

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, December 19, 2016, at 7:30 P.M. in the Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation given by Pastor Tony Miltenberger of Centerville United Methodist Church, and the Pledge of Allegiance 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	Gregory Horn
Finance Director	Jonathan Hudson
City Planner	Andrew Rodney
Economic Development Administrator	Nathan Cahall
Public Works Director	Doug Spitler
City Engineer	Jim Brinegar
Human Resources Manager	Jennifer Wilder
Community Resources Coordinator	Maureen Russell Hodgson
Police Chief	Bruce Robertson
Municipal Attorney	Scott Liberman

Pastor Miltenberger spoke briefly about the Choice Food Pantry at the Centerville United Methodist Church that feeds approximately 300 individuals per month from the 45458 and 45459 zip codes. He wished to enlighten Council to the resounding support that the church's food pantry receives from Centerville residents and to the existing need within the community. Pastor Miltenberger also encouraged everyone to celebrate the Christmas season by making a financial or food donation to the food pantry at Centerville United Methodist Church or Bill's Donuts.

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

Council Meetings:	November 21, 2016.
	December 12, 2016.
Work Session Meetings:	November 21, 2016.
	November 28, 2016.
	December 5, 2016.
	December 12, 2016.

Prior to the vote on the minutes, it was noted that the vote approving the Amendment to the Final Development Plan for Bethany Lutheran Village was incorrect in the Council minutes of November 21, 2016. Mr. Serr had recused himself from the discussion and vote, making the correct count 6-0. Mr. Beals made a motion for acceptance of the minutes, as amended. Mrs.

Rau seconded the motion. The motion passed with 7 ayes. Mrs. Kenley abstained from the vote on the minutes for the work session and special meeting on December 12, 2016.

Councilmember Mark Engert read a Certificate of Congratulations for the Centerville High School Girls Cross Country team, which won the Regional and State Championships for Division I and placed 5th at the Nike Midwest Championships. Mayor Compton invited Coach Dave Dobson and team members Grace Kilroy, Savannah Lowe, Rachel Whitehead, Kerri Walsh, Kelli Walsh, Dalia Einstine, Sophia Hippenmeyer and Andrea Scofield to the podium to congratulate them for their three-time Regional and State Championships.

Mayor Compton honored Mr. John Serr for his volunteer efforts as chairman for the Issue #3 campaign. Deputy Mayor Belinda Kenley read a Certificate of Recognition, and Mayor Compton expressed his gratitude to Mr. Serr for his excellent work on the campaign.

Jan Prettyman, Chair of the City Beautiful Commission, announced Interior Images at 4 West Franklin Street was the recipient of the Business Pride Holiday Lighting Award. She listed Residential Holiday Lighting Award Winners as follows:

Dominic and Jennifer Gussler
2706 Walford Drive

Valerie and David Senkowski
1107 Green Tree Drive

Philip Penrod
2010 Mapleton Drive

William Ziegert
293 Bellingham Drive

Nancy Freking
324 Alston Woods

Mr. & Mrs. Eric Heigel
9207 Shawhan Road

Dixie and Kathleen Dooley
1318 Waters Edge Drive

In the Mayor's report, Mayor Compton spoke about four items. He stated the employee luncheon held on December 14th at Yankee Trace recognized individuals with as many as 35 years of service with the City. He highlighted the resolution of a decade-long issue with Sugarcreek Township and thanked former Mayor Mark Kingseed and City Attorney Scott Liberman for their efforts in resolving the matter. Mayor Compton noted CALEA recently re-accredited the Centerville Police Department. He thanked the community for its support of Issue 3 and complimented all involved with the campaign efforts.

Under Councilmember Reports, Mr. Beals shared information about happenings with the Miami Valley Regional Planning Commission, the Storm Drainage Review Committee, Centerville-Washington History, and the Sister City Committee.

Deputy Mayor Kenley gave a brief update on the Ohio Municipal League. The Board of Trustees named Kent Scarett as Executive Director and voted to hire a lobbying firm to ensure the interests of cities are being represented in the state legislature.

Chief Robertson gave a report addressing issues the police department sees more frequently during the holidays, offering safety suggestions and inviting participation in the 30th Citizen's Police Academy being offered from January 11 to March 29. He stated the police

department and public works were collaborating for the treatment of snow and ice conditions on the winter roadways.

Nathan Cahall Economic Development Coordinator outlined the community calendar for the months of December and January.

