

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, January 23, 2012, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor Chad Current of Living Hope Church and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor	Doug Cline
Councilmembers	John Beals
	Brooks Compton
	Belinda Kenley
	James Singer
Clerk of Council	Debra James
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
City Planner	Steven Feverston
Public Works Director	Rob 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
Human Resources Manager	Ginger Yonak
Municipal Attorney	Scott Liberman

Mr. Beals moved to excuse Dr. Gresham from the meeting as he is out of town. Mr. Cline seconded the motion. The motion passed unanimously.

Mr. Cline moved that Council elect Mr. Compton as Deputy Mayor for a term of two years. Mr. Singer seconded the motion. The vote was unanimous. Deputy Mayor Cline thanked Council for the opportunity to serve as Deputy Mayor for the past eight years.

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

Council Meeting	December 19, 2011.
	January 6, 2012.
Work Session Meetings	December 19, 2011.
	January 9, 2012.

Mr. Compton made a motion to approve the minutes, as distributed. Mr. Beals seconded the motion. The motion passed unanimously with Mrs. Kenley abstaining from the minutes of the meeting of January 6. Mr. Singer abstained from the minutes of the work session of January 9.

Mrs. James announced that an appeal filed by Mr. Tom Ross had been withdrawn following discussions with staff. The appeal questioned a decision of the Planning Commission concerning the requirement for screening of dumpsters on Mr. Ross's commercial property at 30-46 Compark Road. Since the matter was on the agenda under

Old Business, Mayor Kingseed asked for a motion to delete the matter. Mr. Beals moved for the removal of Mr. Ross's appeal from the agenda. Mrs. Kenley seconded the motion. The motion passed with six ayes.

Mayor Kingseed administered the oath of office to Mr. James Collins as a member of the Arts Commission. Mr. Collins expressed his willingness to serve wherever needed.

In the Mayor's Report, Mayor Kingseed thanked the members of the Centerville Washington Township Diversity Committee for hosting the Martin Luther King, Jr. Breakfast for the twelfth time. He encouraged everyone to watch a broadcast of the breakfast in order to see the portrayal of Rosa Parks by a character actress.

He invited local townships to join with the City of Centerville to form Joint Economic Development Districts to apply for JEDDS in cooperation to benefit economic development projects. He noted that Centerville is serious about creating jobs.

Mayor Kingseed recommended approval of the following list of appointments:

COUNCIL COMMITTEES 2012

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
Belinda H. Kenley
John J. Beals

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>CENT. PROPERTY REVIEW COMMISSION</u>	
Brooks A. Compton	885-5730
<u>CENTERVILLE-WASHINGTON PARK DIST.</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

SISTER CITY COMMITTEE

Paul M. Gresham 885-3401

WASH.-CENT. PUBLIC LIBRARY

Belinda H. Kenley 974-1549

WASHINGTON TOWNSHIP TRUSTEES

C. Mark Kingseed 885-1865

CENTERVILLE REPRESENTATION

CENTERVILLE-WASHINGTON DIVERSITY COUNCIL

Gregory B. Horn
Jennifer S. Wilder

DAYTON AREA MANAGERS ASSOCIATION

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

HITHEREGREEN 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)
K. Douglas Spitler (Alternate)

Transportation Committee

John J. Beals (Delegate)
Douglas C. Cline (Alternate)

The Lower Greater Miami River Basin Council

John J. Beals

MONT. CO. 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 Advocacy Committee
Paul M. Gresham

NLC Institute for Youth Education & Families Council
Paul M. Gresham

NLC Energy, Environment and Natural Resources Policy and Advocacy Steering Committee
John J. Beals

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. Compton moved to accept the Mayor's recommendations for appointments to Council Committees, Council Liaisons and Council Representations as listed on the agenda. Mrs. Kenley seconded the motion. The motion passed with six ayes.

