

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 16, 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 Kirk Lithander of Fairhaven Church, and the Pledge of Allegiance to the Flag of the United States of America, with Mayor Compton presiding. Councilmembers and staff were present as follows:

Deputy Mayor	Belinda Kenley
Councilmembers	John Beals
	Mark Engert
	John Palcher
	Bill Serr
	Joanne Rau
Clerk of Council	Carin Andrews
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
City Planner	Andrew Rodney
Economic Development Director	Nathan Cahall
Public Works Director	Doug Spitler
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

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

Council Meeting	April 18, 2016.
Work Session Meetings	April 18, 2016.
	May 2, 2016.
	May 9, 2016.

Mr. Beals made a motion for approval of the minutes as distributed. Mrs. Rau seconded the motion to approve the minutes, and it passed with seven ayes.

After confirming with Mrs. Andrews that there were no official communications, Mayor Compton welcomed Holly Wiggins of Dayton Power and Light. He called Deputy Mayor Kenley and Councilmember Rau to the podium, before Ms. Wiggins presented a \$50,000 check as an environmental grant awarded to the City of Centerville for planting utility friendly trees. She explained that it was a competitive grant to be used to beautify Centerville. Councilmember Kenley thanked Ms. Wiggins and Dayton Power and Light for the grant and their partnership. Mrs. Rau noted that only cities recognized as Tree Cities are eligible for the grant; Centerville has been a Tree City for 30 years. Ms. Wiggins suggested visiting the <https://www.dpandl.com/landing/righttree> to obtain a downloadable brochure about "Right Tree in the Right Spot" for utility safety.

Mayor Compton invited Pastor Kirk Lithander of Fairhaven Church to the lectern for a presentation on the anti-poverty program "Circles". Pastor Lithander showed a short video and introduced Joy Barnhill, who benefitted from the "Circles" program and became the proud owner of "Joyful Cleaning". Ms. Barnhill spoke briefly about her participation with this group and how it impacted her life. Additionally, the Mayor presented a certificate of appreciation to Pastor Lithander for the extensive work 25 employees of Fairhaven Church had done at Stubbs Park, mulching, clearing brush and cleaning the park.

Chief Bruce Robertson came to the podium to present the John P. Kalamian Respect for Law Award to Mrs. Christine Smart. Chief Robertson detailed Mrs. Smart's dedicated career beginning in 1989-1994 as a police officer, and from 1996 to present as a civilian employee. She currently is the Staff Services Coordinator with duties that include grant writing, purchasing and accreditation. Mrs. Smart spoke about the pride she has working with a police department of such high caliber.

Next Mayor Compton welcomed Joseph Greenwell and read a Certificate of Recognition for his receiving the Eagle Scout award. The Mayor congratulated Joseph for his accomplishment and thanked him for his work beautifying the Centerville Church of Christ playground.

Mayor Compton started the Mayors report with two proclamations. He asked Deputy Mayor Kenley read the *Kids to Parks* Proclamation announcing May 21, 2016 as a day for citizens to take children in their lives to a neighborhood, state or national park. Highlighting the efforts of the Public Works Department, Mayor Compton noted Clean Sweep Week had just taken place, before Mr. Engert read the *National Public Works Week* Proclamation naming May 15 through May 21, 2016 as a designated time to honor members of the Public Works Department.

Mayor Compton administered the Oath of Office to Chris Papakirk who was recently named as a member of the Board of Architectural Review for a term of three years.

The Montgomery County Treasurer, Carolyn Rice gave an update from the County Treasurer's office about delinquent taxes, payment plans, and the work of the Treasurer's Office. She reported that Centerville currently had 159 parcels with delinquent taxes. She outlined the work of the land bank with vacant properties. In the past 6 years, the land bank demolished more than 400 vacant homes in Montgomery County. The land bank also had money available for redevelopment and awarded the City of Centerville a grant for a study of possibilities for Centerville Place. In response to a question from Councilmember Kenley, Mrs. Rice responded that an individual with delinquent taxes who wished to set up a payment plan needed to appear in person. Mr. Horn thanked Mrs. Rice for her leadership with the land bank and for her assistance with the City application.

