

RECORD OF PROCEEDINGS

Minutes of

SPECIAL COUNCIL

Meeting

Held December 7,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session on Monday, December 7, 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

Mark Beasley

Sally Beals

James Singer

Clerk of Council Marilyn McLaughlin

City Manager Gregory Horn

Assistant City Manager Michael Haverland

City Planner Alan Schwab

City Engineer Norbert Hoffman

Director of Finance William Bettcher

Acting Municipal Attorney Phil Herron

Bond Counsel Attorney Frederick Kiel

Assistant to the City Manager Judith Gilleland

RESOLUTION NUMBER 38-92 CLYO ROAD EXTENSION

Mr. Horn briefly reviewed a proposed Resolution declaring it necessary to proceed with the extension of Clyo Road from Bigger Road east to Wilmington Pike in the City of Centerville. This will be an assessment upon owners of lots and lands who will benefit from this improvement. Mr. Schwab presented to those in attendance the history of the extension of Clyo Road (different phases), the assessment formula being proposed and project costs for this phase of improvement. He indicated on a map the location of the proposed extension of Clyo Road and explained how it was factored into the Master Plan developed for the City of Centerville in 1969. Mr. Schwab advised that in 1990-91 the then property owners along the proposed Clyo Road extension petitioned the City of Centerville for the construction of this roadway to Wilmington Pike as an assessment project; petitioners being John G. Black Enterprises, Inc., Hills Building and Construction Services Number 3, Society Bank, Far Hills Baptist Church, Joseph R. Rippe and B.P. Oil Company. He explained the fact that the properties owned by John G. Black Enterprises, Inc. (Nestle Creek) and Hills Building and Construction Services Number 3 (Lexington Meadows) have since been subdivided and lots sold to individual owners thus causing them to be included in this assessment program. He detailed the construction of this five lane roadway with a landscaped median with appropriate turn lanes. Construction is anticipated to begin early in 1993 with completion in the fall of the same year. The assessment would not be levied against the property owners until the project is complete, all costs accounted for, and required legislation is passed by City Council. After costs per property owner has been determined, said property owner has options for payment: either

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pay by lump sum within a period of time or pay annually with taxes over a period not exceeding twenty years. Mr. Schwab advised that the City estimates costs to property owners in Nestle Creek at \$230.10 annually, and to property owners in Lexington Meadows at \$65.54 annually. This assessment will not be placed on the tax duplicate until 1995. He detailed all costs associated with the construction of this roadway and the division of these costs between property owners and the City of Centerville.

Mr. David Ciaciuch, 6756 Winding Cove, questioned why Nestle Creek, Phase Two was not included in this assessment process. Mr. Schwab advised that at the time this assessment was proposed Nestle Creek Two did not exist. Nestle Creek, Phase One is that subdivision which will benefit from the extension of Clio Road. Nestle Creek, Phase Two borders Alexandersville-Bellbrook Road, money is being put in escrow by the developer for the eventual widening of that roadway, a cost which is ultimately passed on to the purchaser of property in Nestle Creek Two. Mr. Greg Taylor, representing John G. Black Enterprises, Inc. explained the fact that Nestle Creek One was all that was anticipated; however, due to the success of Nestle Creek One, Nestle Creek Two has become a reality. Nestle Creek Two was not contemplated at the time the assessment process for the extension of Clio Road began.

Mr. John Koverman, Attorney for Hills Building and Construction Services Number 3, offered their support for the extension of Clio Road. All condo owners in Lexington Meadows were made aware of this proposed assessment in all deeds and declarations issued at time of purchase. Hills sees this as a benefit to all condo owners as well as the entire community.

Mr. Louis Guttman, representing Hills Building and Construction Services Number 3, offered their support for this five lane roadway rather than a two lane roadway as petitioned for in 1990-91.

Upon question of Mr. Albert Tokarsky, 6768 Winding Cove, Mr. Schwab located on a map access points from Nestle Creek to proposed Clio Road. He further explained the fact that the cost of an eight inch water line across the property is included in the assessment program instead of the cost of the twelve inch water line which will be installed. The difference in cost between the eight inch and the twelve inch water line will be paid for by Montgomery County.

Mr. Richard Ponziani, 1958 Home Path Court, questioned the installation of additional traffic signals and the cost of same. Mr. Schwab advised that additional traffic signals will be installed at Bigger Road and Wilmington Pike and will be paid for by the City of Centerville.

Mr. Compton sponsored Resolution Number 38-92, A Resolution Declaring It Necessary To Improve Real Estate Owned By And Within The Corporate Limits Of The City Of Centerville, Ohio For The Purpose Of Extending Clio Road, Such Real Estate Being Situated East Of And Bounded By Bigger Road At The Terminus Of Clio Road And Extending In An Easterly Direction To A Point Approximately 1,589.75 Feet And Also Situated West Of And Bounded By Wilmington Pike At The Terminus Of Clio Road And Extending In A Westerly

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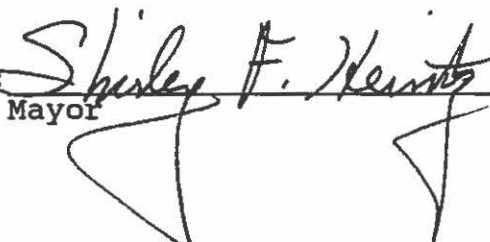
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Direction To A Point Approximately 2,493.59 Feet, Such Improvements To Include Grading, Curbing, Paving, Sidewalks, Stormwater Drainage System, Sanitary Sewer System, Water Mains, Traffic Control, Landscaping, And Other Facilities And Appurtenances That Are Necessary And Proper Therefor, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved:

Mayor



ATTEST:



Clerk of Council