Report of the Planning Commission

PUBLIC HEARING: P-2016-0041, ORDINANCE 21-16 REZONING TO ADD A COMMUNITY CENTER OVERLAY AT 6751 LOOP RD

Mr. Rodney gave the staff presentation on Case P-2016-0041, an application submitted by Jerad Barnett of Mills Development Showcase Ltd., requesting the rezoning of approximately 14.55 acres at 6751 Loop Road, The parcel would retain its B-PD, Business-Planned Development, zoning classification while adding a CC, Community Center, Overlay to facilitate future redevelopment of the site for multi-family use. Located between Cross Pointe Shopping Center and I-675, the property was the former site of the Showcase Cinema built in 1988, closed in 2006 and demolished in 2014. The proposed redevelopment project would be a 324 unit multi-family development with a density of 22.3 units per acre. An overlay district requires heightened attention to site design and architectural detail in exchange for increased density.

Mr. Rodney stated use of the overlay district is intended for unique sites and would be appropriate for this underutilized commercial site. The property is remote to single-family residential areas; the use is complimentary to adjacent retail businesses and supports many of the *Create the Vision* land use principles. Mr. Rodney noted that the seven Standards for Approval have been met, and Planning Commission recommended approval with a 4-0 vote.

Mayor Compton opened the public hearing.

Jerad Barnett of Mills Development, 3500 Pentagon Boulevard, Beavercreek, pointed out the importance of the 2,000 feet of frontage on I-675 as the first window to Centerville from the highway. He said Mills Development would be partnering on this project with Hills Properties and introduced Mr. Michael Copfer of Hills Properties, 4901 Hunt Road, Suite 300, Cincinnati, Ohio.

Mr. Copfer made a brief presentation on the current projects of Hills Properties and emphasized the necessity to create an environment desirable to “empty nesters” and millennials. He noted the developers had studied the site for three years and looked at the “*Create The Vision*” principles. He felt the multi-family use would foster a symbiotic relationship with Cross Pointe Shopping Center. The Wright family, owner of the shopping center, sent a letter of support to Mills Development concerning the project, and the two parties had signed an agreement for a needed easement.

Mr. Don Wright, owner of Cross Pointe Shopping Center living at 24209 Centerville Station Road, expressed his support of the Allure multi-family development. He felt that it would

be a complement to the shopping center. Mayor Compton complimented Mr. Wright on the fine job that is being done with the improvements to the shopping center.

Mrs. Gayle Wright, 24209 Centerville Station Road, emphasized the excitement of the tenants of Cross Pointe with the prospect of the Allure being built. Mrs. Wright promised the long-term commitment of Cross Pointe Center to the development and to the City's standards of excellence.

Mayor Compton closed the public hearing and opened the floor for questions from Council.

Mrs. Rau inquired of Mr. Rodney what would happen with the zoning if the Allure project did not go forward. Mr. Rodney explained that the overlay zoning was an optional zoning, invoked only if the owner chose to invoke it. She then asked whether there would be any restrictions to Cross Pointe Center with this overlay, and Mr. Rodney answered in the negative.

Other questions followed. Mr. Beals asked if there was a commercial aspect within the development. Mr. Rodney explained there are no commercial businesses within the proposed development. Mr. Palcher queried if the 4-0 vote by the Planning Commission was the minimum required vote. Mr. Liberman responded in the affirmative. Mayor Compton reemphasized that the increased density required heightened attention to design and detail of the buildings. Mr. Beals posed questions about elevators in the buildings and plans for the storm drainage for the development. Mr. Rodney answered that there would be elevators. More details on storm water drainage would come with the final development plan.

Mr. Engert stated concern about the density and discussion followed. Mayor Compton confirmed with Mr. Rodney that, from a planner's standpoint, this was a good location for a Community Center Overlay. Mr. Beals voiced that it was important to him that the location was not adjacent to individual homes. Mr. Palcher asked about starting dates and projected completion. The group compared the density of the Allure with that of Steeplechase, currently the largest apartment complex in the City. Steeplechase has 358 units on 45 acres. A large portion of Steeplechase is wooded hillside that has not been developed. With 324 units on 14 acres, the Allure project would have much higher density than any other apartment complex in the City.

Seeing no other speakers, Mayor Compton closed the public hearing. Mr. Serr sponsored Ordinance 21-16, Amending Ordinance Number 14-08, Chapter 1216 The Unified Development Ordinance, As Amended, To Rezone 14.55 Acres Of Land, More Or Less, Located At 6751 Loop Road, To Add A CC, Community Center Overlay, To The B-PD, Business-Planned Development Zone Classification, and moved that it be approved. Mr. Palcher seconded the motion. In a roll call vote, the motion passed 6-1 with Mr. Engert voting no.

