

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, March 19, 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 Winston Baldwin and the Pledge of Allegiance to the Flag with Mayor C. Mark Kingseed presiding. Council Members and City Staff present were as follows:

Council Members Deputy Mayor Brooks Compton

John Beals

Doug Cline

Belinda Kenley

James Singer

Clerk of Council Debra James

City Manager Gregory Horn

Finance Director Steven Hinshaw

Public Works Director Rob James

City Engineer Douglas Spittler

Assistant to the City Manager Jennifer Wilder

Assistant to the City Manager Kristen Gopman

City Planner Steven Feverston

Economic Development Administrator Nathan Cahall

Community Resources Coordinator Maureen Russell Hodgson

Municipal Attorney Scott Liberman

Mr. Singer moved to excuse Dr. Gresham from the meeting. Mr. Cline seconded the motion. The motion passed with six ayes.

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

Council Meeting - February 20, 2012.

March 05, 2012.

Work Session Meetings - February 20, 2012.

March 05, 2012.

March 12, 2012.

Mr. Compton moved that the minutes of the foregoing Council Meetings, as distributed, be approved. Mrs. Kenley seconded the motion. The motion passed with six ayes.

Mayor Kingseed noted the following in the Mayor's report:

- He expressed appreciation to the members of the Heart of Centerville for sponsoring the Community A'Fair at Centerville High School on Saturday, March 17, 2012. The professional event was a business exhibition and networking opportunity.
- In order to say thanks for all the faith-based initiatives that support people in the community, the annual Faith Leaders' Breakfast is Wednesday, March 21 at Yankee Trace at 8:00 a.m.
- The Mayor asked the public to watch for an article he was asked to write for the Centerville Washington Township Times highlighting the various opportunities in the Heart of Centerville.

- Deputy Mayor Brooks Compton read a proclamation declaring March 31, 2012 to be "Theater Day" in honor of a statewide conference being held at Centerville High School.

During his City Manager's Report, Mr. Horn stated the following:

- Yankee Trace Golf Club is open and busy with the early warm weather.
- The City has summer employment openings for seasonal jobs, both full and part-time positions. Currently, the City is interviewing for an Assistant Finance Director.
- At the urging of Council, staff has put together a list of businesses in the area that recycle batteries, electronics, waste oil, and other materials for recycling and are posting that on our website. Businesses are encouraged to let us know what they are handling, and citizens are urged to make us aware of private sector recycling for things that the City cannot collect curbside.
- Two of the older houses north of Town Hall were demolished in conjunction with preparations for a new Dewey's Restaurant downtown. The third home, the Gregg house, must go through a process with the Board of Architectural Review.

Mrs. Gopman gave the statistics on Code violations and corrections for February, before presenting the Community Calendar for the remainder of March and for April. She noted the Mayor's Faith Leaders Breakfast on March 21 and a severe weather drill on March 28. She stated that City taxes are due Tuesday, April 17, 2012. She then reviewed items such as the citywide garage sale, twentieth anniversary events at Benham's Grove, Arbor Day, Arts Commission activities, Yankee Trace events, and recycling opportunities for batteries. A Goodwill computer/electronics recycling truck will be at Public Works on Saturday May 5 to accept items from residents.

#### RECORD PLAN FOR 1300 W. SOCIAL ROW RD – ALL ABOUT KIDS

In the Planning Commission Report, Mr. Feverston gave the staff report for a record plan for City-owned property at 1300 W. Social Row Road that is being divided into two lots so that the eastern portion can be sold for a daycare center. He noted roadway alignments and easements on the map. Without conditions, the Planning Commission recommended approval of the record plan at its meeting on March 13, 2012. In the Council Work Session prior to this meeting, Council raised the question of the need for the roadway easement for the main entrance to the daycare center to be widened from 35' to about 40'.

At Mr. Beals recommendation, Council asked that the easement for the main ingress/egress across from Yankee Trace Drive be able to accommodate three lanes of traffic. Forty feet is the recommended width of a configuration that would include a left turn exit lane. Mr. Beals made a motion for the approval of the record plan with the condition that the roadway easement for the main driveway be widened to accommodate three lanes of traffic (one entrance lane and two exit lanes). Mr. Compton seconded the motion. The motion passed unanimously with six ayes.

Mr. Cline noted that the South Suburban Coalition is sponsoring a Battle of the Bands at Fairmont High School on Friday May 11, 2012, in order to combat alcohol and

drug use by promoting healthy activities and choices for high school students. Peers are planning the event and donations would be welcome. Dr. David Roer is the contact for the Centerville Schools. Mr. Cline also expressed condolences to the family and employees of Jerry McCormick, the co-owner of Grismer Tire, who passed away this week.

Mr. Beals thanked the City Beautiful Commission for sponsoring a seminar with Eric Sauer on Saturday at the Public Works Center.

Mr. Compton asked for clarification of the need to separate (bag) newspapers from other recyclables. Mr. James responded that all accepted recyclables may be co-mingled.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters which the Council has discussed in Work Sessions. Approval of these issues will be as a group with one motion being made. Council Members took turns reading the Consent Agenda items into the record, before Mr. Beals sponsored the following Consent Agenda items and moved for their approval.

