

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, November 21, 2016, 7:30 P.M. in the Council Chambers of the Centerville Municipal Building. An invocation was given by Reverend Charlie Woodward of Epiphany Lutheran Church, 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
	John Palcher
	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

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

Council Meetings	October 17, 2016. November 7, 2016.
Work Session Meetings	October 17, 2016. November 1, 2016. November 7, 2016. November 14, 2016.

Mr. Palcher made a motion for approval of the minutes as distributed. Mr. Beals seconded the motion, and it was passed with seven ayes. Mr. Palcher abstained from the vote on the minutes of both the work session and the regular meeting on October 17, 2016; Mr. Engert and Mr. Serr abstained from minutes of the work session on November 1, 2016; Mrs. Kenley and Mrs. Rau abstained from minutes of the work session on November 14, 2016.

In Communications, Mrs. Andrews announced notification from Mr. Richard Welch of his resignation from the Stormwater Review Committee. Mayor Compton expressed gratitude for Mr. Welch's 25-year service to the committee.

Mayor Compton recognized the members of the Charter Review Commission—Chairman Doug Cline, Dr. Paul Gresham, Marge Etson, Regis Lekan, Norman Plair, Bill Serr, Jon Hazelton, Sally Beals, Paul Clark and Phil McLaughlin and invited those present to the

podium for a certificate of appreciation. The Charter Review Commission is a nine member committee designated every eight years to determine if amendments to the Charter are needed. Mr. Cline stated no changes had been made to the Charter since 1992, and the Charter Review Commission recommended eight changes to Council. Since revisions require a vote of the Centerville electorate, the requested updates will appear on the next regularly scheduled ballot.

Mayor Compton invited former Mayor and Councilmember Sally Beals to the podium to recognize her service to the City and to announce the naming of "The Sally Beals Ballroom" at Yankee Trace. He highlighted Mrs. Beals' career and her accomplishments with the City. Many family and friends were present for this surprise presentation. Mrs. Beals spoke about her 16 years as Councilmember and Mayor and about her pride in working with dedicated individuals who made Yankee Trace, Benham's Grove and Stubbs Park realities enhancing the quality of life for residents.

Mayor Compton presented a certificate of recognition to Coach Jeff Monbeck and members of the Centerville Boys Soccer team for their exhibition of great sportsmanship, generosity and kindness to the Belmont High School Boys Soccer team, most of whom were recent immigrants. Councilmember Engert gave additional accolades to the team for being excellent ambassadors for the City of Centerville and welcoming some of the nation's newest citizens. Also present was Julie Raiff, coach of the Belmont Soccer team and members of the team. She expressed gratitude for the actions of the Centerville team providing equipment and developing relationships with the members of the Belmont team—important acts of kindness to those new to this country. The members of the Belmont team, presented t-shirts to the Centerville players.

Mr. Horn recognized Mark Yandrick, Planner and GIS Analyst for the City of Centerville, who received top honors at the recent Ohio Geographic Information System Conference. Mr. Yandrick won first place in the general reference category with his redesigned Centerville map; it was also recognized as the best of show for all maps. This is the fourth time Mr. Yandrick's work has won high accolades at the conference.

Mayor Compton invited Martha Boice to the podium to be recognized for her receipt of prestigious awards for historic preservation from the Ohio History Connection and Heritage Ohio. Deputy Mayor Belinda Kenley read the certificate of recognition expressing congratulations and gratitude to Martha Boice for her efforts increasing awareness of our community's rich heritage and historic architecture.

Mayor Compton administered the Oath of Office to Sue Spiegel for the City Beautiful Commission and Rachel Selby for the Arts Commission.