PUBLIC HEARING: PRELIMINARY DEVELOPMENT PLAN P-2016-0042
ALLURE MULTI-FAMILY LIVING COMMUNITY
JARED BARNETT FOR MILLS DEVELOPMENT SHOWCASE LTD.

Mr. Rodney gave the staff presentation related to the Preliminary Development Plan for the Allure. Using a PowerPoint presentation, he explained the proposed development consisted of 324 units in seven four-story modern buildings, with 655 parking spaces, perimeter bufferyards, significant landscaping, a community green, a pool, lounge areas, work-out facilities, and a dog park. Connectivity to Cross Pointe Center was planned via an enhanced pedestrian walkway. An active drive lane will be maintained behind the shopping center for deliveries and will cross the pedestrian walkway. The project will focus on high-end materials and amenities.

Staff analysis showed the proposed site plan generally met the UDO standards for approval and several of the *Create the Vision* land use principles were also met. The Planning Commission recommended the approval of the Preliminary Development Plan with a 4-0 vote, subject to the following eight conditions:

1. The adoption of a Preliminary Development Plan for a multi-family development on the subject property is contingent on the approval for a rezoning to CC, Community Center Overlay District in Case P-2016-0041.
2. Per Article 9.47 of the UDO, parkland dedication is required. The Applicant shall provide 2.76 acres of parkland via land dedication, payment of a fee-in-lieu, private open space, or a combination thereof.
3. Appropriate bicycle parking shall be provided.
4. Exterior elevations shall include a mixture of quality, durable materials arranged in an aesthetically pleasing manner to achieve a measure of style and class for the development.
5. The Applicant shall provide a Traffic Impact Study at the Final Development Plan stage to calculate trip generation expected by the proposed development and any recommendations of the TIS shall be incorporated into the Final Development Plan at the discretion of the City Engineer.
6. The final design of storm water management infrastructure shall be in accordance with Article 9.35 of the UDO.
7. Detailed comments from the Engineering Division will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.
8. Detailed comments from Montgomery County Water Services and utility companies will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.

Mayor Compton opened the public hearing.

Jerad Barnett, 3500 Pentagon Boulevard, Beavercreek, discussed the uniqueness of the site, the urban feel of the development and the substantial green space. He stated the front door of the complex was on the east side of the property along Loop Road where Mills Development was working to create a focal point, which would include the pond.

Seeing no other speakers, Mayor Compton closed the public hearing and asked for Council questions. Mr. Palcher asked if the developer had accepted the eight conditions outlined. Mr. Rodney answered to the affirmative. Mr. Palcher also inquired about the buffer between the backside of the shopping center and the Allure complex. Mr. Rodney explained the required twenty foot setback. Staff suggested mounding and landscaping in this area, but existing utilities create challenges; these problems must be resolved in the final development plan.

Mr. Beals inquired as to whether the applicant had considered lowering the height of the buildings. Mr. Barnett answered that it had been considered, and building seven will be built at a lower elevation. However, bedrock on the site prohibits some buildings from being lowered.

Mrs. Rau had questions about sight lines. Mr. Rodney explained that the top two floors of the buildings will be visible along Alex Bell Road. The area between the highway and the apartment complex is ODOT limited right of way. Mr. Barnett added that Mills Development had received permission from ODOT to clear the area when the original building was demolished. They continue to communicate with ODOT regarding maintenance of that area. Mayor Compton stressed the importance of the visual from I-675 as a gateway to the city. Mr. Barnett stated a positive impression would be as important to the Allure as it is to the City of Centerville.

When Mrs. Rau inquired about the size of the units, Mr. Copfer stated that the units will be between 800-1,000 square feet for the one bedroom and 1,200-1,500 for two bedrooms. He stated the density will not be as high as that of some of their other urban sites due to the park.

Mr. Serr made a motion to approve the Preliminary Development Plan for the Allure subject to the eight conditions recommended by the Planning Commission. Mrs. Kenley seconded the motion. The motion passed 6-1 with a roll call vote. Mr. Engert voted no.

PUBLIC HEARING: RESOLUTION ADDING THE CENTERVILLE PLACE
PLANNING STUDY TO *CREATE THE VISION*

Mr. Rodney talked about the *Create the Vision* master plan and how the Centerville Place Planning Study was an addendum to it. The study was an in-depth look at the potential for the redevelopment of the Centerville Place Shopping Center.

