

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

Held October 21

19 91

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, October 21, 1991 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:

Councilmembers C. Mark Kingseed

J. V. Stone

James Singer

Mark Beasley

Clerk of Council Marilyn McLaughlin

City Manager Darryl Kenning

Assistant City Manager Michael Haverland

Assistant to the City Manager Judith Gilleland

City Planner Alan Schwab

City Engineer Norbert Hoffman

Municipal Attorney Robert Farquhar

Mayor Heintz advised that Deputy-Mayor Brooks Compton and Councilmember Sally Beals will be present later during this Meeting.

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

Council Meetings - September 16, 1991.

- October 7, 1991.

Council Work Session Meetings - September 16, 1991.

- September 23, 1991.

- September 30, 1991.

- October 7, 1991.

Mr. Kingseed moved that the Minutes of the foregoing Meetings be approved as distributed. Mr. Singer seconded the motion. The motion passed by unanimous vote; however, Mr. Stone abstained from the Minutes of Meetings held October 7, 1991.

Mayor Heintz acknowledged the outstanding work done by the City Beautiful Commission encouraging beautification throughout the City. Mr. Michael Battaglia, Chairman of the City Beautiful Commission, reviewed the charge of the City Beautiful Commission and the summer beautification project.

Mary Higgins, Member of the City Beautiful Commission, in concert with Mr. Battaglia and Mayor Heintz, presented a Special Award to Jana Todd, 1330 Brainard Woods Drive, in recognition of her many contributions for beautification to the City of Centerville during previous years.

Mr. Battaglia presented to Don and Emma Boggs, 2706 Walford Drive, the Mayor's Award, an award given to residents who continually exemplify the idea of taking care of ones property and taking pride in their place of residence.

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Mayor Heintz presented the following City Beautiful Awards for the summer months:

MAY AWARD WINNERS

Patricia and Charles Beals	6345 Luntshire Court
Brenda and Dave Mitchell	6287 Millbank Drive
Kathy and Paul Leonard	439 Cedar Leaf Drive
Joan and Bob Hosfeld	7660 John Elwood Drive
Robert and Olga Mahlsteade	267 Monarch Road
Karen and Bob Collins	8289 Rhine Way
Villager Apartments	6300 Fireside Drive

JUNE AWARD WINNERS

Debbie and Richard Carroll	6414 Hidden Hills
Anne and Roger Macleod	1116 Green Tree Drive
Jean and Bob Hensley	21 Glencroft Place
Lois and Jay Copps	7765 Bigger Road
Marcia and Frank Zecchini	67 Carmel Court
Cindy and David Ginger	7860 Stonehouse Court
Motorwerks	6635 Centerville Business Parkway

JULY AWARD WINNERS

Carol and Ken Hiller	6809 Penridge Road
Dennis Webb	250 Glenburn Drive
Becky and Wayne Moore	2000 Mapleton Drive
Judy and Tom Ziegert	293 Bellingham Drive
Barb Balata and Nancy Hittepole	406 Shawnee Trail
Gayle and John Havert	8217 Station House Road
Keyes Gateway Realty	836 East Franklin Street

AUGUST AWARD WINNERS

Wayne and Judy Schuler	850 Kentshire Drive
Georgia and Elmer Hudson	281 North Village Drive
Phyllis and Dan Strayer	275 Elmwood Drive
Lila and Miles Dockerty	7880 Stanley Mill Drive
Debbie and Terry Trepanier	211 Annette Drive
Carol and Norm Kern	320 Shawnee Trail
Kathy and Jack Kostak	5009 Parkview Court
Gourmet Garden Market	716 East Franklin Street

Mr. Battaglia introduced City Beautiful Commission Members present at this Meeting.

Volunteer Coordinator Teresa Sherow outlined the volunteer program in Centerville. Mrs. Sherow and Mayor Heintz presented tokens of appreciation to the following volunteers:

50 HOURS

Dick Edwards
Debbie McCutcheon
Bill Shade
Debbie Simon

150 HOURS

Nancy Messler
Jo Oaks

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250 HOURS

Marge Gentis
Roma McCormick
Bob Maltby

500 HOURS

Dusty Roads

750 HOURS

Myrtle Morris
Russell Crockett

Deputy-Mayor Brooks Compton and Councilmember Sally Beals entered the Meeting at this time.

