

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 15, 2018, at 7:30 P.M. in the JV Stone Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation given by Pastor John Gibson of Living Hope Church, with a moment of silence in memory of former Mayor and Councilmember C. Mark Kingseed, followed by the Pledge of Allegiance to the Flag with Mayor Brooks Compton presiding.

Councilmembers and City Staff were present as follows:

Deputy-Mayor	Belinda Kenley
Councilmembers	John Beals
	Mark Engert
	John Palcher
	JoAnne Rau
	Bill Serr

Clerk of Council Carin Andrews  
City Manager Wayne Davis  
Finance Director Jonathan Hudson  
Public Works Director Doug Spitler  
City Engineer Jim Brinegar  
Human Resources Manager Jennifer Brumby  
Assistant City Manager Mariah Butler Vogelgesang  
Economic Development Administrator Holly Christmann  
Community Resources Coordinator Maureen Russell Hodgson  
Municipal Attorney Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting: September 17, 2018.

Work Session Meeting: September 17, 2018.  
October 1, 2018.

Bill Serr made a motion for approval of the minutes, as distributed. Mr. Beals seconded the motion, and it passed with 6 ayes. Mrs. Rau abstained from the vote as she was not in attendance at either meeting.

Mrs. Andrews reported in communications a resignation letter from Allen Nelson of the City Beautiful Commission.

Joseph Numbers a student at Centerville High School was recognized for his attaining the goal of Eagle Scout. He shared information about "Project R & R", which involved designing and leading a team of scouts in building adirondack chairs and tables for the Fisher House at Wright Patterson Air Force Base. The tables and chairs are for use by military members, veterans and their families providing a place to relax while seeking medical attention at the base hospital.

Mr. John Minear the Community Outreach and Education Manager for Montgomery County Environmental Services provided the Solid Waste Management District Plan on behalf of the Montgomery County Board of County Commissioners. Environmental Services' is required under Ohio Revised Code to meet the following obligations; to provide a ten year disposal capacity, implement programs designed to educate the public and reduce waste materials going into landfills and to establish a funding mechanism to support education and program activities. A ten year agreement has been made with Rumpke to dispose of trash that is transferred to the transfer station. The issue of contamination amongst recyclables will be the focus for educational programs along with a regional partnership to help educate citizens and the community of the proper way to recycle. A goal of reduction has been set by value of weight for commercial and residential combined. In 2019 there will be a volume based community recycling program based on the more you use the more you pay, the less you use, the less you pay and will be piloted to assist communities to assess whether this program will work best for them. Montgomery County Environmental Services is requesting that Council approve by Resolution the 2019-2024 Plan.

Council addressed several questions to Mr. Minear. Mr. Beals inquired whether the Stony Hollow landfill in Moraine was still in use and whether that was where the trash from Centerville was routed. Mr. Minear answered all residential trash from Centerville goes to the transfer and is then transported to Colerain Township in the Hamilton County area. Mrs. Rau inquired about contamination and what happens to those items. Mr. Minear explained that these items get separated out and sent to the landfill, this material ends up slipping through the system and the contamination drives down market value. Common items of contamination are plastic grocery bags, various plastics and food residue. He also pointed out that since Centerville hauls their own refuse that it is easier to keep track of how the residents are doing with their recyclables. Mr. Engert asked how many truckloads come from our community to the transfer station a week. Mr. Minear answered approximately 2,200 tons or ten semis. He added that he sees a downturn on price for recycling and anticipates seeing landfill and transfer station fees increasing.

Amy Dingle, Director of Outdoor Connections from Five Rivers Metro Parks provided an update on programs with the Metro Parks. She also spoke about the replacement levy being placed on the November 2018 ballot. About 80 percent of the park system's revenue is from a 1.8 mill levy that voters approved in 2009. The ten year levy expires at the end of 2019. The levy Issue 6 on the ballot will allow the parks to continue their services and parks and to maintain the system that has been built.

