

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. 10144

Held May 18, _____ 19 92

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, May 18, 1992 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 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
- Acting Clerk of Council Constance Cooper
- Assistant City Manager Michael Haverland
- City Planner Alan Schwab
- Assistant to the City Manager Judith Gilleland
- Municipal Attorney Robert Farquhar

Mr. Compton moved that Councilmember Sally Beals 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 Meetings - April 14, 1992.
- April 20, 1992.
- May 11, 1992.
- Council Work Session Meetings - April 14, 1992.
- April 20, 1992.
- April 27, 1992.
- May 4, 1992.
- May 11, 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 announced the issuance of the following Proclamations during the past month:

- Mental Health Month in the City of Centerville - May, 1992.
- Small Business Week in Centerville - Week of May 10, 1992.

Mayor Heintz complimented those responsible for the success of the Benham's Grove Show House held April 25, 1992 to May 10, 1992.

Mayor Heintz outlined activities held during City Beautiful Week in Centerville and thanked the City Beautiful Commission for their coordination.

Mayor Heintz brought attention to signs erected identifying the location for the proposed new library facility in the City of Centerville; location being directly across from the Centerville Municipal Building on West Spring Valley Road.

Held May 18, 1992 continued

19

NESTLE CREEK SECTION EIGHT RECORD PLAN

Mr. Haverland reviewed the Planning Commission meeting held April 28, 1992. Mr. Schwab outlined a Record Plan for Nestle Creek, Section Eight, proposed to be located along the east side of Bigger Road north of Alexandersville-Bellbrook Road. This is the last section of Nestle Creek. The development of seventeen lots is requested on 11.973 acres of land zoned R-1c, Single-Family Residential. Mr. Schwab located the subject property on a map and identified adjacent zone classifications and land uses. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council subject to the 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 following recommended conditions of the City Engineer:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to cover the public improvements (pavement, curbs, drainage, sidewalks, etc.) in the amount of \$117,000.00 of which \$18,850.00 is for public sidewalks.
3. Inspection Fee in the amount of \$450.00.00.

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. Stone moved that the Record Plan for Nestle Creek, Section Eight, be approved as recommended by the Planning Commission and City Engineer including all conditions. Mr. Singer seconded the motion. The motion passed unanimously.

MAYOR'S COMMITTEE TO STUDY INTERGOVERNMENTAL ISSUES

Mr. Compton, speaking as Chairman of the Mayor's Committee to Study Intergovernmental Issues, outlined Meetings and activities of the Committee since its inception. Mr. Compton in concert with Mr. Kingseed reviewed aspects and considerations reviewed through the preparation of their Final Report. The following recommendations of the Committee were explained by Mr. Compton and Mr. Kingseed:

1. The City of Centerville should remain a part of Washington Township.
2. The City of Centerville should remain open to and encourage unification of the unincorporated area of Washington Township into the existing Centerville home rule municipal form of government where there is interest on both sides. However, unification does not mean merger.

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK CO. 10144

Held May 18, 1992 continued 19

3. The City of Centerville should not support merger or participate in a Merger Committee because merger between Centerville and the unincorporated area of Washington Township: 1) requires the discarding of the successful present home rule municipal form of government (City of Centerville) for the creation of an entirely new untested entity, 2) the merger process is a lengthy, cumbersome and ineffective process which is easily derailed by limited political considerations and 3) merger does not allow for a majority of property owners in a given area to decide which form of government they determine is in their best interest.

4. The City of Centerville should take all steps necessary to form a Joint Recreation District and Joint Fire District.

5. The Centerville City Council should evaluate each issue placed on the ballot by the Washington Township Board of Trustees and make a recommendation to the property owners of Centerville.

6. The Centerville City Council should take all steps necessary to ensure that the tax dollars invested by City of Centerville property owners into township assets are protected for the taxpayers of the City of Centerville.

7. The City of Centerville should support and encourage all appropriate petitions for annexation of property to the City of Centerville as annexation is a means to promote unification of our community.