In the Mayors report, Mayor Compton made comments on a number of items. He noted a Veterans Day Ceremony was held at Stubbs Park on November 11 with guest speaker Colonel Eric Obergfell, Commander of Defense Contract Management Agency at Wright-Patterson Air Force Base. The event also featured the Centerville Civic Band and the 5<sup>th</sup> grade class from Cline Elementary. On November 22, 2016, the Mayor attended Cline Elementary's Veterans Day Ceremony. Mayor Compton pointed out that Councilmember Joanne Rau attended the Annual



Ohio Municipal League meeting for an update on potential new regulations from the State Legislature. Committee members are working diligently to curtail legislation that will have negative impact on cities, such as a bill that would affect Tax Increment Financing. Mayor Compton recently met with Jim Butler. He noted Centerville has had excellent support from our state representatives Jim Butler and Peggy Lehner. Next Mayor Compton expressed gratitude to the citizens of Centerville for overwhelmingly approving Issue #3 on the eighth of November. He thanked the entire staff of the City for doing their jobs in a way that creates a positive impression of Centerville. The last item he mentioned was that the Relay for Life had been scheduled for May 20, 2017 at the Centerville Stadium.

In Councilmember reports, Deputy Mayor Kenley shared that Miami Valley Hospital South recently received advanced certification for acute stroke care. Mr. Horn added comments about the proposed \$60 million expansion at Miami Valley Hospital South, including a five story building, a heart cath lab, surgical suites, new areas for physicians, and the expansion of pain management care. He said plans would be coming before the Planning Commission in early 2017 with the project to be completed in 2018.

Mr. Beals made comments on several issues. He announced that the Storm Water Review Committee will hold an annual meeting on Wednesday, November 30, at 7:00 P.M. at Public Works Center. The committee will review the city's on-going maintenance program and the storm water capital improvement program for 2017. Mr. Beals stated the Centerville-Washington Recreation Board is under the leadership of Mark Metzger following the retirement of David Paice. He noted the Silver Slippers Program had grown in popularity and more paved trails had been added to the Woodland Lights area. The annual display will be held at RecWest Countryside Park from November 25 through December 23, 2016.

Mr. Palcher took the opportunity to welcome Rachel Selby, on behalf of himself, Kristen Gopman, Chair Ginny Strausburg and the members of the Arts Commission.

Mrs. Kenley gave an update on the Business Advisory Task Force; it recently held an open dialogue with downtown business owners. Mayor Compton added that the Hometown Holiday Walk and the Benham's Grove tree lighting were held on Sunday, November 20. The Heart of Centerville business community sponsored this very successful event. He thanked Maureen Russell-Hodgson for her efforts coordinating the downtown walk.

Mr. Horn, in the City Managers report, expressed gratitude in regards to the passage of Issue #3. He stated the leaf pick-up program was going well. He reported the Dayton Daily News was putting together a story on golf courses in the region and would include Yankee Trace, where over 54,000 rounds of golf were played this year. Mr. Horn announced the Centerville Place Planning Study would be on the agenda for the upcoming Planning Commission meeting on Tuesday November 29 at 7:00 P.M. Recommendations for the redevelopment of the Centerville Place Shopping Center will be presented.

Mrs. Gopman outlined the community calendar for the months of November and December and gave the property maintenance report.  
Report of the Planning Commission

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

PUBLIC HEARING: APPLICATION P-2016-0040  
AMENDMENT TO THE FINAL DEVELOPMENT PLAN FOR  
GRACEWORKS BETHANY LUTHERAN VILLAGE

Mr. Rodney shared the application before Council would be an additional amendment for the final development plan for Bethany Lutheran Village. The final development plan was revised earlier this year for parking lot changes. This current update would include the demolition of the southwest wing of the Linden House for the addition of 90,000 square feet of assisted living space and some memory care. The amendment also includes a small wellness center (1,246 square feet) to be added to the Village Center Building. Mr. Rodney stated staff felt the Standards of Approval had been met. At its October meeting, Planning Commission recommended approval to Council.

Mayor Compton opened the Public Hearing.

Judy Budi, resident at 10411 Silver Maple Court and a representative of Graceworks Bethany Lutheran Village, stated the complex currently employs approximately 1,200 people in the Centerville community. The proposed changes would better address the needs of individuals requiring assisted living and memory care.

When Mr. Beals inquired whether the buildings would connect to one another, Ms. Budi replied in the affirmative. Mayor Compton asked the timeframe for completion, and Ms. Budi responded construction was anticipated to begin in the spring of 2017 with the completion of the project taking 18 months.

