

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, January 28, 2013, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Mayor Kingseed and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Brooks Compton  
Councilmembers Paul Gresham  
Belinda Kenley  
James Singer

Clerk of Council Debra James  
City Manager Gregory Horn  
Police Chief Bruce Robertson  
Finance Director Steven Hinshaw  
City Planner Steven Feverston  
Public Works Director Robert James  
City Engineer Douglas Spitler  
Assistant to the City Manager Jennifer Wilder  
Economic Development Administrator Nathan Cahall  
Community Resources Coordinator Maureen Russell Hodgson  
Human Resources Manager Ginger Yonak  
Municipal Attorney Scott Liberman

Dr. Gresham moved to excuse Mr. Beals and Mr. Cline from the meeting. Mr. Singer seconded the motion. The motion passed unanimously.

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

Council Meeting	December 17, 2012.
Work Session Meetings	December 17, 2012. January 07, 2013. January 14, 2013.

Mrs. Kenley made a motion to approve the minutes, as distributed. Mr. Compton seconded the motion. The motion passed unanimously with Mr. Compton and Dr. Gresham abstaining from the minutes of the work session of January 14. Mayor Kingseed abstained from the council meeting and work session of December 17, 2012.

Police Chief Bruce Robertson presented certificates of recognition to Geoffrey Darr and John Gephart who successfully handled an emergency and administered CPR to an individual at the Station House at St. Leonard's. Their actions saved the individual's life.

In the Mayor's Report, Mayor Kingseed thanked Deputy Mayor Brooks Compton for presiding over the December meeting, Jim Singer for his 35 years of service to the community, and the members of the Centerville Washington Township Diversity Committee for hosting the Martin Luther King, Jr. Breakfast for the twelfth time. He noted that he had attended the ribbon cutting for the cancer center at Miami Valley Hospital

South on Saturday, January 19, 2013. He represented the City at two business networking events, one for the Heart of Centerville and one for the South Metro Chamber of Commerce.

Mayor Kingseed recommended approval of the following list of appointments:

**COUNCIL COMMITTEES 2013**

NEIGHBORHOOD RELATIONS

Belinda H. Kenley, Chairman  
Brooks A. Compton  
Douglas C. Cline

ECONOMIC DEVELOPMENT

Douglas C. Cline, Chairman  
Brooks A. Compton  
Paul M. Gresham

ENVIRONMENTAL COMMITTEE

Douglas C. Cline, Chairman  
John J. Beals  
Belinda H. Kenley

FINANCIAL AND LONG-RANGE PLANNING

James E. Singer, Chairman  
Paul M. Gresham  
John J. Beals

INTERGOVERNMENTAL RELATIONS

C. Mark Kingseed, Chairman  
Douglas C. Cline  
Brooks A. Compton

LEGAL

Brooks A. Compton, Chairman  
John J. Beals  
Paul M. Gresham

PUBLIC HEALTH AND SAFETY

Paul M. Gresham, Chairman  
Brooks A. Compton  
James E. Singer

STREETS AND HIGHWAYS

John J. Beals, Chairman  
James E. Singer  
Belinda H. Kenley

**COUNCIL LIAISONS**

	<u>PHONE</u>
<u>BICYCLE COMMITTEE</u>	
Paul M. Gresham	885-3401
John J. Beals	433-6492
<u>BOARD OF ARCHITECTURAL REVIEW</u>	
James E. Singer	433-6922
<u>CENTERVILLE ARTS COMMISSION</u>	
Belinda H. Kenley	974-1549
<u>CENTERVILLE CITY SCHOOLS</u>	
C. Mark Kingseed	885-1865
<u>CENTERVILLE-WASHINGTON TOWNSHIP HISTORICAL SOCIETY</u>	
John J. Beals	433-6492
<u>CENTERVILLE PROPERTY REVIEW COMMISSION</u>	
Brooks A. Compton	885-5730
<u>CENTERVILLE-WASHINGTON PARK DISTRICT</u>	
Brooks A. Compton	885-5730
<u>CITY BEAUTIFUL COMMISSION</u>	
John J. Beals	433-6492
<u>CITY PLANNING COMMISSION</u>	
Douglas C. Cline	438-0257
<u>SISTER CITY COMMITTEE</u>	
Paul M. Gresham	885-3401
<u>WASHINGTON-CENTERVILLE PUBLIC LIBRARY</u>	
Belinda H. Kenley	974-1549
<u>WASHINGTON TOWNSHIP TRUSTEES</u>	
C. Mark Kingseed	885-1865
<b>CENTERVILLE REPRESENTATION</b>	
<u>CENTERVILLE-WASHINGTON DIVERSITY COUNCIL</u>	
Gregory B. Horn	
Jennifer S. Wilder	
<u>DAYTON AREA MANAGERS ASSOCIATION</u>	
Gregory B. Horn	
Jennifer S. Wilder	
Kristen P. Gopman	

