

# RECORD OF PROCEEDINGS

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Minutes of

REGULAR COUNCIL

Meeting

Held June 15, 19 92

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, June 15, 1992 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Preston Dawes, 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  
James Singer  
Mark Beasley  
Sally Beals  
Clerk of Council Marilyn McLaughlin  
Assistant City Manager Michael Haverland  
City Planner Alan Schwab  
City Engineer Norbert Hoffman  
Municipal Attorney Robert Farquhar

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

Council Meetings - May 18, 1992.  
Council Work Session Meetings - May 18, 1992.  
- June 2, 1992.  
- June 8, 1992.  
- June 10, 1992.

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

Mrs. McLaughlin announced the receipt of two letters of resignation, one from City Chaplain Reverend Preston Dawes and one from Centerville Arts Commission Member Terry Riley.

Mr. Stone read a Certificate of Appreciation presented to Preston Dawes by Mayor Shirley Heintz. Reverend Dawes expressed his appreciation for the opportunity to serve the Centerville community.

Mrs. Beals gave a preliminary report emphasizing the success of the Benham's Grove Show House held April 24 through May 10, 1992. She outlined total income, total expenses and the many donations received from various sources. An estimate of 10,000 hours were donated by 1,500 volunteers. Attendance has been estimated between 9,000 and 10,000 people. Mrs. Beals and Mayor Heintz made special presentations to the following Executive Committee Members, some of whom were present at this meeting:

Sharma Stone  
Debbie Borger  
Patricia Fleissner  
Kathy Hayde  
Joanna Clay  
Dian Hentz

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Timi Gump  
Sue Bonsteel  
Judy Kunas  
Connie Watkins  
Joann Treffinger  
Sue Turton

Mayor Heintz announced the issuance of the following Proclamations during the past month:  
1992 Homearama Opening Day in Deer Run - June 5, 1992.  
Darryl K. Kenning Day in Centerville - June 7, 1992.  
National American Business Women's Day in the City of Centerville - September 18, 1992.

Mayor Heintz reminded the listening audience of the many activities planned in Centerville during the July 4, 1992 weekend. She thanked the Co-Chairmen George Chamberlain and Paul Heintz for coordinating the Americana Festival.

Mr. Haverland reminded residents of the drop box located in the parking lot behind the Centerville Municipal Building for convenience in paying for Waste Collection and Income Tax 24 hours.

#### CENTERVILLE WOODS RECORD PLAN

Mr. Haverland reported on the Planning Commission Meeting held June 9, 1992. Mr. Schwab reviewed a Record Plan for Centerville Woods, a proposed development for the division of 6.7321 acres of land into 20 lots located west of State Route 48, north of Joy Elizabeth Drive at Heather Drive and west of the Centerville Place Shopping Center. The zoning of the land in question is R-1d, Single-Family Residential. Mr. Schwab outlined adjacent zone classifications and land uses. The Plan consists of two dedicated cul-de-sacs with sidewalk on both sides. Stormwater runoff control is being provided for by off-site detention on the Beerman Realty property immediately east of the proposed subdivision. 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. The southern cul-de-sac street shall be renamed subject to approval of the Planning Department.
3. 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.
4. Prior to the signing of the Record Plat by the City, the developer shall pay a fee-in-lieu of parkland dedication in accordance with the provisions of City Ordinance 15-86, the City Parkland Dedication Ordinance.

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Mr. Schwab reviewed a recommendation received from the City Engineer that this Record Plan be approved subject to the receipt of the following:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to cover the public improvements (pavement, curbs, drainage, sidewalks, etc.) in the amount of \$125,000.00 of which \$13,500.00 is for public sidewalks.
3. Inspection Fee in the amount of \$370.00.
4. Acceptable agreement and easements covering the storm sewer across Beerman's property, the enlarging of the existing detention basin to provide necessary capacity to control post development runoff from the proposed Centerville Woods development.

A one year Maintenance Bond will be required when the public improvements are completed and the Performance Bond release is requested.