Guest Speaker JoAnne Ringer COO of Miami Valley Hospital highlighted news from the hospital, which celebrated 125 years in Dayton. Miami Valley Hospital South has been part of the Centerville community since 2007. Ms. Ringer noted MVH implemented a community program entitled "Project Search", a promotional program partnering community businesses and high school students with disabilities who had completed their high school credits. She also



discussed a recent partnership with MD Anderson Cancer Treatment, pointed out implementation of cutting-edge ROSA robotic surgical technology and listed awards earned by the hospital. She announced the Clemens Cancer Challenge Bike, Ride and 5 K walk/run will be held on Saturday June 10, 2016 at 8:00 A.M. It is a fundraising event that benefits programs and services for cancer patients and their families at Miami Valley Hospital.

In the Mayors report the Mayor talked about a number of topics. Noting the large volume of trash collected during Clean Sweep Week, he commended the outstanding efforts of the Public Works Department. The American Cancer Society Relay for Life was held on May 14, 2016 at Centerville High School with a good representation by City Staff and Council. He stated that the neighborhood meeting that was held on May 9, 2016 at Benham's Grove had an excellent attendance. Mayor Compton acknowledged Steve Marino, head golf pro at Yankee Trace, who received a distinguished award for marketing and merchandising and pointed out the City will host the Volunteer Salute at Yankee Trace on Thursday, May 19, 2016 at 6:00 P.M. He encouraged people to contact Maureen Russell-Hodgson or Carin Andrews, if interested in serving on any of the Boards or Commissions or volunteering in any capacity with the City. The summer concert series at Stubbs Park will begin on the first Sunday in June; Jazz on the Green on Wednesday evenings at Yankee Trace will begin on June 1, 2016 at 7:00 P.M.

Councilmember Belinda Kenley shared that she is a member of the Board of Trustees for the Ohio Municipal League, the lobbying organization for Ohio cities and villages which recently hired Mr. Kent Scarrett as its Executive Director. She announced she will serve as co-chair of the Annual conference being held in September. Mrs. Kenley also stated the Business Task Force worked with City Staff to streamline the process that will allow food trucks to participate in a number of community events, especially "Food Truck Fridays" that the Heart of Centerville has planned for downtown once a month throughout the summer.

Mrs. Rau, Chair of the Economic Development Committee, reported this committee investigates actions the City can consider for commercial development and provides assistance for those businesses that wish to locate in the City. The committee has held two meetings since the beginning of the year, discussing BusinessFirst, the Community Reinvestment Program, and areas for potential development or redevelopment. Wright State University submitted a study entitled "Façade Improvement Programs: Report To Centerville, Ohio" detailing ways to improve the physical appearance and facades of existing businesses in Centerville.

Mr. Palcher shared information about the kick off of the Summer Concert Series at Stubbs Park. *Ticket to Ride* will be the performance group starting off the series at 7:00 P.M. on Sunday, June 5, 2016. The concerts will go for 15 consecutive Sundays evenings during the summer months. Mr. Palcher reviewed the sponsorship levels that support the Concert Series and allow the Arts Commission to present these programs to the community.

Mr. Beals reported on several of his memberships. The Miami Valley Regional Planning Commission recently adopted a 2040 long range transportation plan that funds several projects within Centerville. The Washington Centerville History speaker series will host James Sayer on "The American Presidency and Presidents" at the RecWest Enrichment Center on Tuesday, May 17, 2016. With the help of Susan Ross, the Centerville Washington History genealogist,



Councilmember Beals discovered his great-great grandparents were buried in the pioneer cemetery in the heart of Centerville.

Mayor Compton discussed the tour of Centerville streets that Council did with Public Works Director Doug Spitler, and Operations Manager Mary Lou Pence to view the street conditions of the City. He spoke about road repairs and the impact that the significant change of revenue from the state is having on all cities and Centerville. He stressed the importance of Councilmember Kenley's involvement in the Ohio Municipal League, so the City stays informed of potential legislation. The proposed centralized collection of earnings income tax would have significant negative impact on the City of Centerville, further reducing revenue by an estimated \$700,000. The City of Centerville has had supportive responses from our two state representatives Peggy Lehner and Jim Butler regarding this issue.