DAYTON DEVELOPMENT COALITION

C. Mark Kingseed

FIRST TIER SUBURBS

Paul M. Gresham (Delegate)

C. Mark Kingseed (Alternate)

GREENE COUNTY WATER/WASTEWATER ADVISORY COMMITTEE

James E. Singer

HITHERGREEN SENIOR CENTER OF CENT./WASH. TWP.

Board of Trustees

C. Mark Kingseed (Delegate)

Jennifer S. Wilder (Alternate)

Personnel Committee

Ginger Yonak

MIAMI VALLEY COMMUNICATIONS COUNCIL

James E. Singer (Delegate)

C. Mark Kingseed (Delegate)

Gregory B. Horn (Alternate)

Government Technology Committee

Gregory B. Horn

MIAMI VALLEY REGIONAL PLANNING COMMISSION

John J. Beals (Delegate)

Gregory B. Horn (Alternate)

Technical Advisory Committee

Robert A. James (Delegate)

Steven A. Feverston (Delegate)

K. Douglas Spitler (Alternate)

Transportation Committee

John J. Beals (Delegate)

Douglas C. Cline (Alternate)

The Lower Greater Miami River Basin Council

John J. Beals

MONTGOMERY COUNTY COMMUNITY DEV. BLOCK GRANT

C. Mark Kingseed

MONTGOMERY & GREENE CO. MAYORS & MANAGERS ASSOC.

C. Mark Kingseed

Gregory B. Horn

MONTGOMERY COUNTY OFFICE OF EMERGENCY MANAGEMENT

Countywide Advisory Committee

Gregory B. Horn (Representative)

Kristen P. Gopman (Alternate)

MONTGOMERY COUNTY SOLID WASTE

Financial Advisory Committee  
Gregory B. Horn

NATIONAL LEAGUE OF CITIES (NLC)

NLC Advisory Council  
Paul M. Gresham

NLC Human Development Policy and Steering Committee  
Paul M. Gresham

NLC Institute for Youth, Education & Family Council  
Paul M. Gresham

OHIO BENEFITS COOPERATIVE

Steven A. Hinshaw  
Ginger Yonak

SATELLITE JUVENILE COURT

Gregory B. Horn  
Police Chief Bruce Robertson

SOUTH SUBURBAN COALITION

Douglas C. Cline

SYCAMORE MEDICAL CENTER

Citizens Advisory Council  
C. Mark Kingseed  
Gregory B. Horn

WASHINGTON TOWNSHIP RECREATION BOARD

John J. Beals (Delegate)  
Brooks A. Compton (Alternate)

Mr. Singer moved to accept the Mayor's recommendations for appointments to Council Committees, Council Liaisons and Council Representations as listed on the agenda. Dr. Gresham seconded the motion. The motion passed with five ayes.

In the City Manager's Report, Mr. Horn stated that all employees are trained annually in CPR and first aid by instructors at the Washington Township Fire Department. That training will be ongoing in the next few weeks. AED devices are available in City facilities due to a donation to the WTFD. He thanked the WTFD for its assistance over the years.

Mr. Horn invited Dr. Steven Hinshaw, Finance Director, to the podium for recognition of awards earned by the Finance Department. For the twelfth consecutive time the department garnered a prestigious financial reporting award, a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. Fewer than 4% of entities receive this award for clarity and transparency in financial reporting. Additionally, Dr. Hinshaw won an Award for Outstanding Achievement in Popular Financial Reporting for making the City's financial status readily

understandable by its citizens. This is the third year our Finance Department has won this additional award that is given to less than .6 of 1% of communities.

Mrs. Wilder outlined code violations and their corrections for December 2012, as well as the community calendar for January and February 2013. Mrs. Wilder's report included the sale of dog licenses at City Hall, Art at the Trace and other Yankee Trace events, the Story of Sid (children's opera), the Mayor's Business Breakfast and board and commission openings. The State of the City program is scheduled at Police Headquarters at 6:00 p.m. on Monday, February 11, 2013.