Assistant City Manager Mariah Vogelgesand provided an informational presentation on Issue 1, a constitutional amendment with the stated purpose of reducing the number of people in state prisons for low-level, non-criminal crimes such as drug possession and non-criminal probation violations. If adopted by a majority of the vote, the amendment would make the following changes:

1. Reclassification of Drug Offenses:



- a. The initiative would make the possession, obtainment and use of drugs, such as fentanyl, heroin, methamphetamine, cocaine, LSD and other controlled substances, no more than a misdemeanor, not a felony.
  - b. Would prohibit jail time as a sentence for these misdemeanors crimes until an individual's third offense within 24 months.
2. Punishment for Probation Violations: Courts would be prohibited from ordering persons on probation for felonies be sent to prison for non-criminal probation violations;
  3. Sentencing Credits: would require the Ohio Department of Rehabilitation and Correction to grant an inmate with sentence credits of up to 0.5 days for each day that the person participated in rehabilitative work or educational programs;
  4. Retroactive Application: would allow individuals serving convictions higher than a misdemeanor or for possession, obtainment, and use of drugs to petition the court for re-sentencing; and
  5. Distribution of Savings; would require that state funds saved due to a reduction of inmates, resulting from the initiatives implementation, be spent on substance treatment programs, crime victim programs, probations programs, graduated response programs and rehabilitative programs.

Proponents and Opponents to Issue 1 were also outlined. Questions from Council followed. Mr. Serr noted that the possession of a fatal dose of fentanyl that would kill approximately 10,000 would be a misdemeanor with Issue 1. Mr. Engert inquired about whether there is any other state other than Ohio that has passed this, noting that drug traffickers would likely travel to Ohio where their possession would be a misdemeanor versus a felony in neighboring states. Ohio would be a destination for more drug activity due to leniency in Ohio's drug laws. Many courts in Ohio use intervention in lieu of conviction. If someone meets the criteria they are able to enter a guilty plea, and if they complete a drug court program and they are able to have success, then conviction is set aside. Mrs. Rau asked the clarifying question about parole violation. Ms. Vogelgesang explained that murder, rape, or child molestation are the only convictions that a parole violation being sent to jail would not affect. Mr. Serr noted concerns about an amendment to the state constitution that is being initiated by people out of state and the underlying aspect of the responsibility being placed on the local government. Mayor Compton expressed that Issue 1 would take away the discretion of the existing courts, trained professionals and judges.

Seeing no Citizens Comments or Petitions, Mayor Compton moved onto Officials Reports.

In the Mayor's report, Mayor Compton spoke about recent events that included, Centerville Jazz Band Community Night on October 6, 2018 at Centerville High School, the grand opening of Home2Suites by Hilton in Cornerstone on October 16, Fall Fest on October 7 at Stubbs Park, the Ghost Walks on October 4 and 11 and the grand re-opening of the Woodbourne Library took place on Sunday, September 23. Mayor Compton remembered former Mayor Mark Kingseed who passed away on Wednesday, October 10, 2018 after a long courageous battle with cancer. Visitation will be in Council Chambers on Thursday, October 18 from 5-8 P.M. and services at Southbrook Community Church on Saturday, October 20 at

10:00 A.M. Councilmembers all shared heartfelt memories and condolences. C. Mark Kingseed was a Councilmember for 14 years, Mayor for 12 years and served selflessly to the City of Centerville for 26 years.

In Councilmember reports, Deputy Mayor Kenley reported that Bill's Donuts is collecting necessary items for the victims of Hurricane Michael in Mexico Beach, Florida. Councilmember Rau thanked Allen Nelson for his service on the City Beautiful Commission. She added updates from the Miami Valley Communications Council. Brian Humphress Executive Director will be retiring in the beginning of January, the Miami Valley Communications Council Board will be reviewing a proposal to enter into an agreement with the Miami Valley Educational Computer Association. MVECCA will build the network and will lease cable strands to MVCC in support of their cities that are involved in this effort. The conduit will be installed and MVECCA will also be responsible for the maintenance of the system. Finally, MVCC is also working on a new logo.

