

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 17, 2016, at 7:30 P.M. in the Council Chambers of the Centerville Municipal Building. An invocation was given and The Pledge of Allegiance to the Flag, with Mayor Compton presiding. Councilmembers and City Staff were present as follows:

Deputy Mayor	Belinda Kenley
Councilmembers	John Beals
	Mark Engert
	JoAnne Rau
	Bill Serr
Clerk of Council	Carin Andrews
City Manager	Gregory Horn
Finance Director	Jonathan Hudson
City Planner	Andrew Rodney
Economic Development Administrator	Nathan Cahall
Public Works Director	Doug Spitler
City Engineer	Jim Brinegar
Assistant to the City Manager	Kristen Gopman
Human Resources Manager	Jennifer Wilder
Community Resources Coordinator	Maureen Russell Hodgson
Municipal Attorney	Scott Liberman

Mr. Beals moved to excuse Mr. Palcher from the meeting, and Mrs. Rau seconded the motion. Mr. Palcher was excused with a 6-0 vote.

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

Council Meetings	September 19, 2016.
Work Session Meetings	September 19, 2016.
	October 3, 2016.
	October 10, 2016.

Mr. Serr made a motion for approval of the minutes as distributed. Mrs. Kenley seconded the motion, and it was passed with six ayes. Mr. Beals abstained from the vote on the minutes of the Work Session Meeting held on October 3, 2016.

Mayor Compton welcomed Mr. Tom Maultsby, President & CEO of United Way of Greater Dayton Area, and Catherine Myers, Community Outreach Counselor. They provided a presentation on the Silverlink's Program, a pilot program in cooperation with The United Way whereby Centerville and three other cities provide a free and confidential helpline (2-1-1) with access to referral services for senior citizens. Focus groups have been conducted in the City of Centerville to help define where gaps in services may be. Although city staff makes every effort to assist citizens, Mr. Maultsby stated it will be of great assistance for the senior population to be able to obtain referrals to meet a wide variety of needs at a single source.

Mr. Bill Wheeler of the City Beautiful Commission welcomed the following Centerville Community Pride Award Winners and the Summer Landscape Award Winners who were then honored by Council at a brief reception in the Law Library:

JULY

Community Pride Award Winner - Skyline Chili- 945 South Main Street

Residential Landscape Award Winners

Paula Wildenhaus

6621 Sandyhill Drive

Wayne & Judy Schuler

850 Kentshire Drive

John & Nancy Carter

7906 Southbury Drive

Pat Bethel

175 Weller Avenue

Carol Hamilton

215 Zengel Drive

Ted & Jan Frederick

430 Island Lake Court

Andrew & Kristy Harmon

1258 Water's Edge Drive

AUGUST

Community Pride Award Winner – Veterinary Alternatives – 21 East Ridgeway Drive

Residential Landscape Award Winners

Cliff and Diana Thorstenson

6523 Atterbury Court

Carol and Clark Roberts

140 South Village Drive

Sue Spiegel and Lisa Hanauer

2267 Jaime Rose Drive

Ken and Coleen Nartker

214 Tuxworth Road

Susan & Terry Duffy

327 Silvertree Lane

Sue Ann Haberstro

278 Joy Elizabeth

Dallas and Janice Mathile

1263 Courtyard Place

SEPTEMBER

Community Pride Award Winner - Centerville Service Center – 140 N. Main Street

Residential Landscape Award Winners

Marcia and Mike Albers

2413 Briggs Road

John and Gayle Havert

8217 Station House Road

Robert and Betty Ann Perkins

32 West Ridgeway Road

Rob and Connie Laumann

918 Thorndale Drive

Jack Curtis

110 White Birch Road

Beverly Cramer

496 Shirley Ann Drive

Patricia and Bryce Nickel

985 Gardenwood Place

MAYOR'S AWARD

Ted and Jan Frederick

430 Island Lake Drive

When the meeting reconvened, Mayor Compton gave the Mayor's Report, covering a variety of topics. On Monday, October 17, a Volunteer Appreciation Event was hosted at Yankee Trace Golf Course. He expressed gratitude for the efforts of the volunteers who make Yankee Trace an outstanding course. He acknowledged that Mrs. Andrews has been working as Clerk of Council for nine months and reported a Centerville Jazz Band Community Event will be held at Elks Stadium from 4:00–8:00 P.M. on Saturday, October 22, 2016. He noted Deputy Mayor Kenley and Councilmember Rau had met with Heart of Centerville members (Lorie Westheimer, Kathy Jablinski, Patrick Beckel, and Patrick Hansford) on October 13th to discuss issues and concerns facing downtown business owners. The Business Task Force Advisory Committee will meet on November 4 and plans to schedule an open forum with business owners in the Architectural Preservation District. Mayor Compton stated he and Mr. Horn had attended the Managers and Mayors meeting at Wright Patterson Air Force Base and that some Councilmembers will be attending the Ohio Municipal League Annual Conference October 24th through 28th in Columbus, Ohio. Mayor Compton recognized the support the City of Centerville has received from Ohio representatives Jim Butler and Peggy Lehner.

