

# RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

DUTTON LEGAL BLANK CO. 10144

Held July 20, 19 87

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, July 20, 1987 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 Charles Taylor
- Jeffrey Siler
- Bernard Samples
- J. V. Stone
- James Singer
- Clerk of Council Marilyn McLaughlin
- City Manager Darryl Kenning
- Director of Finance William Bettcher
- Chief of Police William Lickert
- City Planner Alan Schwab
- Municipal Attorney Robert Farquhar

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

- Council Meeting - June 15, 1987.
- Council Work Session Meetings - June 15, 1987.
- June 22, 1987.
- June 29, 1987.

Mr. Samples moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Taylor seconded the motion. The motion passed unanimously.

Mayor Heintz announced the issuance of a Proclamation designating Friday, August 7, 1987 as Soaring Sounds Drum Corps International Day in the City of Centerville.

Mayor Heintz outlined the many programs which took place the weekend of July 4th in the City of Centerville. She thanked the Kiwanis Club of Centerville for their coordination of all events.

Mayor Heintz advised that 40 people from the Centerville-Washington Township area will visit Centerville's Sister City Bad Zwischenahn, West Germany in August, 1987. She thanked Sister City Committee Member Norman Ilsley for the coordination of this two week Sister City trip.

Mayor Heintz recognized foreign exchange student Cristiane Rodriques from Brazil, spending the month of July with Centerville resident Christine Snyder. Miss Rodriques was designated an Honorary Citizen of Centerville.

Mr. Kenning, during his City Manager's Report, advised that the State Route 48/Whipp Road Improvement Project has been completed. The signalization timing will be evaluated during the next several weeks.



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## CEDAR COVE CONDOMINIUMS CHARLES V. SIMMS DEVELOPMENT

Mr. Kenning reviewed the Planning Commission Meeting held June 30, 1987. Considered at that Meeting was a Major Use Special Approval filed by Charles V. Simms Development Corporation to construct 106 (2 and 3 unit) condominiums, east of Clyo Road and north of Alexandersville-Bellbrook Road. Mr. Schwab reviewed this proposal for a Residential Planned Development on 18.5 acres of land at a density of 5.72 dwelling units per acre. The Plan includes road improvements to extend the existing Norwich Lane west to Clyo Road. The Parkland Dedication Ordinance for the City of Centerville requires a .7884 acre fee-in-lieu of land for this particular project. Constructed will be one and two story buildings, lap siding and brick construction, with one and two car garage spaces. Mr. Schwab located the subject property on a map having its main entrance off Clyo Road. The Plan includes recreational facilities and several lakes which will provide aesthetics and also serve as water retention and detention areas. The Planning Commission, by unanimous vote, recommended approval of this proposal to Council subject to the following conditions:

1. The developer shall dedicate the 60 foot wide right-of-way and construct Norwich Lane as a public street across the southern portion of the property. Permits for a maximum of 63 dwelling units shall be issued by the City before the developer shall be required to record a plat dedicating the Norwich Lane extension in accordance with the City Subdivision Requirements.

2. All private streets shall be constructed to City Standards excepting roadway width subject to approval by the City Engineer.

3. A sidewalk plan within the development approved by the City Planning Department shall be required.

4. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.

5. 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.

6. Prior to the issuance of the City of any zoning or building permits for the development, the developer shall pay the fee-in-lieu of parkland dedication. The amount of the fee shall be determined by an appraisal by a qualified independent appraiser approved by the Planning Commission in accordance with the provisions of City Ordinance 15-86, the City Parkland Dedication Ordinance.

Mayor Heintz opened the Public Hearing concerning this Major Use Special Approval at this time.

Mr. Robert Archdeacon, Woolpert Consultants representing the owner, reviewed their proposal. They agree to all conditions as recommended by the Planning Commission. He reviewed a walkway pattern planned for the development joining sidewalks which will be provided on Clyo Road and Norwich Lane. All water areas will



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be permanent. The overall development will be constructed in phases over a three to four year period depending on market demands.