8. This committee should remain active to review items on an as needed basis.

Mr. Singer recognizing the outstanding work of this Committee, moved that their recommendations be accepted. Mr. Beasley seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 5-92 CLYO ROAD RIGHT-OF-WAY

Mr. Haverland reviewed a proposed Ordinance required by the Montgomery County Recorder's Office which designates certain parcels of land owned by the City of Centerville as property dedicated for street purposes for public use, specifically right-of-way for the extension of Clyo Road. Mr. Compton moved that Ordinance Number 5-92, An Ordinance Designating Properties Owned By The City Of Centerville For Right-Of-Way For Clyo Road, be set for Public Hearing on June 15, 1992. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

1993 TAX BUDGET

Mr. Haverland advised that the Tax Budget for fiscal year 1993 must be set for Public Hearing prior to submission to the Montgomery County Auditor on or before July 20. Mr. Compton moved that the 1993 Tax Budget for the City of Centerville for submission to the Montgomery County Auditor be set for Public Hearing on June 15, 1992. Mr. Stone seconded the motion. The motion passed by unanimous vote.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Held May 18, 1992 continued

19

CITY BEAUTIFUL COMMISSION APPOINT CARLEY VAN DER KLOET

Mayor Heintz advised that Carley van der Kloet was recently interviewed for appointment as a member of the City Beautiful Commission for the City of Centerville. Mr. Beasley moved that Mrs. Carley van der Kloet be appointed as a member of the City Beautiful Commission for a term of three years. Mr. Kingseed seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 13-92 POLICE VEHICLES

Mr. Haverland reviewed the following Bids received for the purchase of two marked police cruisers and one utility vehicle for the Police Department:

Stengers Ford, Inc.	\$13,700.00	each cruiser
	1,210.00	trade-in
	18,525.00	utility vehicle
Voss Chevrolet Geo	13,625.00	each cruiser
		no Trade
Classic Chevrolet (State Bid)	16,584.00	utility vehicle

Mr. Haverland recommended acceptance of the Bid for marked cruisers from Stengers Ford, Inc. and the Bid for a utility vehicle from the State bidder Classic Chevrolet.

Discussion followed relative to acceptance of a Bid with trade and one without trade, and in consideration of this, which Bid in fact is the lowest Bid. Mr. Haverland reviewed the bidding process and advised that these offers expire this date.

In support of the bidding process and in concurrence with the recommendation of the Assistant City Manager and Chief of Police, Mr. Beasley sponsored a Resolution Accepting The Bid Of Stengers Ford, Inc. For The Purchase Of Two Marked Police Cruisers And The Bid From Classic Chevrolet For The Purchase Of One Utility Vehicle For The City Of Centerville And To Authorize The City Manager To Enter Into Contracts In Connection Therewith, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in three ayes in favor of the motion; Mr. Kingseed, Mr. Singer and Mr. Compton voted no.

Mr. Singer sponsored Resolution Number 13-92, A Resolution Accepting The Bid Of Classic Chevrolet For The Purchase Of One Utility Vehicle For 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. Compton seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Upon request of Members of Council, Mr. Haverland will obtain additional information relative to the value of the vehicle intended for trade. The purchase of two police cruisers will be rebid.

RECORD OF PROCEEDINGS

431

Minutes of

Meeting

DAYTON LEGAL BANK CO. 10144

Held May 18, 1992 continued 19

PLANNING COMMISSION REAPPOINT SAMPLES AND STONE

431

Mayor Heintz advised that two terms will soon expire for Members of the City Planning Commission: Scot Stone and Bernard Samples. Mr. Compton moved that Mr. Scot Stone and Mr. Bernard Samples be reappointed as Members of the City Planning Commission for additional four year terms. Mr. Singer seconded the motion. The motion passed by a vote of 5-0-1 vote, with Mr. Stone abstaining.

RESOLUTION NUMBER 14-92 FUNDS TRANSFER ACCOUNT WITH BANK ONE

Mr. Haverland reviewed a proposed Resolution to open a Funds Transfer Account with Bank One, Dayton, NA, upon their request. This Agreement will replace one currently in effect for the same purpose. Mr. Stone sponsored Resolution Number 14-92, A Resolution Authorizing And Directing The Acting City Manager To Open A Funds Transfer Account With Bank One, Dayton NA And To Execute An Agreement For Same With Said Bank, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed unanimously.

There being no further business, the Meeting was adjourned.

Approved:

Mayor

ATTEST:

Marie J. Saughlin
Clerk of Council