Mayor Compton reemphasized that "Issue 3" will be on the ballot on November 8, 2016. Issue 3 will ask voters to increase the earned income tax rate for the City of Centerville from 1.75 to 2.25 percent. Council will be holding three informational community meetings regarding Issue 3. He encouraged citizens to contact any Councilmember if they have questions regarding the need for the increase.

In Councilmember reports Mr. Beals reported on MVRPC and Centerville-Washington History, He announced the Miami Valley Regional Planning Commission had received "The Sustainable Community of the Year Award" from the Greater Dayton Partners for the Environment. This award was given for the extensive work developing both the 2015 Miami Valley Bike Plan Update and the 2016 Open Space Plan. Centerville-Washington History will start its 2016 speaker series with a presentation featuring Bob Neff at the Rec West Enrichment Center on Tuesday October 18, at 7:00 P.M. Mr. Neff is a master gardener and will highlight the restoration of the Grotto Gardens at the Veterans Administration Hospital.

Reporting for Bike Centerville, Mr. Engert, expressed appreciation to Mr. Rodney and the Planning Department for the bike parking requirements added in the Unified Development Ordinance updates. The Bike Centerville Committee will be working on bike racks in front of Graeters Ice Cream, City Barbecue, and Town Hall. Mr. Engert also thanked the Zengel family and the Centerville Washington Park District for working together to make a park possible on the Zengel property east of the Pleasant Hill neighborhood.

In the City Manager report, Mr. Horn explained a recent issue involving Brock Turner, who was involved with a sexual assault crime while attending Stanford University. Mr. Turner recently returned to the area, and an article in the Dayton Daily News erroneously implied that Mr. Turner had been hired at Yankee Trace Golf Course. Centerville's social media was deluged with comments after an out of state news service picked up the story. Mr. Horn thanked Jennifer Wilder and Maureen Russell-Hodgson for their professionalism in communicating accurate information to the public. The activity on social media caused backlash with national reviews of the golf course.

Mr. Horn gave an informational presentation about Issue Three on the November 8th ballot. Issue Three requests to increase the earned income tax from 1.75 to 2.25 percent to replace revenue lost through cuts by the State of Ohio. Over the past five years, Centerville has lost about \$3 million each year due to an eighty-nine percent reduction in state funding. The passage of House Bill 5 has resulted in an additional \$1 million annual permanent loss to the City. Already, these cuts have led to a twenty percent reduction in the City's General Fund and a reduction of thirty staff positions. Future unknown cuts from the state such as centralized tax collection are being monitored carefully. The City of Centerville has not asked for a tax increase for thirty-five years, and Centerville continues to have the second lowest property tax rate in Montgomery County. If passed, this tax increase would bring in an estimated \$2 million to the City each year. These funds would help the City maintain police presence, repair roads and provide other City services.

Mr. Beals pointed out the revenue shortfall the City is experiencing and the necessity to use reserve funds. Mr. Horn confirmed that the City is currently operating at a deficit. Without additional income, the budget will continue to deplete reserves.

The funds generated by the tax increase, coupled with new job growth within the City and budget cuts, should allow the City's budget to become more manageable. Staff compared the revenue created by jobs at Miami Valley Hospital South with income tax collections from positions in big box retail establishments.

Mayor Compton added that economic development was dependent on maintaining infrastructure and roads and that staffing the Centerville Police Department with officers trained as first responders was both desirable and costly.

Mr. Beals spoke on the need to have money available in order to receive grants from the Miami Valley Regional Planning Commission from federal and state sources that require matching funds. If this issue would not pass, it would prohibit Centerville from receiving needed grant monies.

Public Works Director Doug Spitler gave updates on road projects within the City, including the paving of State Route 48 and the project on Wilmington Pike at Cornerstone North. He reported all paving and marking will be done this fall; some signal work will be done through the winter. Mayor Compton thanked Mr. Spitler and the Public Works team for managing the Wilmington Pike project. Mrs. Kenley added she had received several compliments from residents about the Route 48 project and its' efficient completion.

Mr. Spitler explained the item on the Consent Agenda concerning an application submitted to MVRPC for federal funding to defray the cost of resurfacing Clys Road from Bigger Road to Wilmington Pike. A separate application was submitted to the Ohio Public Works Commission for a state grant to repave Clys Road from Alex Bell to Bigger Road. Both applications were still pending.