In Standing Committee Reports, Belinda Kenley encouraged everyone to see the art exhibition at Police Headquarters and to attend Art at the Trace.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Work Sessions. Approval of these items is as a group with one motion being made. Councilmembers read the titles into the record before Mr. Compton sponsored the following legislation and moved for its approval:

- A. Ordinance Number 2-13, An Ordinance Amending The Centerville Municipal Code, Section 1422.01 To Adopt The Residential Code Of Ohio For One, Two And Three Family Dwellings 2013 Edition, be set for Public Hearing on February 18, 2013.
- B. Resolution Number 1-13, 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.
- C. Appointment as Follows:  
William Abrams as a member of the City Beautiful Commission for 3 years.

Mrs. Kenley seconded the motion. The motion passed with five ayes.

PUBLIC HEARING: ORDINANCE NUMBER 20-12  
APPROPRIATIONS 2013

The public hearing was held regarding Ordinance Number 20-12. Mr. Horn and Dr. Hinshaw presented the summary of the 2013 Operating Budget for the City of Centerville. Mr. Horn explained that the City had surprisingly strong revenue, in spite of the struggling economy. 2012 was the last full year of the estate tax, and the City received a record distribution of \$2 million dollars. The City had unbudgeted income from the sale of property at the corner of Social Row Road and Yankee Street, worth \$449,000. Overall, the beginning balance in January 2013 was \$21,602,367 with a closing balance for December 2013 forecast at \$16,320,117. Mr. Horn stated that significant funds may be needed for public improvements with the Cornerstone development. Tax Increment Financing will be used and draws tax revenue on increases in valuation as the property is

developed. The Capital Improvement Program includes \$3.5 million of local funding for \$11.9 million in projects. Dr. Hinshaw presented explanations of income tax uniformity and the centralized collection of municipal income tax, as well as information on property taxes, estate taxes, investments and debt retirement for Yankee Trace. Mr. Horn said that the City continues to face fiscal challenges as tax uniformity issues, the centralization of income tax collection and the future of the last half of the local government funds are legislated and affect municipal revenue. Despite the State reductions of the past couple of years, our community is stable. Staff has prepared another very conservative budget for 2013.

Mayor Kingseed acknowledged Mr. Horn, Dr. Hinshaw, and the City staff for the work done preparing the annual budget and the annual financial report and for diligence throughout the year. He recognized Mr. Horn for his guidance in helping the City live within its means for the long term.

Mr. Singer sponsored Ordinance No. 20-12, 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, 2013 and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with five ayes.

**ORDINANCE NO. 22-12: CLASS TITLES, PAY RANGES, GRADES, RATES OF PAY, AND REGULATIONS FOR EMPLOYEES OF THE CITY OF CENTERVILLE**

Ms. Ginger Yonak, Human Resources Manager, explained the changes recommended in the 2013 annual review of employees' pay ranges, grades, rates of pay and regulations. Staff has recommended a 1.9% annual wage rate increase for most positions with a nominal impact on supplemental retirement program. Other changes to the 2013 pay ordinance include adjustments to position classifications and pay ranges for personnel. Mr. Compton noted that Council had reviewed the pay ordinances carefully in work sessions.

Dr. Gresham sponsored Ordinance No. 22-12, An Ordinance To Repeal Ordinance Number 30-11 In Its 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. Mr. Compton seconded the motion. The motion passed unanimously with five ayes.

**ORDINANCE NO. 24-12: CLASS TITLES, PAY RANGES, GRADES, RATES OF PAY, AND REGULATIONS FOR EMPLOYEES OF YANKEE TRACE**

Mrs. Yonak recommended similar changes for Yankee Trace personnel with minor adjustments for food service, golf operations and golf maintenance.

Mrs. Kenley sponsored Ordinance No. 24-12, An Ordinance To Repeal Ordinance Number 32-11 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. Compton seconded the motion. The motion passed unanimously with five ayes.

#### ORDINANCE NUMBER. 26-12: 2012 PERSONNEL MANUALS

Ms. Yonak stated that personnel manuals allow the City of Centerville to explain, communicate and document the benefit program, its disciplinary principles, and its personnel policies. In addition to general formatting and housekeeping updates, staff is recommending five changes that broaden the scope of existing policies and provide additional policy guidance as follows:

- City-owned vehicles may be equipped with GPS software.
- The current appearance policy will be replaced with a more comprehensive policy to promote a professional image for all city employees.
- The definition of “active pay status” will include time off for a worker’s compensation injury.
- The City may require repayment of insurance premiums paid for the period on behalf of the employee, if the employee fails to return to work after exhausting the available FLMA leave time.
- Probationary employees may request leave time after six months of employment.

Dr. Gresham sponsored Ordinance No. 26-12, An Ordinance To Repeal Ordinance Number 34-11 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously with five ayes.