Mayor Heintz announced the issuance of the following Proclamations during the past month:

Red Ribbon Week in the City of Centerville - October 20-28, 1991.

Fire Prevention Week in Centerville - October 6-12, 1991.

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

Flu shots will be available in the Centerville Municipal Building, Community Room on Thursday, November 14, 1991, between the hours 1:30 - 4:00 PM. Shots are available to everyone over eighteen years of age, no reservations are being taken, the cost is \$6.00.

Recycling in Centerville increased during the month of September 1991 vs September 1990 by 30 percent.

Leaf pick-up has begun in Centerville and will continue as long as weather permits.

As announced by Mayor Heintz, Mrs. Beals explained the fact that the City of Centerville is receiving an award from Montgomery County for being a forerunner in the recycling process.

Mayor Heintz introduced Boy Scouts, Troop 299, in attendance at this Meeting working on requirements for their Communications Merit Badge.

PARK ESTATES RECORD PLAN

Mr. Kenning reported on the Planning Commission Meeting held September 24, 1991. Mr. Schwab reviewed a revision to a Record Plan for Park Estates approved in 1990 for property located north of Centerville Station Road, east of Stonehouse Court and west of Black Oak East Park. The subject 7.928 acre tract of land is zoned R-1c, single family residential. This Plan differs from the previously approved Plan by a reduction of lots from 11 to 8 residential. Mr. Schwab identified adjacent zone classifications and current land uses. He reviewed Planning Commission's unanimous recommendation for approval of this Record Plan to City Council, subject to the following conditions:

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1. Lot 9 must be designated on the Record Plan as a park lot. The developer shall execute and deliver to the Centerville/Washington Park District a general warranty deed conveying lot 9 to the Park District prior to the signing by the City of the Record Plan. The deed shall meet all the requirements of the City Parkland Dedication Ordinance.
 2. A 10 foot wide walkway easement shall be provided on the Record Plan to provide access from Jaime Rose Way to the Park. This easement shall be improved with a 2 foot wide concrete walk of a design approved by the City Engineer. The location of the walkway is to be determined by the City and the Park District.
 3. A covenant approved by the City Attorney shall be added to the Record Plan which prohibits any lot from having direct vehicular access to Centerville Station Road.
 4. A covenant approved by the City Attorney shall be added to the Record Plan which permits emergency maintenance access by the City to the stormwater detention area at the northeast corner of lots 4 and 5.
 5. In lieu of adding one (1) lane of pavement including curb, gutter, sidewalk, and stormwater improvements, across the entire frontage along Centerville Station Road, the developer shall pay an amount approved by the City Engineer to the City to be used for the future widening of Centerville Station Road.
 6. A stormwater drainage plan shall be approved by the City Engineer showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
 7. The developer shall enter into a Subdivider's Agreement with the City including a Performance Bond in an amount approved by the City Engineer to assure construction of the public improvements.
 8. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
- Mr. Schwab reviewed for Council a recommendation from the City Engineer that this Record Plan be approved subject to receipt of the following:
1. A Subdivider's Agreement.
 2. A Performance Bond in the amount of \$74,000 to cover the costs of pavement, curb and gutter, storm sewer and sidewalk improvements on cul-de-sac's public right-of-way. If a separate bond is posted for sidewalks, the amount should be \$9,600.
 3. The establishment of an escrow account of \$30,000, which is the estimated developer's cost for the widening of Centerville Station Road to subdivision standards in lieu of actual construction. (Profile improvements should be made in conjunction with any of the subdivision widening of Centerville Station Road).
 4. Inspection Fee in the amount of \$324.00.
- Mr. Brad Judge, John W. Judge Engineering Company, representing the developer Beverly Tipton, offered their concurrence with all conditions of approval outlined previously by Mr. Schwab.

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Upon question of Mayor Heintz, Mr. Tipton advised that the creek running through this development will not overflow the residential lot nearest the creek.