Mr. Compton moved that the Major Use Special Approval Application submitted by Charles V. Simms Development Corporation for Cedar Cove Condominiums be approved as recommended by the Planning Commission including all stated conditions. Mr. Siler seconded the motion. The motion passed by unanimous vote of City Council.

Mr. Stone left the Meeting at this time due to a potential conflict of interest with the next agenda item.

#### DEER RUN PHASE TWO STREET DEDICATION

Mr. Kenning reviewed a recommendation from the City Engineer that the Record Plan/Street Dedication for Hartcrest Lane and Deer Run Road be approved subject to the receipt of a Performance Bond of \$53,000.00 and an Inspection Fee in the amount of \$297.00.

Mr. Schwab located the subject property on a map situated in the Deer Run Condominium project along the west side of Clyo Road south of Alexandersville-Bellbrook Road. The zoning of this .762 acre area is Residential Planned Development. This Record Plan allows the project to continue into its second phase of development. The Planning Commission, by unanimous vote, recommended approval of this Plan to Council subject to the following conditions:

1. The Washington Township Fire Department shall approve the layout of fire hydrants within the plat.
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.

Mr. Taylor moved that the Record Plan/Street Dedication for Hartcrest Lane and Deer Run Road be approved as recommended by the Planning Commission including stated conditions and subject to the receipt of a Performance Bond of \$53,000.00, a Subdividers Agreement and an Inspection Fee in the amount of \$297.00. Mr. Singer seconded the motion. The motion passed by unanimous vote.

Mr. Stone returned to the Meeting at this time.

#### ARCHITECTURAL PRESERVATION DISTRICT TASK FORCE FINAL REPORT

Mr. Singer, Chairman of the Mayor's Task Force on the Architectural Preservation District, reviewed their final report. He outlined the activities of the Task Force, acknowledged Members of the Task Force, and reviewed goals, needs, problems and solutions developed by the Task Force. Mayor Heintz commended the Members of the APD Task Force for this comprehensive Final Report. Mr. Stone moved that the Final Report issued by the Mayor's Task Force on the Architectural Preservation District be accepted. Mr. Compton seconded the

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motion. The motion passed unanimously.

Mr. Samples, reporting as Chairman of the Zoning Task Force, advised that the Task Force has met upon request of City Council, two assigned issues have been explored, a consensus has been reached, and a comprehensive report will be forthcoming in a few days.

Mr. Stone reviewed for Council a recent visit he made to Centerville's Sister City Waterloo, Ontario Canada, to represent the City of Centerville at a dinner in honor of Marjorie Carroll's ten years of service as Mayor of the City of Waterloo.

Mr. Stone advised that, as Vice Chairman and Chairman for 1988 of the Miami Valley Cable Council, he attended the Cable TV Conference held in Chicago, Illinois the previous week. Much valuable information has been received.

#### PLANNING COMMISSION APPOINTMENT SWARTZ

Mayor Heintz advised that the term of Stanley Swartz will soon expire as a Member of the Planning Commission for the City of Centerville. Mr. Stone moved that Mr. Swartz be reappointed to serve an additional four year term. Mr. Taylor seconded the motion. The motion passed by unanimous vote of City Council.

#### PLANNING COMMISSION APPOINTMENT FOLAND

Mr. Singer moved that Arthur H. Foland be appointed as a Member of the Planning Commission to the four year term beginning August 3, 1987. Mr. Compton seconded the motion. The motion passed unanimously.

#### BOARD OF ARCHITECTURAL REVIEW APPOINTMENT STONE

Mr. Taylor moved that Scot A. Stone be appointed as a Member of the Board of Architectural Review to fill the unexpired term of L. Duncan Creed. Mr. Siler seconded the motion. The motion passed by unanimous vote with Mr. J. V. Stone abstaining.

#### BOARD OF ARCHITECTURAL REVIEW APPOINTMENT BEASLEY

Mr. Compton moved that Mark E. Beasley be appointed as a Member of the Board of Architectural Review to fill the unexpired term of Denise Siler. Mr. Siler seconded the motion. The motion passed unanimously.

Mayor Heintz administered the Oath of Office to Mr. Foland, Mr. Stone and Mr. Beasley.