Richard Kiley, CC Hodgson Architectural Group - 23240 Chagrin Blvd., Cleveland, OH 44122, worked on the Bethany Village projects since Phase I and was present to address questions. In response to an inquiry from Mr. Palcher, Mr. Kiley said 74 units were planned and two of the units could accommodate couples. When Mr. Beals asked about a covered entry, Mr. Kiley stated an eight-foot canopy would cover the main entry. Mr. Beals asked whether the current detention pond was sized sufficiently to accommodate the changes. Mr. Kiley confirmed the detention pond was of sufficient capacity. Mr. Kiley also explained the configuration of the assisted living wing on the changing elevation of the property.

David D. Bosma, 37 Covertside Drive, voiced concerns about light radiating onto his home since the treeline along the fence was removed during the parking lot construction at Bethany Village. He inquired about foliage being added to screen the light. Andrew Rodney stated some of the newly planted trees were fairly robust, however, he has also been in conversation with the project engineer about adding shields to the lights. Mr. Bosma pointed out that one specific light and one specific building were particularly problematic.



Discussion followed about solving the lighting problems, the height of the new building, and the number of parking spaces. Mr. Engert, Mr. Beals and Mr. Palcher urged Mr. Rodney to follow up with Mr. Bosma regarding a solution to the lighting issue.

Deputy Mayor Kenley moved to approve Application P-2016-0040, the second amendment to the final development plan for Graceworks Bethany Lutheran Village. Mr. Engert seconded the motion. The motion passed unanimously, 6-0.

Mr. Serr re-entered the meeting at this time.

There being no Standing Committee reports Mayor Compton moved to the Consent Agenda. 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. 23-16, An Ordinance To Amend Ordinance Number 22-15, Adopting All Fees, Rules And Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals. (Set for Public Hearing December 19, 2016).
- B. Ordinance No. 24-16, An Ordinance Approving The Editing and Inclusion Of Certain Ordinances And Resolutions As Parts Of The Various Component Codes Of The Codified Ordinances; Providing For The Adoption And Publication Of New Matter In The Updated And Revised Codified Ordinances; And Repealing Ordinances And Resolutions In Conflict Therewith. (Set for Public Hearing December 19, 2016).
- C. Ordinance No. 25-16, An Ordinance Amending Section 1420.05 Enforcement Of Ohio Building Code Of The Codified Ordinance Of The City of Centerville, Ohio. (Set for Public Hearing December 19, 2016).
- D. Resolution No. 67-16, 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, be passed.
- E. Resolution No. 68-16, A Resolution Authorizing And Directing The City Manager To Enter Into A Service Agreement With The Law Office Of The Montgomery County Public Defender To Provide Legal Services For Indigent Persons Charged With Jailable Offenses Under The City's Local Ordinances, be passed.
- F. Resolution No. 69-16, 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, be passed.

Mr. Horn explained Item B. authorized the updating of the Municipal Code. The Clerk of Council and the Municipal Attorney work with American Legal incorporating ordinance changes approved by Council throughout the past year, along with any statutory changes at the state level.

Item D. addressed the prevalence of the installation of smaller cell towers and poles into neighborhoods, due to increasing demand for high quality cellular service. Item D. would create a moratorium of 180 days on the issuance of any certificates of registration or permits, giving staff time to research regulations to ensure a good balance between the need for these facilities and the maintenance of reasonable standards in our neighborhoods.

Mayor Compton requested a motion to approve the Consent Agenda. Mr. Serr sponsored the Consent Agenda, and moved for approval. Mr. Palcher seconded the motion. The motion passed unanimously, 7-0.

PUBLIC HEARING: ORDINANCE 19-16, AMENDING  
CHAPTER 885, EARNED INCOME TAX, OF THE MUNICIPAL CODE

Mr. Hudson provided the staff explanation of the four updates needed for the tax code. The first two changes were for compliance with Senate Bill 172, changing the due date for quarterly payments from the 15<sup>th</sup> of the month to the last day of the month. The revision distinguishes between being “received” by a certain date to being “postmarked.” Verification of a federal extension will now be required with the tax filing. The ordinance included clarification that returned payments are defined as “any returned payments” and not solely “returned checks.”

