

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 18, 2017, at 7:30 P.M. in the Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation given by Kirk Lithander, the Outreach Pastor at Fairhaven Church, and the Pledge of Allegiance to the Flag being led by Cub Scouts from Weller Elementary, 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
Economic Development Director	Nathan Cahall
Public Works Director	Doug Spittler
City Engineer	Jim Brinegar
Human Resources Manager	Jennifer Wilder
Assistant to the City Manager	Kristen Gopman
Community Resources Coordinator	Maureen Russell Hodgson
Municipal Attorney	Scott Liberman

Mayor Compton invited the Cub Scouts along with Mrs. Oxrider to the podium to thank them for assisting with leading the Pledge of Allegiance to the Flag.

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

Council Meetings:	August 21, 2017.
Work Session Meetings:	August 21, 2017.
	August 26, 2017.
	September 11, 2017.

Mr. Beals made a motion for approval of the minutes, as distributed. Mr. Palcher seconded the motion, and it passed with 7 ayes. Mrs. Kenley abstained from the minutes of August 21, 2017.

Mayor Compton spoke about the Proclamations for Diaper Awareness Week and Prostate Cancer Awareness and asked Councilmember Joanne Rau to read the proclamation for Constitution Week.

Council honored the Bill's Donuts' Family—Faye Elam, Lisa Elam-Tucker and Jim Elam—with a certificate of recognition for their most recent efforts in organizing truckloads of supplies for hurricane relief, and the Mayor noted all of their service to the City of Centerville.

Deputy-Mayor Kenley gave a report on the Montgomery County Human Services levy.

Kathleen Cleary, representing Citizens for Sinclair, encouraged Centerville residents to vote for the Sinclair Community College levy funding on the November ballot.

Cindy Monter-Clay gave a report and shared photos from the recent City Sister trip to Bad Z, Germany.

Jan Prettyman and Bill Wheeler of the City Beautiful Commission spoke about the work of the group, asked for new members and announced the City's September Beautification Award winners. Roger and Amy Krass, 84 W. Franklin Street, accepted the Business Pride Award, before Mrs. Prettyman announced the Residential Landscape Award winners as follows:

SEPTEMBER

John Gruenwald, Laura & Carson Franklin
5570 Leeds Circle

Sherri and Stever Hayes
6310 Millbank Drive

Debbie Clifton & Lori Blankenship
7780 Bigger Road

Pam & Marshall Goodfellow
40 Peach Grove Avenue

Joe Willhoite
225 Linden Drive

Suzanne Finke
9753 Rose Arbor Drive

Ken & Rosemary Justice
962 Gardenwood Place

Mrs. Prettyman congratulated Kristy and Andy Harmon of 1258 Water's Edge Drive and presented them with a decorative stone as the winners of the Mayor's Award, an award of excellence after having been winners of a Summer Beautification Award for five or more years.

In his Mayor's Report, Mayor Compton acknowledged Mr. Davis, the new City Manager, and spoke about the ceremony dedicating the roadway at the entrance to Yankee Trace as "Greg Horn Way" to honor the former manager.

Mr. Beals reported on the Miami Valley Regional Planning Commission's approval by the Federal Certification Metropolitan Planning Organization. Also, he noted the Centerville Washington History fundraiser, the "Sense of Taste," was a great success. Upcoming events include a fundraiser at Bob Evans Restaurant on October 2, the "Ghost Walk" downtown on October 7 and fall tours for third graders visiting historical sites in Centerville. Mr. Beals added that the Sister City Committee continues to seek a French-speaking counterpart for the Sister City program.

Mr. Engert reported the Bike Committee will sponsor a fundraising event, "Bike Centerville," in cooperation with Whole Foods on September 20, 2017. He also announced Beggars Night in Centerville will be Monday, October 30, 2017 from 6 to 8 P.M.

Mrs. Rau noted the Friday Fish Fry is back at Yankee Trace.

Mrs. Kenley announced that the Economic Development Committee and the Mayor's Business Task Force will be holding a joint meeting in November. She reminded everyone the Farmer's Market will continue on Thursdays through November at 892 South Main Street. She noted openings on the following Boards and Commissions: Arts Commission, Board of Architectural Review, City Beautiful Commission, Personnel Appeals Board, Property Review Commission and Sister City Committee. Interested Centerville residents should contact the Clerk's Office.

Mr. Beals noted the days and times brush may be dropped off at Public Works on S. Suburban Road. He stated leaf collection will begin the week of October 9 and will run through December 4, 2017.

Mr. Palcher discussed the ongoing Art Exhibit at the Centerville Police Department.

Mayor Compton complimented the involvement of the Police Department aiding the efforts made by the Bill's Donuts Family to collect items for the victims of Hurricane Harvey and participating in the recent 20th annual John P. Kalaman Golf Tournament memorializing fallen officer John P. Kalaman. The tournament raises funds for local scholarships.

In the City Manager's report, Mr. Davis shared information on several items. He announced Mrs. Wilder is beginning work on national human resources certification. On October 16, 2017, Miami Valley Hospital South will be hosting a ceremony for the topping out of its new wing. Staff has had the first round of talks with the Ohio Police Benevolent Association, which represents the Centerville Police Department for collective bargaining. The next meeting will be held October 10, 2017. Montgomery County will present revised water and sewer rates later this fall.