In the City Manager report, Mr. Horn made a number of comments. In reference to the Employee of the Year award, Mr. Horn stated Mrs. Smart is reflective of the quality of the employees within the City of Centerville. He gave an update on paving projects within the City, stating that frugal budgeting last year allowed Public Works to supplement some appropriations by encumbering funds last fall to complete recent projects on Austin Woods, Joy Elizabeth, Virginia Avenue, and John Kalaman Way. The 2016 paving program will be underway in June. It was reported that within the first four months of the year all municipal departments and divisions are working within budget. Yankee Trace is off to the best spring start in a decade; food and beverage services, as well as golf, are running ahead of last year. Benham's Grove has operated on a self-sustaining basis for three years in a row. Refuse service and building inspection are also self-sustaining operations. Summer employment offerings were still available.

Mr. Horn made several announcements related to employees. He said Human Resources received two retirement notices. One was from Sue Noe, the income tax administrator who has been with the City for twelve years. She will be retiring on September 30, 2016. The other was from C. J. Thrower, construction inspection supervisor who has been with the City for 30 years. He will be retiring on August 31, 2016. Steve Marino, Head Golf Professional at Yankee Trace has earned the prestigious Southern Ohio PGA Merchandiser of the Year award.

Mr. Horn thanked Council and staff for the tour of the streets and reiterated the need to improve funding for the maintenance of streets and other infrastructure.

Mrs. Gopman outlined the community calendar for the months of May and June, and gave the property maintenance report.

Seeing no other Standing Committee reports, Mayor Compton addressed the residents who were present with concerns about Item "19-A" on the Agenda, the ordinance for infrastructure for The Grove at Yankee Trace Woods tabled at the previous meeting. He stated that this item on the Agenda was unable to move forward and would be tabled. At the Mayor's request, Mr. Horn detailed that The Grove at Yankee Trace was a 27 home development in the area between Yankee Trace Drive and Paragon Road. He gave the history of the development, including the request for special assessment financing for the infrastructure, which Council agreed to grant. Because of a legal issue between the developer and the Washington Township



Trustees over a small sliver of roadway along Paragon Road, Council is being asked to retable Item "19-A" until that issue is resolved.

Mayor Compton explained that the Consent Agenda contains routine procedural and administrative matters the Council had discussed in Work Sessions. Councilmembers read the following Consent Agenda Items into record.

- A. Resolution 36-16, A Resolution Accepting The Bid Submitted By McNeilus Truck And Manufacturing Of Fairfield, Ohio For The Purchase Of One Automated Side Loading Refuse Packer (Diesel Fueled) Demo Vehicle And Authorizing The City Manager To enter Into A Contract In Connection Therewith.
- B. Resolution 37-16, A Resolution Authorizing And Directing The City Manager To Take All Steps And Execute All Documents Necessary In Order To Affect The Purchase Of Real Property And A Right Of Entry Agreement With Speedway Superamerica LLC For Property Located At 5495 Wilmington Pike In Montgomery County.
- C. Resolution 38-16, A Resolution Authorizing And Directing The City Manager To Enter Into An Amendment To The Subdivider's Agreement With Yankee Trace Woods, LLC For Property Located In The City Of Centerville Along Paragon Road.
- D. Resolution 39-16, A Resolution Authorizing The City Manager To Enter Into A Contract With Bricker & Eckler LLP For Special Legal Services And Waiving A Potential Conflict.
- E. Resolution 40-16, A Resolution Authorizing The City Of Centerville Participation In The ODOT Winter Contract (018-17) For Road Salt.
- F. Reappointments made as follows:
  - Mr. Phil McLaughlin Sister City Committee - three year term.
  - Mr. Frank Masterson Personnel Appeals - three year term.
  - Dr. Richard Hoback Board of Architectural Review - three year term.
  - Mr. James Gallagher Community Reinvestment Area Housing Council -  
three year term.
  - Mr. Jon Hazelton Community Reinvestment Area Housing Council-  
three year term.

When Mayor Compton requested a motion to accept the Consent Agenda, Kathy Dickson, 1175 Clubview Drive spoke out and requested that Item "C" on the Consent Agenda be removed.

Mayor Compton acknowledged the speaker and asked the City Manager to give an explanation of Resolution 38-16. Mr. Horn stated that this Resolution was directly related to Item "19-A" on the Agenda and the outstanding issue concerning the connection to Paragon Road. Item "C" of the Consent Agenda would extend the previously approved subdivider's agreement that had a deadline of July 1, 2016 and called for an \$875.00 assessment maximum (annually) for

each lot in the plat for the 30 year term. Legal counsel recommended an extension be granted to December 31, 2016. Item "C" gives the City Manager the opportunity to extend that term to the end of the year.