Mr. Beasley moved that the revised Record Plan for Park Estates be approved subject to all conditions recommended by the Planning Commission and the City Engineer. Mr. Kingseed seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 22-91 WHITES CORNER ROAD

Mr. Kenning reviewed a proposed Ordinance to change the name of a portion of Wilmington Pike to Whites Corner Road. The realignment of Wilmington Pike at Alexandersville-Bellbrook Road leaves a small portion of old Wilmington Pike needing a separate identity. Whites Corner has been recommended due to the fact that the old neighborhood retained that name. Mrs. Beals moved that Ordinance Number 22-91, An Ordinance Changing The Name of A Portion Of Wilmington Pike To Whites Corner Road In The City Of Centerville, Ohio, be set for Public Hearing on November 18, 1991. Mr. Singer seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 36-91 WHIPP ROAD

Mr. Kenning reviewed a proposed Resolution to provide for the reconstruction, widening and straightening of the curve of East Whipp Road from State Route 48 eastward to its intersection with Hewitt Road. This is a joint project between the City of Centerville, the City of Kettering, Montgomery County, the State of Ohio and the United States Department of Transportation. Mr. Kenning advised that the State of Ohio is prepared to go to Bid for this project during the month of November of this year. Mr. Compton sponsored Resolution Number 36-91, Final Resolution, Adopting Plans; Proposing To Co-operate; Requesting Director To Proceed; (Chapter 5521, Ohio Revised Code), and moved that it be passed. Mr. Stone seconded the motion. The motion passed with six votes in favor, Mrs. Beals abstained.

STORMWATER MANAGEMENT MASTER PLAN

Mr. Singer, speaking as Chairman of the Stormwater Drainage Task Force Committee, recognized Members Gerald Glasgow and Richard Welch in attendance at this Meeting. He gave a brief overview of the work of the Committee since its inception. Mr. Singer reviewed the Final Report prepared by Camp Dresser & McKee, environmental engineers, scientists, planners, and management consultants. He announced a Public Meeting scheduled for Thursday, November 7, 1991 at which time the Consultant will give an indept explanation and review of the Stormwater Management Master Plan prepared for the City of Centerville. The Meeting will take place in the Council Chambers at 7:30 P.M. Mr. Singer outlined the following recommendations made by the Task Force Committee after their review of the Final Plan.

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1. Endorse CDM Stormwater Management Master Plan as guide. Support high-priority detention recommendations in section 6.
2. Need joint agreement with Park District for Iron Horse Park detention basin - Priority #1.
3. Lower southwest corner of Poinciana Drive - Priority #2.
4. Provide additional detention near Stone Lake/Essex Way - Priority #3.
5. Provide additional detention near Loop Road/Village South ditch - Priority #4.
6. Provide additional detention in Stubbs Park - Priority #5.
7. Provide additional detention when Pelbrook Farm is developed.
8. Revise Stormwater Ordinance as per committee.
9. Publish Stormwater Management Design Criteria Manual as per committee.
10. Establish stormwater facility inspection and maintenance program.
11. Review situation periodically to establish remaining priorities, considering both costs and benefits.

Mrs. Barbara Cervay, 1470 Ambridge Road, representing "The Very Wet Grass Movement", thanked City Council for contracting with a consultant to prepare a drainage study for the City of Centerville. She requested a timetable by which the five top priorities recommended by the Task Force will financially be activated. Mr. Singer advised that these will be considered when Capital Improvements and the 1992 Budget discussions take place by City Council. She made the following four requests:

1. A commitment from our Mayor and City Council is needed to provide adequate drainage relief to cover the 10 year flood, as outlined in the aforementioned master plan to be completed before September 30, 1996. Such commitment is to be financed through the General Fund or through the issuance of bonds (no individual assessment).

2. A permanent City Drainage Committee is needed to be established to implement the recommendations outlined in the Camp, Dresser and McKee Stormwater Management Master Plan.

3. The permanent City Drainage Committee must include at least one member selected by the Very Wet Grass Movement Committee.

4. We request that the City of Centerville respond to this petition by implementing items 1, 2 and 3 by November 30, 1991. We also request the city publish a detailed outline for said implementation.

Mr. Dan Allison, 7710 Glenbrier Place, asked City Council to realize there is structural flooding in the area of Bigger Road causing a dangerous situation during heavy rains. He asked Council and the citizens of Centerville to commit, through capital outlays, the level of storm protection they are willing to give residents in Centerville, and to commit to a time frame to address specific needs.