With neither a Planning Commission Report nor Standing Committee Reports, Mayor Compton turned the attention of the group to the Consent Agenda. Any City Councilmember may remove an item from the consent agenda by request. No second is required for removal of an item. Items removed for separate discussion will be considered after the motion to approve the consent agenda.

Mayor Compton requested that Items B., be removed and considered at a later day and Item F. be removed and dealt with separately. Councilmembers read the remaining Consent Agenda into the record as follows:

- A. Ordinance 23-17, An Ordinance To Amend Chapter 885, Earned Income Tax, Of The Centerville Municipal Code, be set For Public Hearing on October 18, 2017.

- ~~B. Resolution No. 49-17, A Resolution Appointing Three Citizen Members Of The Board Of Trustees To Represent The Interests Of Present And Future Residents And Employers Of The Randall Residence New Community Authority; And Appointing One Member To Serve As A Representative Of The City Of Centerville.~~
- C. Resolution No. 50-17, A Resolution Enacted By The City Of Centerville, Montgomery County, Ohio, Hereinafter Referred To As The Local Public Agency (LPA), In The Matter Of Stated Described Project (PID No. 95622, MOT-Wilmington Pike 0.00 (Signals)).
- D. Resolution No. 51-17, A Resolution Authorizing And Directing The City Manager To Terminate The Management Consultant Agreement With Clemans, Nelson & Associates.
- E. Resolution No. 52-17, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With Frost Brown Todd LLC For Special Legal Services.
- ~~F. Resolution No. 53-17, A Resolution Authorizing And Directing The City Manager To Execute An Affirmance Of Grant Of Easement To Property Located Along Yankee Road Across From Yankee Trace Golf Course And Adjacent To Property Owned By The City.~~
- G. Resolution No. 54-17, A Resolution Agreeing To Stipulate To The Valuation Of Real Property Located In Greene County, Ohio To Resolve A Board Of Revisions Case With Cornerstone Developers, ltd. And Authorizing The City Manager To Enter Into A Stipulation Of Valuation Agreement Upon Terms Consistent Therein.
- H. Resolution No. 55-17, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To the County Auditor.
- I. Resolution No. 56-17, A Resolution By The Centerville City Council Imposing A Moratorium For A Period Of Six Months (180 Days) On The Granting Of Any Certificates Of Registration Or Permits Allowing The Construction Or Operation Of A System Or Facility For Wireless Communications Facilities Within The City Of Centerville's Public Rights-Of-Way Pursuant To Chapter 1080 Of The City Of Centerville Municipal Code.
- J. Resolution No. 57-17, A Resolution Declaring Specific Property No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines Stated Herein.
- K. A Motion to Adopt Revised Council Rules and Procedures.

L. Reappointment as follows:

Kathleen Jablinski to the Arts Commission for a 3-year term.

Kevin Von Handorf to the Planning Commission for a 4-year term.

When Mayor Compton asked for an explanation of Item A., Mr. Davis stated the ordinance was needed to bring Centerville's tax code into compliance with the requirements of House Bill 49. The adjustments include changing the deadline for fourth quarter payments from December 15 to January 15 and amending the withholding penalty language to state the penalty *is not to exceed 50%*. The current legislation states the penalty *is 50%*.

Mr. Beals asked Mr. Spitler to explain Item C. The Public Works Director stated the Ohio Department of Transportation required this legislation for the City to procure the funding for the upgrading of twelve (12) traffic signals on the Wilmington Pike corridor, including Feedwire Road. When Mr. Beals inquired whether this project included any new signals or removal of any signals, Mr. Spitler replied the original request to Miami Valley Regional Planning Commission was for participation in the funding of eleven (11) signals. Since that time the signal at Dille Drive was added.

Mrs. Rau voiced a question about the moratorium for the small cell towers. Mr. Spitler responded that the Chapter 1080 of the Unified Development Ordinance does not deal effectively with small cell towers being constructed in rights-of-way, so regardless of what the state is doing, the City needs time to establish regulations for the construction of small cell towers.

Mr. Beals asked for explanation of Item G. Mr. Cahall stated that the City was a party to a valuation challenge to a portion of Cornerstone Development. Through the Board of Revision process, the parties came to a settlement agreement establishing the taxation valuation for the previous year. This resolution approves and memorializes this agreement.

Mayor Compton noted the slight amendments to the Council rules addressed in Item K. that will change the order and number of agenda items. Citizens Comments and Remarks will have an earlier position and both Standing Committee Reports and Other are to be removed entirely.

Mrs. Kenley sponsored the consent agenda and moved for its approval. Mr. Palcher seconded the motion; the motion carried unanimously with a 7-0 vote.

At this time Council returned to Item F. on the Consent Agenda, Resolution 53-17, A Resolution Authorizing And Directing The City Manager To Execute An Affirmance Of Grant Of Easement To Property Located Along Yankee Road Across From Yankee Trace Golf Course and Adjacent To Property Owned By The City. Mrs. Rau recused herself from the meeting and left the meeting.

