Intergovernmental Issues, reported on the Status of their study. The Committee has reviewed the relationship of all governmental entities in the area and is prepared to submit a draft report to City Council for review. A public meeting will be scheduled soon to review for those in attendance the report before any recommendations or steps for the implementation of recommendations are finalized by City Council. Mr. Compton outlined the following four options considered by the Committee for the future of the City of Centerville:

1. Secede from the Township.

2. Merge with the Township and form a new governmental entity.

3. Keep the status quo.

4. Annexation.

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ORDINANCE NUMBER 2-92 DRAINAGE

The Public Hearing was held concerning Ordinance Number 2-92. Mr. Kenning reviewed this proposed Ordinance which amends an Ordinance passed in 1985 to control stormwater runoff in the City of Centerville. This Ordinance is the result of a study conducted by the Stormwater Drainage Task Force and Camp, Dresser and McKee Consultants and in consideration of drainage problems in the City of Centerville in the immediate past. Mr. Kenning outlined improvements made in this Ordinance as compared with Ordinance Number 14-85. The Ordinance sets basic design criteria, provides the alternative of permitting the payment of fees in lieu of detention if regional detention areas are available which can serve offsite detention, and requires developers to provide master drainage maps. Mr. Kenning proposed three minor changes to this Ordinance resulting from comments expressed by developers, paragraphs to read as follows:

Page 10, Section 3 - 1 (a) Storm sewer design shall be sufficient to convey the design storm discharge (Q) with an average recurrence interval of 10 years so that the pipe flowing full condition (hydraulic grade line at top of pipe) is not exceeded.

Page 22, Section 6 - 4. Plan Preparation by Professional Engineer

The Drainage and Runoff Control Plan shall be prepared by or under the direct supervision of a Registered Civil Engineer.

Page 25, Section 8 -3 (b) Site development operations shall be subject to inspections by the City to determine whether a site development plan is being implemented in compliance with provisions of this standard and any plan approval conditions. The applicant shall arrange with the City Inspection Department for scheduling of inspections to ensure effective control of erosion and sedimentation and that all drainage facilities are being completed in accordance to the approved Stormwater Management Plan. Prior to final inspection, the developer's engineer shall provide as-build plans of the detention facilities and outlet control structures documenting facilities are constructed substantially in accordance with approved plans.

Mr. Singer, speaking as Chairman of the Stormwater Drainage Task Force, stressed the importance of updating the City's drainage control Ordinance, changes proposed by Mr. Kenning during this Meeting are in line with the proposal made by the consulting firm Camp, Dresser and McKee.

Mr. Kingseed explained how the Ordinance tightens standards for future development, adopts most of the recommendations of the consultant and should be a large factor in solving some of the drainage problems experienced in the past.

Mr. Singer moved that Ordinance Number 2-92 be amended as outlined previously by Mr. Kenning. Mr. Beasley seconded the motion. The motion passed unanimously.

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Mr. Singer sponsored Ordinance Number 2-92 as amended, An Ordinance Amending Ordinance Number 14-85, An Ordinance To Establish Standards, Principles And Procedures To Regulate Stormwater Runoff From Earth Disturbing Activities Which Cause Or May Cause Adverse Impacts Of Accelerated Surface Water Runoff, Soil Erosion, Or Sediment Deposition, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 4-92 ANNEXATION

Mr. Kenning briefly reviewed a proposed Resolution committing the Council of the City of Centerville to the adoption of a Resolution when appropriate to certain services for areas when annexed. Mr. Kingseed sponsored Resolution Number 4-92, A Resolution Committing The Council Of The City Of Centerville To The Adoption Of The Resolution Attached As Exhibit A At Such Time As Adoption Is Appropriate Under The Provisions Of Ohio Revised Code Section 709.031(B), and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 3-92 LOOP ROAD

Mr. Kenning reviewed a proposed Ordinance to provide for the cooperation of the City of Centerville with the Ohio Department of Transportation for the repair of the roadway surface on the Loop Road bridge. This is a State of Ohio project with no cost to the City of Centerville. When the project begins Loop Road will be closed for 21 days. It is estimated that work will begin during the summer months. Mr. Beasley moved that Ordinance Number 3-92, 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 March 16, 1992. Mr. Compton seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE APPOINT CARMEN HACK

Mayor Heintz advised that Mrs. Carmen W. Hack has indicated an interest in serving as a member of the Sister City Committee. Mr. Stone moved that Mrs. Hack be appointed to fill the unexpired term of Norman Ilsey as a member of the Sister City Committee. Mrs. Beals seconded the motion. The motion passed by unanimous vote of City Council.

CITY BEAUTIFUL COMMISSION REAPPOINT MICHAEL BATTAGLIA, PHYLLIS KINDER, CHARLENE MARTINOVICH, MYRLIN MEISTER

Mayor Heintz advised that the terms of Michael Battaglia, Phyllis Kinder, Charlene Martinovich and Myrlin Meister will soon expire as members of the City Beautiful Commission. Mr. Beasley moved that Mr. Battaglia, Mrs. Kinder, Mrs. Martinovich and Mrs. Meister be reappointed as members of the City Beautiful Commission. Mr. Singer seconded the motion. The motion passed

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unanimously.

There being no further business, the Meeting was adjourned.

Approved: Shirley F. Heintz
Mayor

ATTEST: Maril J. Saughel
Clerk of Council