#### ORDINANCE NUMBER 14-87 LIQUOR CONTROL

Mr. Taylor moved that Ordinance Number 14-87, An Ordinance Amending Chapter 529 Of The Centerville Municipal Code Relative



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To Liquor Control, be set for Public Hearing on August 17, 1987. Mr. Samples seconded the motion. Mr. Compton pointed out the fact that this document, better known as the Keg Ordinance, is being reconsidered due to a sunset provision in the previously passed Keg Ordinance. The motion passed by unanimous vote of City Council.

Mr. Siler left the Meeting at this time due to a potential conflict of interest with the next agenda items.

#### PUBLIC DEPOSITORIES

Mr. Kenning reviewed for Council several Resolutions designating public depositories and awarding public monies in banks in the area, having an interest in handling deposits for the City of Centerville, over the next two years.

#### RESOLUTION NUMBER 20-87 FIRST NATIONAL BANK MIAMISBURG

Mr. Singer sponsored Resolution Number 20-87, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Taylor seconded the motion. The motion passed unanimously.

#### RESOLUTION NUMBER 21-87 FIRST NATIONAL BANK DAYTON

Mr. Samples sponsored Resolution Number 21-87, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote with Mr. Stone abstaining.

#### RESOLUTION NUMBER 22-87 BANK ONE DAYTON NA

Mr. Stone sponsored Resolution Number 22-87, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

#### RESOLUTION NUMBER 23-87 GEM SAVINGS ASSOCIATION DAYTON

Mr. Taylor sponsored Resolution Number 23-87, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously.

#### RESOLUTION NUMBER 24-87 CENTRAL TRUST COMPANY NA CINCINNATI

Mr. Stone sponsored Resolution Number 24-87, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Taylor seconded the motion. The motion passed by unanimous vote.

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## RESOLUTION NUMBER 25-87 FIFTH THIRD BANK CINCINNATI

Mr. Compton sponsored Resolution Number 25-87, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

Mr. Siler returned to the Meeting at this time.

## RESOLUTION NUMBER 26-87 POLICE COMMUNICATION EQUIPMENT

Mr. Kenning reviewed the one Bid received for the purchase of police communication equipment for the City of Centerville in the amount of \$148,641.00. Only one Bid was received due to the fact that Motorola is the only Company that can supply a system which will interface with the equipment owned by the City of Dayton and the other City owned equipment; interface is necessary in disaster circumstances. Funds are available in the Equipment Reserve Fund. Mr. Stone sponsored Resolution Number 26-87, A Resolution Accepting The Bid Of Motorola to Supply To The City Of Centerville, Ohio, Police Communication Equipment 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. The motion passed unanimously.

## RESOLUTION NUMBER 27-87 POLICE FILING SYSTEM

Mr. Kenning reviewed the following two Bids received by the City of Centerville for the purchase of a police filing system:

Remco Office Systems	\$7,999.95
Total Office Products	8,300.00

Mr. Kenning recommended accepting the low and best Bid submitted by Remco Office Systems. Funds have been budgeted for the purchase of this equipment. Mr. Samples sponsored Resolution Number 27-87, A Resolution Accepting The Bid Of Remco Office Systems To Supply To The City Of Centerville, Ohio, A Police Filing System And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

## OXFORD DEVELOPMENT BOND RELEASE

Mr. Kenning reviewed a recommendation provided by the City Engineer that the Performance Bond posted by Oxford Development Enterprises, Inc. for the Steeplechase Apartment Project be released. Only minor items such as residual work on carports, sodding, etc. are left to be completed. Sidewalks, catch basins and road surface have been installed according to all applicable specifications. Mr. Singer moved that the Performance Bond posted on Steeplechase by Oxford Development Enterprises, Inc. be released subject to the receipt of a Maintenance Bond of \$3,800.00 to be in force for an additional one year period. Mr. Taylor seconded the motion. The motion passed by unanimous vote of City Council.



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~~DATE OF LEGAL OPINION NO. 10111~~

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There being no further business, the Meeting was adjourned.

Approved: \_\_\_\_\_  
Mayor



ATTEST:

Maril M. Saugel  
Clerk of Council