

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:

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| 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 Spitler
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."

Catherine Myers provided a presentation about the Silverlinks program. The City of Centerville has been a founding supporter of this project, a social services program offering free support services to senior citizens.

Citizens Comments and Petitions

Ms. Kay Schaeffer - 264 Bellingham – stated she has been doing TNR (trap, neuter and release) with feral cats in the City of Centerville, because she wished to be part of the solution to the feral cat problem. However, the City is no longer making traps available to residents because of the ban on the feeding of feral cats. She made reference to an email to Council from Corey Roscoe of the Humane Society of the United States about the manner in which municipalities should deal with this issue. Mayor Compton stated that the issue was under complete review by the City. Ms. Schaeffer pointed out the Humane Society of Dayton cannot offer assistance to the City, because of the City's relationship with the Animal Resources Center.

Former Mayor Mark Kingseed – 815 Vintage Green Way – spoke in support of the Charter amendments on the ballot this fall. The Charter was adopted in 1968 and was last amended in 1992. Mr. Kingseed complimented the appointed review committee and provided explanations of the ten proposed changes to the Charter that will appear as one vote on the November ballot.

Mayor Compton joined Mr. Kingseed at the podium to recognize his service to the City and to announce the naming of “The Mark Kingseed Law Library” at the Municipal Building. He highlighted Mr. Kingseed's career and his many accomplishments with the City. Family and friends were present for this surprise presentation. Council took a brief break to enjoy refreshments.

When the meeting was called back to order, Mayor Compton reviewed a number of topics in his Mayor's Report. He participated at a ribbon cutting on October 10, 2017 at “The Sneak Preview”, a prenatal ultrasound business at 6728 Loop Road. A very successful “Ghost Walk” sponsored by the Centerville Washington History, the Heart of Centerville and Washington Centerville Library was held on Saturday, October 7. “Mod Pizza” at the Shoppes of Cornerstone had a ribbon cutting on September 20, and “9 Rounds”, a fitness center in Cross Pointe Center, had a grand opening on September 21, 2017. The Mayor welcomed these new businesses to the City. The Mayor also mentioned the Centerville-Washington Foundation recently presented a Founders Award to former Centerville Mayor Sally Beals. He noted the ongoing construction at Cornerstone and progress at The Allure apartment complex on Loop Road.

In Councilmembers reports, Deputy Mayor Belinda Kenley reported on her recent attendance at the Dayton Mayors and Managers meeting and noted the upcoming Veterans Day Ceremony being held at Stubbs Park on November 11, 2017.

The Centerville Bike Committee and City Manager Wayne Davis participated in a recent ride-along following the east to west bike route across Centerville. Mrs. Rau inquired

about signage or maps for the public. Mr. Davis answered that signage appeared to be the most feasible option.

Mr. Beals provided information on the upcoming meeting of the Stormwater Review Committee, a 16-member group, which meets with our engineering staff regarding decisions pertaining to stormwater drainage within the City. He also reported his attendance at a meeting of the Transportation Review Advisory Council in Columbus where, on behalf of the Miami Valley Regional Planning Commission, he presented the requested funding for improvements to State Route 35 and three at-risk intersections in Greene County.

Mayor Compton added, Council had participated in the topping off ceremony for the “Joint and Spine Center of Excellence” at Miami Valley Hospital South earlier in the day.

In the City Manager’s report, Mr. Davis stated Council will receive a draft of the 2018 budget for review at the first work session in November. He thanked Staff and Council for their leadership and participation in the recent Strategic Planning Retreat held on Saturday, October 14, 2017. Since the City of Centerville will be celebrating its 50th anniversary in 2018, a staff committee is working on events and activities in celebration of this significant milestone.

Mr. Beals inquired how the increase in earnings tax approved by Centerville residents in 2016 was working into the budget for 2018. Mr. Davis deferred to Finance Director Jonathan Hudson who explained that a substantial increase in the street and sidewalk programs will maintain the emphasis on road projects begun in 2017.

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

Application P-2016-0023: Record Plan for the Randall Residence at Yankee Trace
Applicant: Walt Minch, Centerville Development Group/Ron Coffman, Equity Inc.

Mr. Rodney provided the staff presentation on Application P-2016-0023, the Randall Residence record plat for property zoned R-1c, Residential with a Lifestyle Community Overlay, located at Sheehan Road at Social Row Road. The original applicant was Walt Minch with Centerville Development Group, however the project was taken over by the Equity, Inc., which initiated significant modifications to the project and public infrastructure design, as well as a new funding process. Planning Commission reviewed the record plan in June 2016.

In the staff analysis, Mr. Rodney pointed out that the plat will consist of eight lots with four reserve areas; all lots include direct access or easement access to public rights of way. The Planning Commission and Staff recommended approval with the following four conditions:

1. A Subdivider’s Agreement between the City and the Port Authority consortium shall be executed prior to plat release.
2. Final construction documents for all public improvements shall be approved prior to plat release.

3. Final Master HOA documents shall be approved prior to plat release.
4. All relevant prior conditions of approval from the approved PDP, FDP, and FDP Amendment 1 shall apply to this record plat.