- A. Resolution Number 10-12, A Resolution Ratifying The Action Of The City Manager To Enter Into A Natural Gas Supply Agreement With Interstate Gas Supply, Inc. (IGS) For Municipal Accounts.
- B. Resolution Number 11-12, A Resolution In Support Of Grant Applications Being Filed By The Miami Valley Communications Council On Behalf Of Its Member Cities To The State Of Ohio Local Government Innovation Fund For Regional Cooperative Projects.
- C. Resolution 12-12, A Resolution Authorizing The City Manager To Enter Into A Cooperation Agreement With Washington Township, Ohio, In Order To Participate In The Ohio Public Works Commission (OPWC) State Capital Improvement And/Or Local Transportation Improvement Program(s) For The East Spring Valley Road Resurfacing Project.
- D. Resolution 13-12, A Resolution Authorizing The City Manager To Enter Into A Cooperation Agreement With Greene County And Sugarcreek Township, Ohio, In Order To Participate In The Ohio Public Works Commission (OPWC) State Capital Improvement And/Or Local Transportation Improvement Program(s) For The Feedwire Road Roadway Improvements Project.
- E. Resolution 14-12, A Resolution Accepting The Bid Submitted By Interstate Ford Of Miamisburg, Ohio For The Purchase Of Two Compact Sedans And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- F. Resolution 15-12, A Resolution Accepting The Bid Submitted By Barrett Paving Materials, Inc., Of Dayton, Ohio, For The 2012 Street And

Sidewalk Repair Program (Project SS-1A-12) For Asphalt Resurfacing, Sidewalk, Curb And Storm Sewer Repairs, As Well As Related Items In The City Of Centerville And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.

- G. Appointment of Mary Scott as a Member of the Arts Commission.
- H. Reappointments of James Durham as a Member of the Planning Commission for a term of four years, Sierra Kelley as a member of the Arts Commission for a term of three years, and Marilou Enslein as Chair of the City Beautiful Commission for a term of one year.

Mr. Singer seconded the motion. The motion passed unanimously with six ayes.

PUBLIC HEARING: ORDINANCE NUMBER 03-12 REGULATING  
PANHANDLING IN THE CITY OF CENTERVILLE

Mr. Horn noted that an emergency ordinance related to this ordinance was passed last month at the request of Police Chief Bruce Robertson. Increased numbers of panhandlers are moving out from neighboring jurisdictions that have passed legislation. Safety for panhandling pedestrians and for motorists on the interstate ramps prompted the need to address the issue. Mr. Liberman explained the specifics of the ordinance.

Mr. Compton sponsored Ordinance 03-12, An Ordinance Adopting New Section 648.11 Panhandling to the Centerville Municipal Code Regulating Panhandling and Prohibiting Any Aggressive Panhandling, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed with six ayes.

PUBLIC HEARING ORDINANCE NUMBER 05-12: AMENDING THE TIME AN  
ABANDONED JUNK VEHICLE MAY BE LEFT ON A PROPERTY WITHOUT THE  
PERMISSION OF THE PROPERTY OWNER

Mr. Horn explained that this ordinance is necessary to bring the Centerville Municipal Code into compliance with the Ohio Revised Code which states vehicles may be abandoned for only 48 hours. Centerville's Municipal Code currently allows 72 hours.

Mr. Compton sponsored Ordinance Number 05-12, An Ordinance Amending Section 452.05, Willfully Leaving Vehicles On Private Or Public Property, Of The Centerville Municipal Code To Amend The Amount Of Time An Abandoned Junk Vehicle Can Be Left On Private Property Without The Permission Of The Person Having The Right To The Possession Of The Property, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed with six ayes.

PUBLIC HEARING: ORDINANCE NUMBER 06-12, INCREASING AMOUNTS IN DEFINITION OF A FELONY AND AMENDING CHAPTER 642 IN ACCORDANCE WITH THE OHIO REVISED CODE

Mr. Horn explained that the Ohio Revised Code had been updated to provide an inflation factor for the definition of a felony, raising the threshold from \$500 to \$1,000. A revision of the Centerville Municipal Code is recommended.

Mr. Beals sponsored Ordinance Number 06-12, An Ordinance Amending Sections Of Chapter 642 Of The Centerville Municipal Code To Make Chapter 642 Consistent With The Ohio Revised Code, and moved for its approval. Mr. Cline seconded the motion. The motion passed with six ayes.

PUBLIC HEARING: ORDINANCE NUMBER 07-12, DECLARING PROPERTY AT 1300 WEST SOCIAL ROW ROAD TO BE SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO SELL SAID CITY PROPERTY

Mr. Horn gave the history of the city's ownership of the 10.4 acre property, its zoning, and the intended use by the prospective buyer, All About Kids. Mr. Horn noted that the daycare is a good use for the approximately 3 acre triangular parcel on the eastern end of the City's land bordering Waterbury Woods. Money received for the sale will go toward debt retirement at the Golf Club at Yankee Trace, since the land is part of the acreage originally bought for development at Yankee Trace.

Mr. Beals sponsored Ordinance Number 07-12, An Ordinance Declaring Approximately Three (3) Acres Plus Or Minus Tract Of Real Property Located At The Southeast Corner Of Yankee Street And Social Row Road In The City Of Centerville To Be Surplus Property No Longer Needed For Municipal Purposes And Authorizing The City Manager To Take All Steps Necessary To Sell Said Real Property To G. Davis CCM, LLC., and moved for its approval. Mr. Singer seconded the motion. The motion passed with six ayes.

Mrs. Kenley moved to adjourn to the Law Library to executive session concerning litigation. Mr. Compton seconded the motion. A roll call vote showed six ayes. Mayor Kingseed noted that no further business would be conducted following the executive session. The meeting will adjourn following the executive session.

At such time, after no official business was conducted in Executive Session in the Law Library, Mrs. Kenley moved that Council adjourn out of Executive Session. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Approved: Mark Kingseed  
Mayor

ATTEST: Debra A. James  
Clerk of Council