Mrs. Gopman gave the property maintenance report and outlined the community calendar for the months of October and November.

Report of the Planning Commission

Mr. Rodney shared that the four text amendments before Council were recommended by the Planning Commission and were reviewed with Council at July and August work sessions. The amendments were meant to clarify and further define requirements and provide flexibility to businesses and homeowners.

PUBLIC HEARING: ORDINANCE NO. 15-16 UDO TEXT AMENDMENT: ADMINISTRATION AND DEFINITIONS

The public hearing was held concerning Ordinance No. 15-16. Ordinance 15-16 amended Sections 1.23, 3.05, 3.07, and 11.02 to clarify voting requirements for Planning Commission and the Board of Architectural Review and to modify the definitions for “Building” or “Structure”, “Compatible”, “Drive-Thru”, “Flagpole”, “Playhouse”, and “Restaurant”.

Mayor Compton opened the floor and seeing no one come forward, closed the public hearing.

Mr. Beals asked Mr. Rodney about the term “compatible.” Mr. Rodney responded that Planning Commission felt a Preliminary Development Plan needed to show compatibility with the adjacent land uses—not sameness. The question would be whether the proposed use could exist in harmony with surrounding uses. Mr. Liberman pointed out the word “compatible” was one of the standards that the Planning Commission and Council will be using as a basis for a decision on a Preliminary Development Plan. In the preliminary plan, the developer will have to determine compatibility; in the Final Development Plan, the developer will have to show how the company intends to carry out the compatibility.

Mr. Serr sponsored Ordinance No. 15-16, An Ordinance Amending Ordinance No. 14-08, Chapter 1216 Of The Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio, To Amend Regulations For Administration And Definitions, and moved that it be passed. Mr. Beals seconded the motion. The motion passed 6-0.

PUBLIC HEARING: ORDINANCE NO. 16-16 UDO TEXT AMENDMENT: DEVELOPMENT PROCEDURES

The public hearing was held for Ordinance No. 16-16. Mr. Rodney explained this text amendment would require existing zoning and maintenance violations to be remedied prior to issuance of a Certificate of Zoning Compliance. It also would establish separate standards for Preliminary Development Plans and Final Development Plans to clarify the submittal requirements and review process. Expiration dates will be set for approved Preliminary Development Plans at one (1 year) and Final Development Plans at two (2) years.

Mayor Compton opened the public hearing. Seeing no one come forward, he closed the public hearing.

Mrs. Rau questioned how to best serve applicants and assist them with managing costs when faced with resolving prior violations. Mr. Rodney felt that managing the process and

minimizing costs would be done through staff and the applicant working together to reach an amicable solution.

Mayor Compton mentioned concerns that Council had about appeal procedures in the initial text amendments that were presented to Council. Mr. Rodney confirmed the verbiage had been simplified to say any appeal body must consider the same standards of approval that the subordinate body considered. He confirmed both Preliminary and Final Development Plans will come before the Planning Commission and Council. Mayor Compton verified that the Planning Commission is a recommending body, not a decision-making body. Mr. Liberman stated the City has always had a four-step approval process and that remains. The Planning Commission is a recommending body, not a decision-making body, for Development Plans.

When Mr. Beals asked Mr. Rodney about the objective of the changes, Mr. Rodney stated the updates were meant to clarify the City's expectations for the developer, so an applicant could understand the requirements more easily. No steps were eliminated or streamlined.

Mrs. Rau sponsored Ordinance 16-16, An Ordinance Amending Ordinance No. 14-08, Chapter 1216 Of The Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio, To Amend The Regulations For Development Procedure, and moved that it be passed. Mrs. Kenley seconded the motion which was passed 6-0.

PUBLIC HEARING: ORDINANCE NO. 17-16
UDO TEXT AMENDMENT: DEVELOPMENT STANDARDS

The public hearing was held concerning Ordinance No. 17-16, which would amend Sections 9.05, 9.07, 9.13, 9.25, 9.27, 9.29, 9.35, 9.39 and 9.55. Mr. Rodney highlighted the changes as stated in his memo. He noted the area and width requirements for Planned Development districts will be removed and default setbacks established to assist in redevelopment of Planned Development districts. Adding drive-up windows as an AU, Approved Use, in the B-2 and B-PD zoning districts would shorten the approval process. Included are updates related to maximum street grades, rear or side yard utility placement, lower lighting regulations, bicycle parking, street, playhouses, flagpoles, and usable outdoor space. Street sweeping bonds are required for new construction.

Mayor Compton opened the floor and, seeing no one come forward, closed the public hearing.

