

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, March 18, 2013, at 8:00 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 with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor Brooks Compton  
Councilmembers John Beals  
Doug Cline  
Paul Gresham  
Belinda Kenley  
James Singer

Clerk of Council Debra James  
Finance Director Steven Hinshaw  
City Planner Steven Feverston  
Police Chief Bruce Robertson  
Public Works Director Robert James  
City Engineer Douglas Spitler  
Assistant to the City Manager Jennifer Wilder  
Assistant to the City Manager Kristen Gopman  
Economic Development Administrator Nathan Cahall  
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 February 18, 2013.

Work Session Meetings February 18, 2013.  
March 04, 2013.  
March 11, 2013.

Mr. Beals made a motion to approve the minutes, as distributed. Dr. Gresham seconded the motion. The motion passed unanimously with Mr. Compton abstaining from the minutes of the Work Session and Council Meeting of February 18. Dr. Gresham abstained from the Work Session of March 11, 2013.

Mrs. James announced that she had received a communication from the Clerk of the Montgomery County Commissioners requiring her to present a certified copy to Council of the entire record of the annexation proceedings accepting and approving the annexation of 1.214 acres, more or less, from Washington Township, Montgomery County, Ohio to the City of Centerville. A resolution was under the Consent Agenda to accept the annexation.

Chief Robertson introduced Officer Adam Bennett and his canine partner, Bobo, as well as newly hired Records/Communications Specialist, Diane Gory.

Pastor Kirk Lithander explained the National Circles Campaign whose mission is to help people move out of poverty by providing specific community resources, educational

opportunities and mentors for individuals. Several interdenominational churches are working together in the local area on this program that has been shown to be successful.

Mayor Kingseed invited high school students from our Sister City, Bad Zwischenahn, Germany to come to the podium. Frau Kristina Wassmann of Centerville High School and Frau Stephanie Große from Bad Z introduced the students and explained the student exchange. The students thanked the Sister City Committee and the Council for their support.

Mayor Kingseed welcomed Christina Stapleton to the podium to be honored for earning Girl Scout's Gold Award. He presented a certificate of recognition.

Five new Eagle Scouts attended the Council meeting to be awarded Certificates of Recognition for their achievement. The young men receiving the presentations were Grant Albrecht, Aleaxander Bair, Benjamin Hansen and Eric Westhaus. Derek Schardt was unable to attend as he was away at college.

Mayor Kingseed reported the following during his Mayor's Report:

The Community A'Fair sponsored by the Heart of Centerville, will be held on Saturday, March 23 from 12-4 p.m. in the main gym at Centerville High School. Over 60 business booths are expected for this networking opportunity. The Mayor encouraged residents to attend.

The City and Washington Township have been working on the Veterans' Memorial at Stubb's Park. Both the City of Centerville and Washington Township have pledged to support the enhancement of the Memorial which will feature five bronze medallions paying tribute to the branches of the U.S. Armed Forces. A community fundraising effort is underway to cover the remaining \$15,000 needed for the expansion. Citizens who would like to contribute should go on the City's website: [www.centervilleohio.gov](http://www.centervilleohio.gov). or call the City at 433-7151.

Mayor Kingseed asked Mr. Compton to read a proclamation designating March 2013 as "Developmental Disabilities Month" in the City of Centerville. Mr. Cline read a proclamation designating March 17-23, 2013, as "Essential Tremor Awareness Week" in the City of Centerville.

During the City Manager's Report, Dr. Hinshaw stated the following:

The 2013 Street Resurfacing Program is being presented for approval and is on the Consent Agenda. Over \$1 million has been budgeted for street resurfacing projects throughout the City for the coming year. The goal is to have all of the projects completed by early August.

He announced that approximately thirty individuals attended a public meeting that was held regarding the Yankee Street Widening Project between Social Row Road and Winding Green Way. Construction is scheduled to start in 2016.

Applications are being accepted for Yankee Trace seasonal employment. Those interested should contact the City at 433-7151.

The Police Cadet interviews begin this week.