Mr. Engert requested an elaboration on the choice of a diesel fueled truck described in Item "A", stating that Council had discussed a compressed natural gas (CNG) truck. Mr. Horn stated that the initial goal was to have a compressed natural gas truck; however, a number of options were allowed including diesel and demonstrator trucks. The bids received included a wide range of vehicles with an offer for a diesel demo truck at about half of the originally estimated cost. In making the choice, cost of transitioning the service department to the compressed natural gas trucks (40-50K expense) and the recent lower cost of fuel were taken into account.

When Mayor Compton asked if there were any further questions or comments, Mrs. Kathy Dickson 1175 Clubview Drive, again respectfully requested that Council table Item "C" on the Consent Agenda. She invited Council to speak to the Yankee Trace Community with an explanation of what all of the subdivider agreement means in regards to "The Grove" development. Mayor Compton acknowledged Mrs. Dicksons comments and asked Mr. Liberman to address the issue.

Mr. Liberman, City Attorney, explained the City regularly engages in subdivider's agreements to make certain developers are responsible for public infrastructure in the construction process. The City has entered into this particular subdivider's agreement after the plan was approved. Because the section of the contract that addresses the infrastructure improvements will expire before the next meeting, Mr. Liberman advised Council to extend this agreement so that the City will not be required to commit funds for the public improvements.

Mayor Compton clarified that the extension will protect the City and that the proper action the Council needed to take was to extend this contract. He assured Mrs. Dickson that she would have an opportunity for comment during the citizen comment portion of the meeting; however, Council needs to move forward this evening with the extension of the contract. Mrs. Dickson requested a written explanation of what the subdivider agreement meant to the residents of Yankee Trace.

When Mayor Compton requested a motion to accept the Consent Agenda, Mrs. Kenley sponsored the above Consent Agenda and made a motion for its approval. Mr. Palcher seconded the motion. The motion passed with 7 ayes.

#### OLD BUSINESS

#### ORDINANCE 08-16: PROCEED WITH CONSTRUCTION OF INFRASTRUCTURE AT THE GROVE

Councilmember Serr made a motion to remove this item from the table. Mrs. Rau seconded the motion. The motion was passed 7-0.



Deputy Mayor Kenley made a motion to retable Ordinance 08-16: 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, until the Council meeting on June 20, 2016. Mr. Beals seconded the motion. The motion passed with 7 ayes.

In Citizens Concerns and Comments, Mr. Ron Labatzky, 9510 Paragon Mills Lane, spoke opposing the road cut on Paragon Road. When he requested a copy of the Traffic Impact study from the County Engineers Office, he was informed there was no report. He conducted his own study and determined the access road will be too close to the curve. In addition he believed that the curb cut would create crimes of opportunity in the Yankee Trace Development, with its easy access in and out of Yankee Trace.

Mr. Tony Mauro, 9597 Paragon Road, agreed with Mr. Labatzky regarding safety where the street will be placed. Mr. Mauro suggested a cul-de-sac instead of a through street. He did not believe that the disagreement between the City of Centerville and the Township was necessary.

Martha Lampe, 1415 Courtyard Place, congratulated Centerville for being very astute and developing the very comprehensive development at Yankee Trace. She said each property in Yankee Trace is assessed \$800 to keep up the public areas and \$625.00 per year for 30 years. She urged Council not to dilute the brand by allowing homes to use the Yankee Trace name without having to pay into the Yankee Trace Homeowners Association.

Mr. Horn made one comment of clarification. There was a \$660.00 per property annual assessment that the developer proposed to offset the cost of the lots due to the need for road construction, which included the interest cost of the 30 year assessment.

Adam Croamer, 924 Yankee Trace Drive, stated two concerns. He is troubled by the dilution of the brand of Yankee Trace with the infusion of grade "B" housing into the development. He is also worried about speeding vehicles and the safety of the children along a busy street.

There being neither further citizen comments nor New Business, Mayor Compton adjourned the meeting. The next regular meeting of the Centerville City Council was scheduled for June 20, 2016 at 7:30 p.m. in the Council Chambers.

Approved: *Brook A. Compton*  
Mayor

ATTEST: *Carin R. Andrews*  
Clerk of Council