#### ORDINANCE NUMBER 28-12: ADOPTION OF RULES FOR PERSONNEL APPEALS BOARD

Ms. Yonak explained that the Personnel Appeals Board is a three member board for hearing appeals by employees for work related disciplinary issues. This ordinance details a formal set of rules to guide the Personnel Appeals Board and creates a consistent framework for hearing an appeal. Because the board had met only a few times over the years, no format was in place. The rules have been reviewed by legal counsel and the members of the board. Ms. Yonak described each of the five chapters and asked for approval by the Council.

Mr. Compton sponsored Ordinance 28-12, An Ordinance Adopting The City Of Centerville Appeals Board Rules and moved for its approval. Mrs. Kenley seconded the motion. The motion passed with five ayes.

#### ORDINANCE NUMBER 30-12: TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE FOR BARBER SHOPS AND BEAUTY SALONS IN O-S AND O-PD

Mr. Feverston, City Planner, gave the staff report, explaining that the Planning Department had received an application from Timothy Minton. He applied for a text



amendment to enable him to relocate his barber shop from Independence Square to 162 W. Franklin Street, his current residence. Mr. Minton has stated his intention to relocate if the barbershop becomes a reality at this address. In researching this application, it seems that an omission was made in the Table of Permitted Land Uses for the new zoning code in 2008. Barber shops and beauty parlors were permitted in the old zoning code both in O-S, Office Service, and O-PD, Office Planned Development, zoning districts. The cells in question in the new table were left blank.

Mr. Feverston stated that Mr. Minton had been cautioned that there would be other requirements with applications and permits related to having the barbershop on the property besides the change in zoning. He stated that the Planning Commission unanimously recommended, on December 11, 2012, the approval of the change in the table to allow barber shops and beauty parlors in O-S, Office-Service and O-PD, Office-Planned Development Districts. Staff also recommended the update.

Mr. Minton stated that he had been a barber in Centerville for three years and wanted to place the barbershop at 162 W. Franklin to utilize his property for his business so that he would not be paying rent for his workplace. He said that he intended to reside elsewhere if opening the barbershop on the site worked out. He affirmed his understanding that there would be additional requirements.

Mr. Compton sponsored Ordinance Number 30-12, An Ordinance Amending Ordinance Number 14-08, Chapter 1216, The Unified Development Ordinance As Amended, As It Applies To Table 9.1, Permitted Land Uses In The Base Zoning Districts, To Allow Barber Shops And Beauty Salons In O-S, Office-Service, And O-PD, Office-Planned Development, Zoning Districts, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed with five ayes.

#### ORDINANCE NUMBER 31-12: HOTEL-MOTEL TAX

Mr. Nathan Cahall, Economic Development Administrator, gave the staff report for an ordinance to set a lodgings tax on hotels and motels within the Montgomery County portion of the City of Centerville. An ordinance was passed covering a tax on lodgings for Greene County in 2007. At that time, guidance from multiple sources told us that there was not an option for setting local hotel-motel taxes for Montgomery County. Recently it came to our attention that this option would be available. Washington Township exercised its local option in the past few months, so Centerville would be one of the last entities in the area to establish the tax. For uniformity across the City, a three percent tax was recommended.

Mr. Compton asked about the estimated revenue. Mr. Cahall stated that the tax would generate about \$50,000 annually.

Dr. Gresham sponsored Ordinance Number 31-12, An Ordinance Amending Section 870.01 Definitions For Hotel-Motel Tax Of The Centerville Municipal Code, and

moved that it be passed. Mr. Compton seconded the motion. The motion passed with five ayes.

EMERGENCY ORDINANCE 01-13: AMENDING THE CENTERVILLE MUNICIPAL CODE, SECTION 1422.01 TO ADOPT THE RESIDENTIAL CODE 2013 EDITION

Mr. Rob James gave the staff report on the request to update the Municipal Code to change references in the Municipal Code to the latest edition of the Ohio Residential Building Code. The International Residential Building Code is updated every three or four years and the Ohio Residential Building Code follows suit. Our charter requires the Municipal Code to refer to the current edition of the Ohio Residential Building Code by title and edition. Staff requested this update as an emergency ordinance because the latest edition became effective on January 1, 2013. A public hearing will be held in February for the regular ordinance.

Mr. Compton sponsored Ordinance Number 01-13, An Emergency Ordinance Amending The Centerville Municipal Code, Section 1422.01 To Adopt The Residential Code Of Ohio For One, Two And Three Family Dwellings 2013 Edition, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with five ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Keniged  
Mayor

ATTEST: Debra A. James  
Clerk of Council