Mrs. Gopman outlined code violations and their corrections for February 2013, as well as the community calendar for the remainder of March and April. Mrs. Gopman's report included the City Beautiful Commission's Spring Seminar on March 23, the Mayor's Faith Leaders Breakfast on April 10, Arbor Day on April 17 at Benham's Grove, and the Kalamian Blood Drive on April 25. She also noted art gallery exhibits at Police Headquarters, Yankee Trace events, Public Works brush drop off hours, recycling efforts, prescription drug cards and board and commission openings.

Mr. Feverston gave the report of the Planning Commission's recommendation to Council for approval of a Record Plan for Bill Yeck Park, Section 2, as requested by Robert Feldmann of the Centerville-Washington Park District. The record plan is for incorporation of the thirty-seven acre Smith Farm on Centerville Station Road into Bill Yeck Park. The plan shows the Smith Farm as the "front door" to the park with a widened entry drive, parking, and detention ponds. At its meeting on February 26, 2013, the Planning Commission recommended approval of the record plan to Council, subject to the following conditions:

1. In lieu of construction of the required improvements prior to the recording of this plat, a performance bond in an amount equal to the required public improvements shall be posted by the developer with the City subject to approval by the City Engineer and a subdivider's agreement entered into with the City by the developer.
2. The applicant shall provide review and inspection fees in the amount subject to approval by the City Engineer.
3. Centerville Station Road shall be widened in accordance with Article 9.13 of the UDO to include an additional lane of pavement, curb, gutter, storm sewer, and a sidewalk subject to approval by the City Engineer. In lieu of constructing these improvements, the applicant may place \$131,794.50 in escrow with the City. This is the amount approved by the City Engineer to be used for the future improvement of Centerville Station Road.
4. The applicant shall verify the location of the section line, property and centerline along Centerville Station Road subject to approval by the City Engineer.
5. The record plat shall be modified to show all existing easements including the sanitary sewer easement along the east side of the property subject to approval by the City Engineer.
6. The contractor shall obtain a right-of-way permit for any work performed in the public right-of-way.
7. The contractor shall notify the Centerville Public Works Department prior to any earth disturbing activity for inspection of erosion control measures.

8. A temporary right-of-way for road construction purposes shall be donated to the City at the time of construction of Centerville Station Road to address grading issues.

Mr. Cline moved that the Record Plan submitted for the expansion of Bill Yeck Park and the improvements at the Smith Farm be approved, subject to the eight conditions recommended by the Planning Commission. Dr. Gresham seconded the motion. The motion passed unanimously.

Mr. Beals invited the public to attend the City Beautiful Commission's Seminar scheduled for Saturday, March 23 at 10:00 a.m. at the Centerville Public Works Building, 7970 South Suburban Road. Mr. Eric Sauer will be talking about rain water gardening.

Dr. Gresham outlined some of the highlights of the NLC Conference he recently attended in Washington, DC. It was a busy and productive conference.

Mr. Cline offered his condolences to the family of Bob Corbin, who passed away on February 22, 2013. Mr. Corbin served as a State Representative for 24 years and as a member of the Centerville City Council for 4 years. Mr. Cline noted that Mr. Corbin lived his ninety years to the fullest and sent thoughts and prayers to his family.

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 Mrs. Kenley sponsored the following legislation and moved for its approval.

- A. Cornerstone Developers, Ltd., Preliminary Development Plan, Cornerstone North, 5300 Wilmington Pike, north of I-675, be set for Public Hearing on May 20, 2013.
- B. Cornerstone Developers, Ltd., Preliminary Development Plan, Cornerstone South, Wilmington Pike and Clyo Road, south of I-675, be set for Public Hearing on May 20, 2013.
- C. Ordinance Number 4-13, An Ordinance Amending Ordinance 14-08, Chapter 1216 Of The Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio, To Amend The Public Hearing Requirements To Establish Standards For Food Vending Including Mobile Food Vehicles And To Clarify The Language of Various Sections Of The Unified Development Ordinance, be set for Public Hearing May 20, 2013.
- D. Resolution Number 14-13, A Resolution Accepting The Annexation Of 1.214± Acres Of Property From Washington Township To The City Of Centerville.