Mr. Peter Zierolf, Developer, offered no objections to recommended conditions of the Planning Commission and City Engineer as detailed by the City Planner.

Mr. Singer moved that the Record Plan for Centerville Woods, be approved as recommended by the Planning Commission and City Planner including all recommended conditions. Mrs. Beals seconded the motion. The motion passed unanimously.

#### ORDINANCE NUMBER 6-92 REZONING RIPPE/BERNARDIN

Mr. Singer moved that Ordinance Number 6-92, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 0.097 Acres More Or less, From Centerville R-1C Classification To Centerville B-1 Classification And By Rezoning 0.086 Acres More Or Less, From Centerville B-1 Classification To Centerville R-1C Classification, be set for Public Hearing on August 17, 1992. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

#### ORDINANCE NUMBER 5-92 CLYO ROAD

The Public Hearing was held concerning Ordinance Number 5-92. Mr. Haverland reviewed this proposed Ordinance. The City has acquired certain parcels of land for the extension of Clyo Road right-of-way. This Ordinance designates these parcels for public use. Mrs. Beals sponsored Ordinance Number 5-92, An Ordinance Designating Properties Owned By The City Of Centerville For Right-Of-Way For Clyo Road, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

#### 1993 TAX BUDGET

The Public Hearing was held concerning the Tax Budget for fiscal year 1993. Mr. Haverland briefly reviewed this Tax Budget, adoption of which is required by the Ohio Revised Code

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prior to July 15. This is an annual Tax Budget estimate which assists the State of Ohio in establishing the 1993 Local Government allocation for the City of Centerville. Mr. Singer moved that the Tax Budget as prepared for 1993 be adopted for submission to the Montgomery County Auditor and Budget Commission. Mr. Beasley seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 15-92 INCOME TAX ALLOCATION

Mr. Haverland reviewed a proposed Resolution to amend Resolution Number 40-91 to provide for the reallocation of Income Tax receipts received on and after June 1, 1992 between various funds to meet budget requirements for the remainder of this fiscal year. Mr. Stone sponsored Resolution Number 15-92, A Resolution To Amend Resolution 40-91 In Its Entirety And To Authorize And Direct The Allocation Of Income Tax Receipts Received On And After June 1, 1992 Between The General Fund, Street Construction And Maintenance Fund, Capital Improvements Fund, Capital Investments Trust Fund And Recreational Projects Fund, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 16-92 SR 48 AND SR 725 RESURFACING

Mr. Haverland reviewed a proposed Resolution to provide for cooperation between the City of Centerville and the State of Ohio Department of Transportation for the resurfacing of State Route 725 between Normandy Lane and Main Street and State Route 48 from Edenhurst Road to Alexandersville-Bellbrook Road. This is consent legislation only, work to be completed at no cost to the City of Centerville. Upon question of Mr. Beasley, Mr. Hoffman advised that work will begin this coming fall after the school year begins. Mr. Stone sponsored Resolution Number 16-92, A Resolution 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, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

## ORDINANCE NUMBER 7-92 PERSONNEL

Mr. Haverland reviewed a proposed Ordinance to amend the Personnel Ordinance to make provisions for the new City Manager. This Ordinance incorporates salary and fringe benefits contained in an Agreement previously signed between the City of Centerville and Mr. Gregory B. Horn. Mr. Beasley sponsored Ordinance Number 7-92, An Emergency Ordinance Amending Ordinance 28-91 To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

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## ORDINANCE NUMBER 8-92 PERSONNEL

Mr. Kingseed moved that Ordinance Number 8-92, An Ordinance Amending Ordinance 28-91 To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on July 20, 1992. Mr. Beasley seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 17-92 YANKEE TRACE GOLF COURSE