Mr. Davis reviewed the legislation approving easement language that reaffirms a previous agreement with DP&L, following the incorporation of additional subsidiaries into the company. DP&L approached the City, requesting the modification.

Mr. Engert noted the number of high school students in the audience and asked for an explanation of an easement. Using a map to illustrate, Mr. Cahall explained that granting an easement gives a certain right to a third party to do something within the boundaries of the owner's land. The City gave DP&L an access easement to another portion of the parcel after DP&L deeded over the Munger property to the City in 1999.

Mr. Beals inquired about the width of the easement and whether it was meant for a sanitary sewer or driveway. Mr. Cahall stated that the easement is 20' and is for vehicular access.

Mr. Beals sponsored Resolution 53-17 and moved that it be passed. Mr. Engert seconded the motion. It passed with a 6-0 vote.

Mrs. Rau returned to the meeting at this time, and Mr. Serr recused himself and left the meeting.

PUBLIC HEARING: ORDINANCE 22-17
VACATING EASEMENTS AT BETHANY LUTHERAN VILLAGE

Mr. Rodney provided the staff presentation for Ordinance 22-17 which is a request from Graceworks Lutheran Services to vacate certain easements at Bethany Lutheran Village, 6451 Far Hills Avenue, in order to facilitate re-development. Staff had no objection to the abandonment of these easements and recommended approval.

Mayor Compton opened the Public Hearing and seeing no one come forward asked for questions from Council. Mr. Beals pointed out that the illustration was very detailed and after numerous discussions at work sessions, Council felt it was acceptable to move forward with the abandonment of these easements. Hearing no other comments or questions, Mayor Compton closed the Public Hearing.

Mr. Palcher sponsored Ordinance 22-17, An Ordinance To Vacate Certain Easements Over Property Located Within The Graceworks Lutheran Services – Bethany Lutheran Village Project At 6451 Far Hills Avenue In The City Of Centerville, and moved for its approval. Mrs. Rau seconded the motion. The motion passed with a 6-0 vote.

Mr. Serr returned to the meeting at this time.

CITIZENS' COMMENTS AND CONCERNS

Lanette Swopes a representative of the Census Bureau, addressed Council to promote available census jobs for the current survey program. The Census Bureau will be hiring three people in the area. Individuals may call 866-564-5240 for further information about testing.

Kay Schaefer, 264 Bellingham Drive, spoke about the difficulty of catching feral cats to be spayed and neutered when she was not able to put food in a trap. Her efforts to trap cats at her own expense had resulted in her being cited by the Centerville Police for feeding feral

cats. She stated she wished to be part of the solution of cat overpopulation and asked Council to review the ordinance.

NEW BUSINESS

EMERGENCY ORDINANCE NUMBER 24-17
LEVYING SPECIAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS IN
GREENE COUNTY

Mr. Serr recused himself from the meeting at this time.

Mr. Cahall provided information regarding Emergency Ordinance 24-17, which is the third step of a three step process to recoup expenses for the construction of infrastructure as Cornerstone North developed. The current legislation requests the levying of special assessments for the costs of projects in Cornerstone Phase II.

Mrs. Rau sponsored Emergency Ordinance No. 24-17, An Emergency Ordinance Levying Special Assessments For The Improvement Of Public Streets And Easements By Constructing And Installing Various Public Improvements On Certain Property Within The City, Together With All Necessary And Related Appurtenances. Mrs. Kenley seconded the motion and it passed 6-0.

There being no further business, Mayor Compton adjourned the meeting at 9:30 P.M.

Approved: *Brook A. Compton*
Mayor

ATTEST: *Carin R. Andrews*
Clerk of Council

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 16, 2017, at 7:30 P.M. in the Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation given by Jon Gibson, the Pastor at Living Hope Church, and 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
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City Engineer	Jim Brinegar
Assistant to the City Manager	Kristen Gopman
Community Resources Coordinator	Maureen Russell-Hodgson
Municipal Attorney	Scott Liberman

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

Council Meetings:	September 18, 2017.
Work Session Meetings:	September 18, 2017.
	October 2, 2017.
	October 9, 2017.

Mrs. Kenley noted a misspelling of the name "Dillin" in the October 9th work session minutes. Mrs. Rau made a motion for approval of the minutes, with the correction. Mr. Serr seconded the motion, and it passed with 7 ayes.

Mrs. Andrews announced receipt of letters of resignation from Sierra Kelley from the Arts Commission and Sue Spiegel from the City Beautiful Commission.

Mayor Compton invited Chief Bruce Robertson to the podium, along with 10-year old Zachary Randall and his father Brandon, for the presentation of the Police Citizen Award. Zachary's actions, when his father had a medical emergency while driving and lost consciousness, kept himself, his father and others safe. Zachary took control of the steering wheel and shouted his father's name until he regained consciousness. The City honored Zachary Randall with the award.

After inviting members of the Centerville Women's Civic Club to the podium, Deputy-Mayor Kenley read the proclamation for "Centerville Women's Civic Club Week."