Council comments and questions followed. Deputy Mayor Kenley inquired about the regulations for Food Trucks within the city. Mr. Beals made comments on grades for major thoroughfares. Mr. Rodney explained that Council will make the ultimate decision as to whether a developer should or could meet the standard requirements for grades as topography allows. Other topics included temporary garden centers and usable outdoor space for residences.

Mr. Beals sponsored Ordinance 17-16, An Ordinance Amending Ordinance No. 14-08, Chapter 1216 Of The Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio, To Amend Regulations For Development Standards, and moved that it be passed. Mrs. Rau seconded the motion; it passed 6-0.

PUBLIC HEARING: ORDINANCE NO. 18-16
AMEND ORDINANCE NO. 14-08
UDO TEXT AMENDMENT: SIGNS AND DEFINITIONS

This Ordinance exclusively covered signs and definitions related to signs. These amendments clarified sign landscaping requirements, added a new requirement to remove signs at unoccupied buildings or tenant spaces and provided clarification of secondary frontage sign permissions. In the Architectural Preservation District, separate requirements for Temporary Signs and Daily Display Signs were added, these sign applications were no longer required to go before the Board of Architectural Review for approval.

Mayor Compton opened the public hearing. Mr. Beals commented on the process of temporary signage being changed in order to give staff the ability to approve temporary signage to speed up the process for the business owners in the APD. Mr. Rodney cited the example of the signs for the Food Truck Friday events this past summer. Mr. Beals spoke to retail businesses displaying "Sale" signs, and Mr. Rodney explained that this UDO permits businesses to have many opportunities to advertise special events or sales events. Mrs. Kenley thanked Andrew for working with the Business Task Force. Some of the changes followed discussions with this group. Mrs. Rau complimented Mr. Rodney, stating that many of the business owners commented on the ease of working with him..

Mrs. Kenley sponsored Ordinance 18-16, An Ordinance Amending Ordinance No. 14-08, Chapter 1216 Of The Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio, To Amend The Regulations For Signs and Definitions. Mr. Serr seconded the motion, and it passed unanimously.

No Standing Committee Reports.

Mayor Compton explained that the Consent Agenda contained routine procedural and administrative matters the Council had discussed in Work Session. Councilmembers read the following Consent Agenda items into the record.

- A. Ordinance No. 19-16 An Ordinance To Amend Chapter 885, Earned Income Tax, Of The Centerville Municipal Code (Set for Public Hearing November 21, 2016).
- B. Resolution 64-16, A Resolution Authorizing The Submittal Of Applications For Federal Fast Act Funds Through The Miami Valley Regional Planning Commission.
- C. Resolution 65-16, A Service Resolution In Support Of The Proposed Annexation Of Property Containing 0.937 Acres Of Land More Or Less From Sugarcreek Township, Greene County, Ohio To The City Of Centerville, Greene County, Ohio Pursuant To The Requirement Of Section 709.023 Ohio Revised Code.
- D. Resolution 66-16, A Resolution Regarding Zoning Buffers In A Proposed Annexation Of Property Containing 0.937 Acres More Or Less From Sugarcreek Township, Greene County, Ohio To The City Of Centerville, Greene County, Ohio Pursuant To The Requirement Of Section 709.023(c) Ohio Revised Code.

E. Reappointments as follows:

- Mr. Dan Carfagno – Property Review Committee Chair – 1 year term.
- Mr. Edward Ross – Board of Architectural Review – 3 year term.
- Mr. Charles Graham – Board of Architectural Review Chair – 1 year term.

F. Appointments as follows:

- Rachel Selby – Arts Commission – 3 year term.
- Sue Spiegel – City Beautiful Commission - 3 year term.

Mr. Horn stated that Mr. Hudson will give a thorough review of Ordinance 19-16 at the Public Hearing at the Council meeting on November 21, 2016.

Item B. on the Consent Agenda specifically deals with the resurfacing of Clyo Road. Items C. and D. both concern the annexation of a small section of Brown Road. Brown Road was not a platted right-of-way; it was an easement. A portion of that right-of-way was never annexed. This annexation will give the city control over the southern half of that road. The actual improvement of the roadway will be undertaken by the developer.

Mayor Compton requested a motion to approve the Consent Agenda. Mr. Beals sponsored the Consent Agenda, and moved for approval. Mr. Engert seconded the motion. The motion passed unanimously, 6-0.

There being no Old Business, Mayor Compton moved to Citizens' Comments. There being no Citizens' Comments or New Business, Mayor Compton adjourned the meeting at 10:35 P.M. The next regular meeting of the Centerville City Council was scheduled for Monday, November 21, 2016.

Approved: *Bruce A. Compton*
Mayor

ATTEST: *Carin R. Andrews*
Clerk of Council