Mr. Haverland reviewed a proposed Resolution to establish a procedure to solicit bids for the construction of the Yankee Trace Golf Course. This procedure is established due to the fact that it is in the best interest of the City to obtain bids from contractors who are very specialized in this construction area. Bid sets are available at the Centerville Municipal Building for a refundable fee of \$50.00; refundable under special conditions. Bids are due June 30, 1992. Mr. Haverland advised that a pre-bid meeting has been scheduled for June 23, 1992 at 2:00 P.M. in the Council Chambers for interested Contractors to obtain additional information. Mrs. Beals sponsored Resolution Number 17-92, A Resolution Establishing The Procedure For Soliciting Bids For The Construction Of The Centerville Municipal Golf Course Known As Yankee Trace Golf Course, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

## THOMAS PAINE SETTLEMENT NUMBER THREE CLYO ROAD

Mr. Haverland reviewed a request submitted by Attorney Barry Mancz for the extension of the Subdivider's Agreement for Thomas Paine Settlement Number Three-Clyo Road, from June 10, 1992 to December 10, 1992. This section of Clyo Road, under agreement with John G. Black Enterprises, Inc., is the center portion of the last phase of the Clyo Road extension to Wilmington Pike. Mr. Stone moved that the completion date on the Subdivider's Agreement for Thomas Paine Settlement Number Three-Clyo Road be extended from June 10, 1992 to December 10, 1992. Mr. Kingseed seconded the motion. The motion passed unanimously.

## CENTERVILLE ARTS COMMISSION APPOINTMENTS CITY BEAUTIFUL COMMISSION APPOINTMENT

Mayor Heintz advised that the following Commission Members desire reappointment to their respective positions:

Mary Bolton - Centerville Arts Commission  
Anita Looper - Centerville Arts Commission  
John McGee - Centerville Arts Commission  
Jim McCutcheon - Centerville Arts Commission  
Michael Fanning - City Beautiful Commission.

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Mr. Compton moved that the following reappointments be made:

- Mary Bolton to the Centerville Arts Commission
- Anita Looper to the Centerville Arts Commission
- John McGee to the Centerville Arts Commission
- Jim McCutcheon to the Centerville Arts Commission
- Michael Fanning to the City Beautiful Commission.

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

### RESOLUTION NUMBER 18-92

Mr. Haverland reviewed the following bids received for the 1992 Street Resurfacing Program in the City of Centerville:

L. P. Cavett Company Lockland, Ohio	\$568,735.00
J. R. Jurgenson Company Cincinnati, Ohio	602,455.00
Republic Asphalt Paving Company Dayton, Ohio	628,422.50
Barrett Paving Materials, Inc. Piqua, Ohio	673,715.00

Mr. Haverland explained the fact that this was a joint bidding process between the City of Centerville and Washington Township in an attempt to obtain better bid packages. He outlined the resurfacing included in the program for 1992 and recommended the acceptance of the L. P. Cavett Company bid. Due to the fact that the bid received was less than estimated he recommended that the amount of the contract be increased to \$600,000.00 so that added sidewalk and roadway improvements can be put in place. Mr. Hoffman explained the fact that the difference between the bid price and \$600,000.00 may be necessary for contingencies not known at this time. Upon question of Mr. Beasley, Mr. Hoffman advised that work will begin in July for completion in August. Upon suggestion of Mayor Heintz, information will be given to the news media relative to streets included in the City's street improvement program; City Staff will pursue with the contractor the placement of appropriate signs before the time resurfacing begins on various streets. Mrs. Beals sponsored Resolution Number 18-92, A Resolution Accepting The Bid Of The L. P. Cavett Company For The 1992 Street Resurfacing Program 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. Kingseed seconded the motion. The motion passed by unanimous vote.

Mayor Heintz reminded the listening audience of the Centerville Arts Festival scheduled in the Leonard E. Stubbs Memorial Park on June 21, 1992 from 11:00 AM to 7:00 PM. At 7:00 the Air Force Band in Flight will kick-off Centerville's concert series for 1992 in the Amphitheater. These events have been coordinated by the Centerville Arts Commission.

Mayor Heintz advised that Centerville's new City Manager Gregory Horn will begin employment on July 1, 1992.

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There being no further business the meeting was adjourned.

Approved:

*Shirley F. Herms*  
Mayor

Attest:

*Marilyn M. Saulli*  
Clerk of Council