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Mr. David Dean, 1550 Ambridge Road, defined "citizen" and "developer". He believes the scales are tipped in favor of developers in the City of Centerville. He asked Council to address the drainage question seriously.

Mr. Dwight Swank, 141 Sheldon Drive, defined water and structural damage due to storms in his neighborhood since the development of the plat. He asked Council to help improve drainage situations in his area.

Mrs. June Lavin, 144 Sheldon Drive, outlined inconveniences her neighborhood has experienced during the past 35 years. She asked for some consideration in the future.

Donna Hoying, 120 Terrace Villa Drive, defined the problem of standing water upon her residential lot. She questioned whether data was reviewed before priorities were established for stormwater drainage control.

Mr. Brooks Cavender, 1051 Ambridge Road, expressed his concern with water run-off into his neighborhood from the extension of Clyo Road and the development of properties to the north. He asked City Council to look further into proper drainage when new developments are presented for approval.

Mayor Heintz advised that questions raised during this Meeting relative to the drainage study just completed by Camp Dresser & McKee, should be asked of the consultant at the Public Meeting scheduled for November 7, 1991.

Mr. Jay Rutherford, 1325 Ambridge Road, pointed out the fact that property immediately to the north of his property is for sale and will be developed sometime in the future. He asked that Council require developers to be more accountable to properties down stream in consideration of proper drainage.

Mrs. Barbara Cervay submitted to the City Petitions containing 236 signatures from 158 homes located in the Black Oak Estates, Black Oak Forest, Pelbrook Farms and Terrace Villa areas requesting that certain points be addressed in response to the Final Report prepared by Camp Dresser & McKee.

Mr. Singer pointed out the fact that the City has had a Stormwater Drainage Ordinance since 1985 which requires the developer to provide for proper drainage down stream. Following review of this legislation, the consultant has recommended changes which will strengthen the Ordinance.

Mrs. Beals pointed out the fact that developments since 1985 and the passage of the Stormwater Drainage Ordinance have not experienced the flooding problems experienced in earlier developments, developments such as Black Oak Estates, Black Oak Forest and the Terrace Villa Plat.

Mr. Beasley moved that City Council send the Petitions to the Stormwater Drainage Task Force Committee for review, consideration and recommendation. Discussion followed relative to the pros and cons of sending the Petitions to the Task Force in consideration of the fact that they were submitted to City Council and this matter will be discussed during Budget Sessions by City Council. The motion died for lack of a second.

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NESTLE CREEK SECTION THREE PERFORMANCE BOND REDUCTION

Mr. Kenning reviewed a report received from the City Engineer that essentially all public improvements except for the final course of asphalt pavement and sidewalks in Nestle Creek, Section Three, have been completed. He recommended that the Performance Bond posted for this Section of Nestle Creek be reduced to \$24,000 which is sufficient to cover the final lift of asphalt and remaining sidewalk installation. Mrs. Beals moved that the Performance Bond on Nestle Creek, Section Three, be reduced to \$24,000.00 as recommended by the City Engineer. Mr. Kingseed seconded the motion. The motion passed unanimously.

CENTERVILLE ARTS COMMISSION RILEY AND MEININGER

Mayor Heintz advised that Mr. Terry Riley and Mrs. Carolyn Meininger have submitted applications for appointment as members of the Centerville Arts Commission. Mr. Stone moved that Mr. Terry Riley and Mrs. Carolyn Meininger be appointed as members of the Centerville Arts Commission. Mr. Compton seconded the motion. The motion passed by unanimous vote.

CITY PLANNING COMMISSION HOSFELD AND MCMAHON

Mayor Heintz advised that the terms of Mr. Robert Hosfeld and Mr. Peter McMahon as members of the City Planning Commission will soon expire. Mr. Singer moved that Mr. Robert Hosfeld and Mr. Peter McMahon be appointed to an additional term as members of the City Planning Commission. Mrs. Beals seconded the motion. The motion passed unanimously.

There being no further business, the Meeting was adjourned.

Approved: _____

Mayor

ATTEST:

Maile J. McLaughlin
Clerk of Council