Mayor Compton opened the Public Hearing. Mr. Beals made a motion to table the Public Hearing for the study until the meeting on January 23, 2017. Mrs. Kenley seconded the motion and the motion passed with a 7-0 vote.

At 9:45 P.M. Mayor Compton requested a ten minute break.

When the meeting reconvened at 9:55 P.M., 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. Approval of 2017-2021 Capital Improvement Program.
 - B. Ordinance 28-16, An Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ended December 31, 2017, be set for Public Hearing on January 23, 2017.
 - C. Ordinance 30-16, An Ordinance To Repeal Ordinance Numbers 28-15 And 07-16 In Their Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on January 23, 2017.
 - D. Ordinance 32-16, An Ordinance To Repeal Ordinance Number 30-15 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Associated With The Food Service, Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace, City Of Centerville, Ohio, be set for Public Hearing on January 23, 2017.
 - E. Ordinance 34-16, An Ordinance To Repeal Ordinance Number 32-15 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, be set for Public Hearing on January 23, 2017.
 - F. Resolution 70-16, A Resolution Requesting Advances Out Of The Current Collection Of Real Estate, Personal Property And Estate Taxes Assessed And Collected On Behalf Of The City Of Centerville.
 - G. Ordinance 01-17, An Ordinance Amending Ordinance Number 14-08, Chapter 1216, The Unified Development Ordinance, As Amended, To Rezone 38.7 Acres Of Land, More Or Less, Located Along Chardonnay Drive, To Add An NR, Neighborhood Residential Overlay, To the R-PD, Residential-Planned Development Zone Classification, be set for Public Hearing on February 20, 2017.
 - H. Resolution 71-16, A Resolution Declaring It Necessary To Construct And Install Public Roadways, Sidewalks, Curbs And Sanitary Mains Along The Yankee Trace Woods, LLC Property, Together With All Necessary Appurtenances Thereto, As Provided Herein To The Extent Of Available Funds.
 - I. Ordinance 02-17, An Ordinance Determining To Proceed With The Construction And Installation Of Public Roadways, Sidewalks, Curbs And Sanitary Mains Along The Yankee Trace Woods, LLC Property, Together With All Necessary Appurtenances Thereto, be set for Public Hearing on January 23, 2017.
-

- J. Resolution 72-16, A Resolution Authorizing And Directing The City Manager To Enter Into A Second Amendment To The Subdivider's Agreement With Yankee Trace Woods, LLC For Property Located In The City Of Centerville Along Paragon Road.
- K. Resolution 73-16, A Blanket Resolution Granting Pipeline Right Of Way Easements To Vectren Energy Delivery Of Ohio, Inc., For The Ingress And Egress Over The City Of Centerville Right Of Way Across The Corridor Known As The Iron Horse Trail And Authorizing The City Manager To Execute All Such Easements For The Iron Horse Trail Project.
- L. Resolution 74-16, A Resolution Authorizing And Directing The City Manager To Execute A Revised Mutual Aid Agreement With Montgomery County, Ohio And Other Governmental Jurisdictions Within The County.
- M. Resolution 75-16, A Resolution Enacted By The City Of Centerville, Montgomery County, Ohio, Hereinafter Referred To As The City, In The Matter Of The Stated Described Project, MOT IR 675.400 to 7.44 Which Includes A portion Within The City Of Centerville, Ohio, Montgomery County, Ohio.
- N. Resolution 76-16, A Resolution Authorizing The City Manager To Enter Into A Right Of Way License Agreement With Bonsteel Properties, LLC For A Non-Exclusive License To Use A Portion Of The Public Right-Of-Way Located Along Clys Road For The Sole Purpose Of Erecting A Ground Identification Sign.
- O. Resolution 77-16, A Resolution Authorizing The Amendment Of The City Manager's Contract Commencing December 31, 2016.
- P. Reappointments As Follows:
 - Carolyn Basford – Sister City – Chair – 1 year term.
 - Michael Vacchiano – Sister City – Vice Chair – 1 year term.
- Q. Appointment As Follows:
 - Thomas Ovington – Board of Architectural Review – 3 year term.

Mr. Horn gave explanations of Items as requested by Mayor Compton. He said Items A. through E. will be given full presentations during the January 23, 2017 meeting. In regards to Item F., the Ohio Revised Code gave the right to request an advance on property taxes; this Resolution allows for the Finance Director to take action to request this advance. Mr. Serr inquired about whether there were still estate taxes as referred to in Item F. Mr. Hudson explained that there may be estates still in probate. He said he would reach out to the auditor's office to obtain that information, if that is not the case, the language will be removed. When Mr. Horn finished his review of the agenda, Mr. Liberman noted that Item O. showed the date of the commencement of the contract as December 31, 2016.

