

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 21, 2012, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Ruth Hopkins with Brooks Compton presiding. The Pledge of Allegiance was led by Cub Scout Pack #148, Den 7. Council Members and City Staff present were as follows:

Council Members John Beals
 Doug Cline
 Paul Gresham
 Belinda Kenley
 James Singer

Clerk of Council Debra James
City Manager Gregory Horn
Chief of Police Bruce Robertson
Finance Director Steven Hinshaw
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
Police Officer Matthew Dunn

Dr. Gresham moved to excuse Mayor Kingseed from the meeting. Mrs. Kenley seconded the motion. The motion passed with six ayes.

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

Council Meeting - April 16, 2012.
 May 14, 2012.
Work Session Meetings - April 16, 2012.
 May 10, 2012.
 May 14, 2012.

Mr. Beals noted that his name was omitted from the roll in the minutes of the Special Work Session on Thursday, May 10, 2012, before moving for approval of the minutes. Mrs. Kenley seconded the motion. The motion to approve the minutes as amended passed with six ayes.

Mrs. James announced the resignations of Carol Farquhar Nugent and Kim Engelman from the City Beautiful Commission. Mr. Compton thanked the two for their service.

- Deputy Mayor Brooks Compton commended and congratulated Officer Matthew Dunn who on Tuesday, May 2, 2012 received the Ohio Crime Prevention Practitioner of the Year Award from the Ohio Crime Prevention Association. Mr. Compton shared a brief summary of work done within the community by Officer Dunn. Some of the programs and events he organized within the community include Mystery Night Out, CSI Camp for youth, Child Safety Seat Checks, Citizens Police Academy, Operation D.U.M.P., and DARE. Chief of Police Bruce Robertson added his congratulations.

Deputy Mayor Brooks Compton welcomed students of Ms. Ashleigh Coleman at Tower Heights Middle School who were winners of the Farmers Market Poster Contest sponsored by the Arts Commission. Betty Lou Carney of the Arts Commission and Ms. Jennifer Wilder of the City Manager's Office presented certificates of recognition and vouchers for the market to Chris Kang, Dominique Foreman, Stephen Nehrbass and Jack Salyers who were present. The complete list of winners was as follows:

Overall Poster Contest Winner
Grade 7
Chris Kang

Grade 8

Kaitlin Gossett
Dominique Foreman
Robbie Hickey

Grade 7

Sophia Yang
Stephen Nehrbass

Grade 6

Jack Salyers
Kate Vickery
Alley Marchant

The Centerville Farmers Market, 892 S. Main Street, opened for the season on May 17, 2012 at 892 S. Main Street. The market will be available every Thursday afternoon from 2:30 – 6:30 p.m. through October 25, 2012.

Jack Lohbeck of the Centerville Washington Foundation presented the Council with the foundation's annual report. He thanked the Council members for leading by example and supporting Centerville's charitable foundation in its efforts to be a community partner, to provide services to donors and non-profit organizations and to fund community efforts. After Mr. Lohbeck discussed the kinds of needs that can be met by the Centerville Washington Foundation, Mr. Compton suggested that residents look at the website for more information.

Steve Wenstrup, Americana Festival representative, thanked Council for the City's donation in support of the festival which this year will have the theme "Celebrating Old Glory." He described the various events of the Americana Festival, the second largest one-day event in the State of Ohio. Mr. Wenstrup announced the need for volunteers, and Mr. Beals noted the recycling efforts of the City of Centerville for the event.

Dr. Gresham commended the Centerville High School swim team athletes who were present and read a certificate of congratulations before head coach John Nemeth expressed his pride in the efforts of the team in winning the state championship in freestyle relay. Josh Brooks, Jake Carlsen and Sam Mitchell, members of the Centerville Elks Relay Swim Team, were given gold key rings. Brian Clark was not able to attend.

The State Champion Centerville Varsity Competition Cheerleading Squad entertained the audience by doing a cheer in the Council Chambers. Along with Amy Braswell, Councilman Cline's daughter Stephanie was one of the coaches of the team. Mr. Cline read the certificate of congratulations, stated that these cheerleaders really are athletes and commended the coaches and the team before Ms. Braswell explained the competition program for cheerleaders at Centerville High School. Deputy Mayor Compton presented key rings. The names of the 24 members of the Cheerleading Squad were as follows:

EV Hull (Captain)	Jerin Fields
Hannah Walters (Captain)	Renee Schardt
Brittany Jackson	Sena Tennon
Anna Castro	Michelle Boettler
Kaci Apt	Sarah Dominic
Karlee Dierker	Alison Kuzma
Kelly Ward	Jasmine Hamilton
Brooke Pauley	Audrey Penrod
Kelsey Daniels	Hannah Hunter
Cassidy Wolfenson	Samantha Fox
Danielle Hubbard	Sydney Ward
Lauren McAndrew	Lauren Baker

The deputy mayor congratulated new Eagle Scout Joshua Turich and presented a certificate of recognition. Joshua Turich re-landscaped the Hope Church courtyard as his Eagle project. Josh Turich thanked God, his troop, his parents and his community for help in completing his Eagle project.

Deputy Mayor Compton noted the following in the Mayor's report:

Mrs. Kenley read a proclamation designating May 20 to 26 as National Public Works Week in the City of Centerville.

Clean Sweep Week in early May went extremely well. Large items were picked up at the curb with regular trash collection.

A Memorial Day ceremony will be held at Stubbs Park at 9:00 a.m. on Monday, May 28, 2012.