Mr. Engert shared that Centerville Washington History will begin their speaker series on October 16 at 7:00 P.M. at the Rec West with speaker Dr. David Schmidt presenting, *Dayton: The Quintessential Home Front During World War I*. Councilmember Serr shared thanks from the Library trustees for the support of the recent Woodbourne Library reopening events. Also, there are two upcoming events at Woodbourne Library, Growing Up Modern with Elizabeth Garber on October 24 at 1:00 P.M. and Rediscovering the History of Woodbourne on November 3 at beginning at 10:30 A.M.

In the City Manager report Mr. Davis reported that the budget review process is underway. This year the budget will be presented to Council in December for approval. Last week 36 members of staff participated in a three day educational session presented by Dr. Tony Gardner of the University of Virginia Commonwealth Center for High Performance Organizations. The annual employee golf outing was held at Yankee Trace on October 14 and the Volunteer Outing on October 15.

There being no report of the Planning Commission, Mayor Compton moved onto the Consent Agenda.

Mayor Compton explained the Consent Agenda contained routine procedural and administrative matters the Council had discussed in Work Sessions.

Mr. Serr requested that Item B. on the Consent Agenda be removed, discussed and voted on separately. The consent agenda was read into record with the omission of Item B.

- A. Resolution 57-18, A Resolution Expressing City Council's Opposition To State Issue 1.
- B. *Resolution 58-18, A Resolution Authorizing The City Manager To Grant An Easement, On Behalf Of The City Of Centerville, To The Vectren Energy Delivery Of Ohio, Inc. (VEDO) For The Installation And Maintenance Of Underground Gas Lines In Order To Provide Gas Service To Bethany Lutheran Services (Graceworks).*



- C. Resolution 59-18, A Resolution Approving The Solid Waste Management Plan Of The Montgomery County Solid Waste Management District.
- D. Resolution 60-18, A Resolution Authorizing The City Manager To Prepare And Submit An Application To Participate In The Highway Safety Improvement Program For Proposed Improvements To The Intersection Of South Main Street (State Route 48) And Spring Valley Road And/Or Execute Contracts As Required.
- E. Resolution 61-18, A Resolution Enacted By The City Of Centerville, Ohio, Hereinafter Referred To As The Preliminary Legislation For Participatory Legislative Authority/Local Public Agency Or "LPA" In The Matter Of The MOT-SR48 – 5.39 Project, PID No. 107160.
- F. Reappointment: Paul Clark - Planning Commission – 4 year term.  
Jan Prettyman – City Beautiful Commission – 3 year term.  
Dan Carfagno – Chair of Property Review – 1 year term.

When Mr. Beals asked for an explanation of Item D., Mr. Brinegar explained after several years of discussion with ODOT, safety studies and examining data of different collision patterns, ODOT encouraged the City to apply for safety funding to minimize rear end and left turn accidents that have been occurring there. Mast arm poles will replace the spanned wire poles.

Mr. Beals sponsored the Consent Agenda with Item B. removed and moved for its approval. Mr. Palcher seconded the motion. The motion passed unanimously, 7-0.

Item B. was read by Mayor Compton.

Mr. Liberman provided an explanation that the City of Centerville has ownership of the Bethany property due to some bond funding that the City Council had previously approved, and because of that, it requires Council action to provide the easement.

Mrs. Kenley sponsored Item B. and moved for its approval. Mrs. Rau seconded the motion. The motion passed with a 6-0 vote.

Without items of Old or New Business, Mayor Compton and Councilmember Engert made closing remarks, before adjourning the meeting at 9:15 P.M.

The next meeting of the Centerville City Council will be on Monday, November 19 15, 2018, at 7:30 P.M.

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

Mayor



ATTEST: Carin R. Andrews  
Clerk of Council