In the City Manager's Report, Mr. Horn announced that the Ohio Public Works Commission recently approved the City's grant request for funds to aid in the widening of Feedwire Road to the east of Wilmington Pike. The request for the resurfacing of Spring Valley Road to the east of SR 48 to the corporate limits will also be eligible. Partial funding for the remainder of the resurfacing cost will come from the annual resurfacing budget.

Mrs. Gopman outlined code violations and their corrections for December 2011, as well as the community calendar for January and February. Mrs. Gopman's report included Art at the Trace, Yankee Trace golf opportunities, the Business Breakfast, the 20th Anniversary of Benham's Grove, and board and commission openings. Mayor Kingseed's State of the City Address will take place on Monday, February 13, at 6:00 p.m.

In Standing Committee Reports, Mr. Beals noted that the resurfacing of Spring Valley will include more than resurfacing. Additional work will include curb, catch basins and gutter. Mr. Spitler noted that base repair is required in some targeted areas and that Washington Township will provide about \$20,000.00 (plus some \$6,000 in grant money) for the project since the southern curb is in the township.

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. An Ordinance To Vacate Portions Of The Sanitary Sewer And Water Easement For Bethany Village, And To Reserve New Areas For Sanitary Sewer And Water Easements On Property In Bethany Village Belonging To Graceworks Lutheran Services At 6445 Far Hills Avenue. (Set for Public Hearing February 20, 2012)
- B. A Resolution By The City Of Centerville Extending For A Period Of 60 Days The Moratorium On The Granting Of Any Permits For An Alternative

Energy System, Including A Solar Energy System, Within The City Of Centerville, be passed.

- C. A Resolution Regarding Zoning Buffers In A Proposed Annexation Of Property Containing 96.5 Acres More Or Less From Washington Township, Montgomery County, Ohio To The City Of Centerville, Montgomery County, Ohio Pursuant To The Requirement Of Section 709.023(C) Ohio Revised Code, be passed.
- D. A Service Resolution In Support Of The Proposed Annexation Of Property Containing 96.5 Acres More Or Less From Washington Township, Montgomery County, Ohio To The City Of Centerville, Montgomery County, Ohio Pursuant To The Requirement Of Section 709.023 Ohio Revised Code, be passed.
- E. A Resolution Endorsing The Preferred Future Land Use Scenario Of Going Places – An Integrated Land Use Vision For The Miami Valley Region, be passed.
- F. Appointment to be made as follows:
Belinda Kenley as a member of the Centerville Tax Incentive Review Council.
Doug Cline as a member of the Centerville Tax Incentive Review Council.

Mr. Cline seconded the motion. The motion passed with six ayes.

PUBLIC HEARING: ORDINANCE NUMBER 14-11, WIND AND SOLAR ESTABLISHING REGULATIONS

Mr. Feverston gave the staff report for background on the proposed ordinance. The legislation does not deal with solar access rights, but rather regulates the siting of solar and wind devices and power systems within the City of Centerville. It establishes setbacks, placement, height parameters, installation and screening guidelines within the Unified Development Ordinance. Planning Commission held a work session on a draft ordinance in August 2011 and passed the current draft of the ordinance, recommending it to Council at its meeting on October 25, 2011. The ordinance divided solar and wind energy into commercial and residential functions. Firefighting requirements and aesthetics for accessory uses and conditional uses are discussed.

When Mr. Beals asked about a requirement for noticing of neighbors within a certain perimeter, Mr. Feverston stated that only variances, appeals, or conditional use applications would require the notification of neighbors, as long as the application met the tests of the code and required only administrative approval.

Mr. Singer asked about height limits. Mr. Feverston stated that from the ground to the panel is five feet and the panel is able to be tilted up to maximize efficiency. Mr. Singer stated that he felt that the ordinance was very restrictive to the adoption of new technology and that time would give feedback. Mayor Kingseed asked for a work session

in 12-18 months to consider if the ordinance is accomplishing the desired goals. Mr. Compton sponsored Ordinance Number 14-11, An Ordinance Amending Ordinance 14-08, Chapter 1216 of the Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio To Establish Development Standards For The Siting And Installation Of Solar And Wind Energy Systems. Mrs. Kenley seconded the motion. The motion passed with 5 ayes. Mr. Singer voted nay.