Mr. Horn included the following in the City Manager's Report:

An item on the consent agenda authorizes the City to make use of a grant from the Ohio Department of Natural Resources for replacement of trees lost due to the Emerald Ash Borer. Damage is showing up at Yankee Trace.

Michael Spafford, a student at the University of Dayton, is interning at the City of Centerville this summer.

Mrs. Gopman gave the statistics on Code violations and corrections for April, before presenting the community calendar for the remainder of May and for June. She then reviewed items such as the Farmers Market, Memorial Day details, the 20th anniversary of Benham's Grove, the art exhibit at the Police Department, the Summer Concert Series sponsored by the Arts Commission, Yankee Trace events, and recycling resources.

In Standing Committee Reports, Mr. Beals noted that the City Beautiful worked closely with the Public Works Department to organize plantings around the City and has planted landscape beds in the Four Corners downtown. He commended the group for its efforts in planting and maintaining the area. Mrs. Kenley announced that Judy Kuhns of the Police Department recently received the Optimist Club's Kalamian Respect for Law Award.

Deputy Mayor Compton explained that the Consent Agenda contains routine 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. Cline sponsored the following Consent Agenda items and moved for their approval.

- A. Resolution 21-12, A Resolution Authorizing And Directing The City Manager To Enter Into A Subsidy Agreement With The Ohio Department Of Natural Resources Division Of Forestry For A 2012 Ash Removal & Canopy Restoration Grant.
- B. Resolution 22-12, A Resolution To Adopt The Solid Waste Management Plan For The Montgomery County Solid Waste Management District.
- C. Resolution 23-12, A Resolution Accepting The Bid Submitted By Stoops Freightliner Of Dayton, Ohio For The Purchase Of One 33,000 Cab And Chassis And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- D. Resolution 24-12, 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.

Dr. Gresham seconded the motion. The motion passed unanimously with six ayes.

Citizens Comments and Petitions.

Mr. Lynn Rogers, 10239 Paragon Road, discussed the rezoning of the land at Sheehan Road, Social Row Road, and Paragon Road. He voiced concern about the retail uses and the apartment complex planned for the area. He asked Council to drive down Paragon and see if the development fits.

Mr. Singer asked for clarification of *Create the Vision* in relation to the area. Deputy Mayor Compton stated that the information would be part of the Planning Department's presentation for the public hearing to be held June 18, 2012.

Mr. John Wysong, 664 Legendary Way, asked why the residents in the area are being asked to suffer with noise pollution, light pollution, and a hit on property values. He stated that the Planning Commission listened to the comments, but then, with no discussion, voted yes anyway. In response, Mr. Liberman explained the process of public hearings. When Mr. Wysong asked if the vote would be June 18, Mr. Compton stated the Council could deny, approve, or table the application at that time. Mr. Liberman stated that Council could not deliberate before the public hearing, much as a judge cannot discuss a decision on a case before the facts are presented in public. Mr. Singer expressed frustration with the process. Mr. Wysong asked if the Council would promise not to vote on June 18, otherwise the rezoning looks like a *fait accompli*. Mr. Compton stated that the rezoning request is getting and will get proper consideration according to law.

Dr. Gresham pointed out that anyone who is interested in seeing the plan should come in to City offices and meet with Mr. Feverston or other staff members. Mr. Horn reiterated the offer on behalf of staff and himself for citizens to come in over the next 30 days to meet and discuss concerns.

When Diane Wysong, 664 Legendary Way, asked if residents need to make an appointment, Mr. Horn stated that it would be best to call first to make sure that he or Mr. Feverston is available. Mrs. Wysong asked about the results of any environmental studies, such as light and noise and traffic, that have been done. She stated that she and her husband had gone to the neighborhood behind the new Kroger Marketplace and were disappointed with the barrier that is to shield the homes from the lighting at the store and the noise from the delivery trucks. She feels that impacts such as these should be taken into consideration before rezoning the property. She asked Council not to make a decision on the 18th of June without giving due consideration to everyone concerned.

Lynn Rogers, 10239 Paragon Road, stated that he had been at both Planning Commission meetings and that he and others were insulted by the Planning Commission. The Planning Commission patiently listened to the residents and then proceeded to vote for the rezoning anyway. Mr. Compton countered that the City has had a Planning Commission for an extended period of time, and that many of the individuals have been good solid members for years. They do participate and give balanced consideration to the applications that come before them, although it may not appear that way from the audience's perspective.

Scott Colwell, 876 El Kenna Court, stated he felt that the residents stated opinions at the first meeting of the Planning Commission and at the end of the day the vote went 4-3 against the rezoning. The following meeting, the vote was 5-1 for the rezoning. As a group, the residents did not understand what had changed from the first vote to the second vote. Mr. Colwell stated that he is for development but as a concerned resident, he requested careful consideration of the pros and cons. He is concerned that Council will disregard the concerns of the residents as the Planning Commission did at the meeting on May 8, 2012.

John Jung, 5825 Terrace Park Drive, stated that he lives around business development and that he has concerns about noise issues, i.e., dumpsters.

Diane Wysong, referred to the comments by (Mr. Skip Schafer) a realtor who had served on the Create the Vision Committee who had said repeatedly that the plan was for R-2 zoning on Social Row Road. Create the Vision was supposed to be a 20 year guide. The R-1c zoning was the reason residents bought and built in the area.

There being no further business, the meeting was adjourned.

Approved: _____
Deputy Mayor

ATTEST: Debra James
Clerk of Council