Mayor Compton opened the public hearing. Seeing no speakers, he closed the public hearing. The Mayor requested clarification regarding the manner in which individuals should submit their federal extension Form 48-68 to the City of Centerville tax office. Mr. Hudson stated that a copy of the federal extension form should be attached when City taxes are submitted.

Mr. Beals sponsored Ordinance 19-16, An Ordinance To Amend Chapter 885, Earned Income Tax, Of The Centerville Municipal Code, and moved that it be passed. Mrs. Rau seconded the motion. The motion passed with seven ayes.

PUBLIC HEARING: ORDINANCE 20-16, TAX INCREMENT FINANCING  
AGREEMENT FOR CORNERSTONE

Mr. Horn presented the staff report with historical background for Ordinance 20-16. He explained the City annexed the property in 2006 at the request of the property owners. Eventually, Oberer Developers requested the use of Tax Increment Financing, due to what they felt was a large amount of infrastructure costs associated with roadway improvements in the area. As required by law, Bellbrook-Sugarcreek Schools and Greene County Vocational Schools were included in negotiations forging an the agreement for the distribution of the additional property tax being collected as Cornerstone developed. The Sugarcreek Trustees filed litigation in an effort to stop the City from using Tax Increment Financing. After two trips to the Ohio Supreme Court and a determination from the Ohio State Tax Commission, Centerville’s position



was validated and confirmed. The schools have agreed to have their portion of the TIF reduced from 60 to 55% making the settlement possible. Passing of this action will allow the City to finalize the agreement that settles the question of fire and EMS coverage for Cornerstone and allows tax monies to be distributed.

Mr. Liberman added comments. He noted TIF statutes have strict requirements and stated the appropriate parties had received notice of tonight's hearing. He explained this amendment was required because the current agreement changed the original TIF agreement of 2013 and the first amendment in 2014 when agreement with the school was reached. Approving tonight's legislation would authorize the City Manager to sign the revised amendment to the tax incentive agreement, already approved by the school system.

Mayor Compton opened the public hearing and seeing no speakers, he closed the public hearing.

Mr. Beals made the motion to approve Ordinance 20-16, Amending Ordinance No. 7-13 (As Previously Amended By Ordinance No. 05-14), Which Originally Related To The Creation Of Tax Increment Financing, To Provide For Compensation to The Bellbrook-Sugarcreek Local School District, The Greene County Vocational School District And Sugarcreek Township (Greene County), Ohio, And The Execution Of A Related First Amendment to the Tax Incentive Agreement, and moved that it be passed. Mr. Engert seconded the motion. The motion passed with seven ayes.

#### Citizen Comments or Petitions

There were no citizen comments or petitions, but Mayor Compton took the opportunity to thank the Centerville High School students who had attended the Council meeting for a class.

#### New Business

##### EMERGENCY ORDINANCE NO. 22-16: TO ADOPT 2017 FEES RULES AND REGULATIONS FOR THE GOLF CLUB AT YANKEE TRACE

Mr. Horn stated that a full staff report would be given by Mrs. Wilder in December at the public hearing for the regular Ordinance. Council had received a formal presentation on the rates for 2017 at a work session. In response to a question from Mrs. Rau, Mr. Wilder explained the Emergency Ordinance was needed to allow for the purchase of memberships as gifts for the holidays at the rates for the coming year.

Mrs. Rau sponsored Emergency Ordinance 22-16, An Emergency Ordinance To Amend Ordinance Number 22-15, Adopting All Fees, Rules And Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed with seven ayes.

There being no further business, Mayor Compton adjourned the meeting at 9:40 P.M. The next regular meeting of the Centerville City Council was scheduled for Monday, December 19, 2016.

Approved: *Bush A. Compton*  
Mayor

ATTEST: *Carin R. Andrews*  
Clerk of Council