When Mayor Compton requested a motion to approve the Consent Agenda, Mrs. Rau sponsored the Consent Agenda and moved for its approval. Mr. Engert seconded the motion. The motion passed unanimously, 7-0.

OLD BUSINESS

PUBLIC HEARING: ORDINANCE. 23-16 FEES, RULES, REGULATIONS FOR THE GOLF CLUB AT YANKEE TRACE

Mrs. Wilder highlighted an outstanding year in 2016 at Yankee Trace with 54,250 rounds of golf played. The course was once again voted "Best golf course in Dayton" by Dayton Magazine. She outlined some of the capital projects and reviewed the minimal changes needed for rules and rates at the Golf Club at Yankee Trace.

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

Mr. Beals sponsored Ordinance 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, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed unanimously.

PUBLIC HEARING: ORDINANCE 24-16: APPROVING RECODIFICATION OF THE MUNICIPAL CODE

Mr. Horn explained that updates are required each year to incorporate newly passed legislation into the Centerville Municipal Code.

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

Mr. Palcher sponsored Ordinance 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, and moved for its approval. Mrs. Rau seconded the motion. The motion passed unanimously.

PUBLIC HEARING: ORDINANCE 25-16: AMENDING SECTION 1420.05 OF BUILDING CODE

Mr. Cahall explained the outdated language that was in the building code section of the Municipal Code.

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

Mr. Serr sponsored Ordinance 25-16, An Ordinance Amending Section 1420.05 Enforcement Of Ohio Building Code Of The Codified Ordinance Of The City of Centerville, Ohio, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed 7-0.

There being no Citizens Comments or Petitions, Mayor Compton moved to New Business.

NEW BUSINESS

EMERGENCY ORDINANCE 26-16: APPROPRIATIONS FOR FISCAL YEAR 2016

Mr. Hudson noted that the emergency ordinance allowed for yearend adjustments to the appropriate accounts for 2016. Mr. Horn wished to note that the overall expenditures for 2016 would be approximately 3 to 4% under the amounts appropriated.

Mr. Beals sponsored Emergency Ordinance 26-16, An Ordinance To Amend Ordinance Number 26-15 To Make Appropriations For The Current Expenses and Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ended December 31, 2016, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed 7-0.

EMERGENCY ORDINANCE 27-16: APPROPRIATIONS FOR FISCAL YEAR 2017

Mr. Hudson stated that the Emergency Ordinance will allow for the City to be able to spend money within the current audit standards until a new regular ordinance takes effect. The formal presentation on 2017 appropriations will be given at the January meeting of Council.

Mrs. Rau sponsored Emergency Ordinance 27-16, An Emergency Ordinance To Make Appropriations For The Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 2017, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed unanimously.

EMERGENCY ORDINANCE 29-16: EMERGENCY PAY ORDINANCE FOR EMPLOYEES OF THE CITY OF CENTERVILLE FOR 2017

Mr. Engert sponsored Emergency Ordinance 29-16, An Emergency Ordinance To Repeal Ordinances Number 28-15 and 07-16 In Their Entirety And To Establish Class Titles Pay Ranges, Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed unanimously.

EMERGENCY ORDINANCE 31-16: EMERGENCY PAY ORDINANCE FOR EMPLOYEES AT YANKEE TRACE FOR 2017

Mrs. Rau sponsored Emergency Ordinance 31-16, An Emergency Ordinance To Repeal Ordinance Number 30-15 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates of Pay, And Regulations For Employees Associated With The Food Service,

Maintenance And/Or Golf Operations Of The Golf Club At Yankee Trace, City of Centerville, Ohio, and moved that it be passed. Mr. Beals seconded the motion. The motion passed with a 7-0 vote.


EMERGENCY ORDINANCE 33-16: PERSONNEL MANUAL UPDATES

Mr. Horn stated Jennifer Wilder, Human Resources Manager, will present a full report on Personnel Manual updates at the January meeting of Council.

Mr. Palcher sponsored Emergency Ordinance 33-16, An Emergency Ordinance To Repeal Ordinance Number 32-15 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, and moved that it be passed. Mr. Engert seconded the motion. The motion passed unanimously.

Mr. Horn announced his retirement with his last day of employment with the City being July 5, 2017.

Mayor Compton adjourned the meeting at 10:30 P.M. The next regular meeting of the Centerville City Council was scheduled for Monday, January 23, 2017.

Approved: 
Mayor

ATTEST: 
Clerk of Council