PUBLIC HEARING ORDINANCE NUMBER 28-11: APPROPRIATIONS 2012

The public hearing was held regarding Ordinance Number 28-11. Mr. Horn and Dr. Hinshaw gave the summary of the 2012 Financial Plan for the City of Centerville. Because of significant cuts in Local Government Funding from the State of Ohio and Estate Taxes, the City of Centerville prepared a very conservative budget that includes no increase in the tax rate of 1.75% of earned income. Overall, the beginning balance in January 2012 was projected at \$16,246,491.00 with a closing balance for December 2012 forecast at \$16,037,858.00. In reality, we expect that our revenue will meet the \$200,000 deficit shown with current services being maintained. Because the City of Centerville has worked diligently to maintain its stable financial situation, planned capital expenditures on infrastructure and maintenance items will continue. The Capital Improvement Program includes \$2.9 million of local funding for \$5.3 million in projects. Replacement and maintenance of equipment and the maintenance of City property are expected to continue in a quality manner. Dr. Hinshaw presented information on property taxes, estate taxes and investments. Mr. Horn noted efficiencies and cost reducing measures that became necessary because of the cuts in funding. Mr. Horn acknowledged Steven Hinshaw, the City staff, and the Council for the work done preparing the annual financial report.

Mr. Beals sponsored Ordinance No. 28-11, 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, 2012 and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed with six ayes.

ORDINANCE NO. 30-11: 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 2012 annual review of employees' pay ranges, grades, rates of pay and regulations. Staff has recommended a 1.75% annual wage rate increase for City Personnel. There are a few other minor changes with regard for the 2012 pay ordinance. Mr. Cline sponsored Ordinance No. 30-11, An Ordinance To Repeal Ordinance Number 22-10 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 six ayes.

ORDINANCE NO. 32-11: CLASS TITLES, PAY RANGES, GRADES, RATES OF PAY, AND REGULATIONS FOR EMPLOYEES OF YANKEE TRACE

Mrs. Yonak recommended that the pay ordinance for the employees at Yankee Trace be updated also. She stated that only minor changes are recommended for the 2012 Yankee Trace pay ordinance as well. Mr. Singer sponsored Ordinance No. 32-11, An Ordinance To Repeal Ordinance Number 24-10 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. Mrs. Kenley seconded the motion. The motion passed unanimously with six ayes.

ORDINANCE NO. 34-11: 2012 PERSONNEL MANUALS

Mrs. 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 modifications of policies to broaden the scope of existing policies, and to provide additional policy guidance. To add definition of Discretionary benefit; the probationary period for new hires or a newly promoted employee is extended from 6 months to 12 months; remove an outdated reimbursement policy while traveling because of cell phones; revise the definition of eligibility for merit bonus payments with regard to the Merit Longevity Program and Sick Leave Conversion; revise and change method of calculating the FMLA leave period; Social Networking; and employees are now required to notify their Supervisors of an absence one hour before their scheduled work time. Mr. Singer sponsored Ordinance No. 34-11, An Ordinance To Repeal Ordinance Number 26-10 In Its Entirety And To Establish The Personnel Manuals Of The City Of Centerville, and moved that it be passed. Mr. Beals seconded the motion. The motion passed unanimously with six ayes.

Mr. Adrian Rose, 104 Cushwa Drive, stated that he had been a member of this community for over 45 years. He has seen a lot of changes over the years and he is proud to live in a community where the Mayor and Council, and City Staff has such talent to run a city so well and that the City hasn't had to increase income tax rates. Mr. Rose encouraged residents to write letters to their elected officials and staff to offer words of encouragement and to thank them.

There being no further business, the meeting was adjourned.

Approved: C. Mark Rypert
Mayor

ATTEST: Debra A. James
Clerk of Council