- E. Resolution Number 15-13, A Resolution Authorizing The City Manager To Enter Into An Agreement For Electric Generation Supply With A Competitive Retail Electric Service Provider.
- F. Resolution 16-13, A Resolution Accepting The Bid Submitted By Zimmer Tractor, Inc. of Monroe, Ohio For The Purchase Of One Hillside Mower And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- G. Resolution 17-13, A Resolution Accepting The Bid Submitted By Barrett Paving Materials, Inc., Of Middletown, Ohio, For The 2013 Street Resurfacing Program (Project SS-1A-13) For Asphalt Resurfacing, As Well As Concrete And Asphalt Repair, In The City Of Centerville And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- H. Appointment of Bryce Nickel as a member of the Centerville City School District Personnel Appeals Board and as a member of the City of Centerville Personnel Appeals Board for a term of three years.
- I. Appointment of Jan Prettyman as Chairman of the City Beautiful Commission for a term of one year.

Mr. Compton seconded the motion. The motion passed with seven ayes.

#### PUBLIC HEARING: ORDINANCE NUMBER 3-13: CHANGING COMPETITIVE BID AMOUNT LIMITS

The public hearing was held regarding Ordinance Number 3-13. Dr. Hinshaw gave the staff report and stated that the State of Ohio recently adopted House Bill 509 which allowed the minimum bidding threshold for public contracts to be raised to \$50,000. This change affected all the statutory cities and townships in Ohio. Since Centerville is a charter City, the Council would need to pass legislation, in order to make the change effective here. Our current threshold is \$25,000 and \$30,000 in different sections of the Code. As the State of Ohio has adopted, \$50,000 would be the uniform amount under the new ordinance.

Mr. Beals asked how the City would handle bidding projects costing less than \$50,000. Dr. Hinshaw explained that the \$50,000 threshold would be for formal bidding processes. For large items costing below \$50,000, we would still go through an informal bidding process with requests for proposals, but we wouldn't have to advertise. The bidding process would still be competitive and have internal guidelines, but there would be efficiencies in staff time.

Mr. Beals sponsored Ordinance No. 3-13, An Ordinance To Amend Chapter 210, Contracts And Purchasing, Of The Centerville Municipal Code To Provide That Competitive Bids Be Taken For The Purchase Of Supplies And Materials When The Cost

Exceeds \$50,000 And To Designate The Newspapers of General Circulation, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with seven ayes.

RESOLUTION OPPOSING HOUSE BILL 5

Dr. Hinshaw reported that the City of Centerville has been discussing H.B. 5 over the past months; it was a large part of the budget presentation. H.B. 5 is another in a series of actions from the State of Ohio reducing the income municipalities receive. Included in these changes are eliminating the tangible personal property tax, eliminating funds due to electric deregulation, cutting Local Government Funds in half, and eliminating the Ohio estate tax. H.B. 5 would impact the collection of municipal income tax through the guise of uniformity, especially by allowing net operating losses to be carried forward. This practice, coupled with other changes designed to be favorable to business, would reduce revenue by as much as \$700,000 a year.

Mr. Compton pointed out that many cities opposing this bill have stayed away from property tax levies as a major funding source, as a policy, in order to keep those monies available for schools, parks libraries and townships. Because municipalities are reaching the point where they have to look at how to provide basic services without their traditional sources of income, cities need the support of the other governmental entities in opposing this legislation. Whether cities choose to request increased property taxes or raise income taxes, other governmental entities will feel the impact when it is time for their own levies.

Mayor Kingseed noted that reducing business taxes, which is what H.B. 5 does, will affect all citizens. The City is already dealing with the loss of over \$2,000,000 in funding annually. It is inevitable that additional sources of revenue will be required in order to provide the same level of services. He encouraged residents to oppose H.B. 5 by contacting their state legislators.

Mr. Compton sponsored Resolution Number 18-13, A Resolution Opposing The Passage Of HB 5 By The Ohio General Assembly, Which Would Significantly And Negatively Reduce The City Of Centerville's Municipal Income Tax Revenue And Ability To Fairly And Equitably Administer Its Municipal Tax Ordinance, Creating Unfunded Mandates, Special Tax Breaks, Additional Barriers And State Bureaucracy In Direct Contradiction To The Stated Goal Of Tax Uniformity And Simplification In The Name Of Economic Development, and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with seven ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kingseed  
Mayor

ATTEST: Debra A. James  
Clerk of Council