With regard to roadway improvements, Councilmember Beals inquired whether Paragon and Sheehan Roads will be widened as a part of this project. Mr. Rodney responded in the affirmative, explaining that there will be no dedicated right of way along Social Row Road but additional roadway will be constructed as part of this project. No improvements are planned along Social Row Road. Mayor Compton asked about upgrades for the intersection. No improvements will be made to the intersection within in the right of way that is being designated as a part of this project, according to Mr. Rodney. Three corners of the intersection are within Washington Township and are under the control of Montgomery County. The City of Centerville controls only the northeast corner of this intersection, since the corporation line runs down the middle of Sheehan Road. Therefore, the improvements will occur on the west side of Sheehan Road.

When Mr. Beals asked whether the improvements would include a curb, gutter and/or a bike path, Mr. Rodney explained that on the Sheehan Road side there will be curb, gutter and hiker/biker path up to Sawgrass Boulevard. North of Sawgrass there will be curb and gutter, but no sidewalk until the area is developed. The east side of Paragon Road (within the City) will include curb, gutter, expansion of the roadway and an 8 foot wide hiker/biker path

A discussion of lights followed. Mrs. Rau questioned if there would be lights at the intersection, and Mr. Rodney responded there would be no traffic lights, but there would be lights for illumination. She also asked about the process of installing a traffic signal there. According to Mr. Rodney, a traffic analysis would have to be done to determine if a light would be warranted. Cooperation between jurisdictions and funding for such a project would be needed. For clarification Mr. Beals asked if there would be overhead lighting at the Paragon/Sawgrass intersection, the Sawgrass/Sheehan intersection and the roundabout. Mr. Rodney answered in the affirmative.

Mr. Rick Coley of Equity Construction Solutions in Columbus addressed Council. He stated his company was happy to be moving forward with the project, and the engineers had done all they can to compensate for problems that are inherent within this particular property. The addition of the retention pond should improve drainage for neighboring properties.

There being no further questions, Mayor Compton asked for a motion to approve Application P-2016-0023, the record plat for the Randall Residence. Mr. Beals made a motion for approval of Application P-2016-0023 with the four conditions recommended by the Planning Commission listed above. It was seconded by Mr. Palcher and passed with a 6-0 vote.

Mr. Serr returned to the meeting at this time.

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. Councilmembers read the Consent Agenda into the record as follows:

- A. Ordinance Number 25-17, An Ordinance Amending Section 1420.01, Regarding Adoption of Standardized Building And Housing Codes, be set for Public Hearing on November 20, 2017.
- B. Ordinance Number 26-17, An Ordinance Amending Section 1424.01, Regarding Adoption Of National Electric Code, be set for Public Hearing, on November 20, 2017.
- C. Resolution Number 58-17, A Resolution Engaging The Legal Services Of Frost Brown Todd For The Purposes Of Challenging HB 49 And Authorizing The City Manager To Enter Into An Agreement With Frost Brown Todd In An Amount Not To Exceed \$4000.
- D. Resolution Number 59-17, A Resolution Ratifying The City Manager's Actions To Make An Application For Federal Fast Act Funds Through The Miami Valley Regional Planning Commission For the Resurfacing Of Wilmington Pike From Alex-Bell Road (SR 725) To North Of I-675 And To Ratify The City Manager's Actions To Enter Into A Project Agreement With The Greene County Engineer.
- E. Reappointments as follows:
 - Betty Lou Carney – Arts Commission – 3 year term.
 - Robert Muzechuk – Planning Commission – 4 year term.

Mr. Davis provided a brief explanation for Items D. and C. on the consent agenda. Item D. referred to an application for the Transportation Improvement Program Funds available to the City. These grant funds total \$1.28 million for resurfacing Wilmington Pike from SR 725 north past I-675 with the local matches for this project being \$220,000 for Greene County and \$572,000 for Centerville. Item C. relates to the push at the State level to centralize municipal income tax collection. The City is joining twenty other municipalities for litigation relating to HB 49. Mr. Beals inquired whether the \$4,000 fee was a per capita amount, and Mr. Davis confirmed it was.

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

PUBLIC HEARING: ORDINANCE NUMBER 23-17
AMENDING CHAPTER 885 – EARNED INCOME TAX

In order to comply with new requirements passed by the State legislature, the City Council needed to update the Municipal Tax Code for two items. The first would change the due date for payment of 90% of one's annual tax liability to the 15th day of *the first month of the next tax year* from the 15th day of *the twelfth month of the current tax year*. The second would state the penalty for unpaid withholding tax would *not exceed 50%* of the amount not paid in a timely manner. The former language set the penalty at 50%.

Mayor Compton opened the Public Hearing and, seeing no one come forward, asked for questions from Council. Hearing no other comments or questions, Mayor Compton closed the Public Hearing.

Mrs. Rau sponsored Ordinance Number 23-17, An Ordinance to Amend Chapter 885, Earned Income Tax, of the Centerville Municipal Code, and moved for its approval. Mr. Serr seconded the motion. The motion passed with a 7-0 vote.

There being no New Business, Mayor Compton adjourned the meeting at 9:15 P.M. with the next regular meeting of City Council scheduled to take place on Monday, November 20, 2017.

Approved:


Mayor

ATTEST:


Clerk of Council