

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, November 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 Mr. Singer and recitation of the Pledge of Allegiance with Mayor C. Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

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

Clerk of Council Debra James  
City Manager Gregory Horn  
Finance Director Steven Hinshaw  
City Planner Steve Feverston  
Public Works Director Robert James  
City Engineer Douglas Spitler  
Assistant to the City Manager Jennifer Wilder  
Economic Development Administrator Nathan Cahall  
Municipal Attorney Scott Liberman

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

Council Meeting	October 15, 2012.
Work Session Meetings	October 15, 2012.
	October 29, 2012.
	November 5, 2012.
	November 12, 2012.

Mr. Compton moved to approve the minutes of the foregoing minutes as distributed. Mr. Beals seconded the motion. The motion passed with seven ayes. Mayor Kingseed abstained from the vote on the meeting of October 29, while Mrs. Kenley abstained from the vote on the minutes of October 29 and November 12, 2012.

Mrs. James announced the resignation of Kera Estep from the Arts Commission. Mayor Kingseed thanked Ms. Estep for her service.

Mayor Kingseed administered the oath of office to Joyce Ray-Brown as a member of the Property Review Commission.

Mayor Kingseed welcomed Andrew Chelette, Corwin Dickey, Steven Heinrichs and David Peterson, who recently completed the requirements to attain the rank of Eagle Scout in Troop 516 at Southminster Presbyterian Church. He congratulated them and presented certificates of recognition.

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

- The Veterans Day Ceremony was held at the Leonard E. Stubbs Memorial Park on Sunday, November 11, 2012, at 11:00 A.M. The mayor expressed appreciation to all who contributed and to paying respect to those that have served in the Armed Forces.
- On Sunday, November 18, The Heart of Centerville sponsored Hometown Holiday festivities in the downtown Architectural Preservation District. Merchants opened their shops from 1:00 P.M. to 5:00 P.M., and the annual Holiday Tree Lighting Ceremony followed at Benham's Grove with Santa Claus making his first appearance of the season.
- Mayor Kingseed noted that changes mandated by the State of Ohio have reduced the City's budget by several million dollars annually. The Estate Tax is eliminated as of January 2013. The Local Government Fund has been reduced by 50%. In addition House Bill 601, an Ohio Tax Uniformity Bill, would take another \$500-700,000 dollars out of the City's tax collections. The City of Centerville worked with local legislators and CPAs in support of municipal tax uniformity, but the current proposal is tax avoidance under the guise of tax uniformity. If Columbus continues to take revenues away from local governments, cities will have no choice but to cut services significantly and raise taxes. The mayor asked that residents notify their senators and representatives to voice disapproval of the trend to balance the State budget by increasing the burdens on local governments to a disproportionate degree.

In the City Manager's Report, Mr. Horn noted the following:

- He concurred with Mayor Kingseed's assessment of the proposal for tax uniformity in HB 601. The City of Centerville participated in the writing of a white paper concerning tax uniformity for much of southwest Ohio. The paper emphasized the importance of maintaining revenue as the changes would be made—of being revenue neutral. Mr. Horn stated that over 20% of the City's annual income has been taken away at the discretion of the State. A conservative, pared down budget is being finalized, and that legislation will be on the Council agenda in December and January.
- He stated that leaf collection is going well; the Public Works Department is hoping to wrap up the program in early December.
- As the result of budget constraints, holiday lighting has been cut back. The municipal building and gazebos will not be lighted this year, only the core of the Architectural Preservation District will be decorated.
- The Gallery at Yankee Trace sold out for Thanksgiving, and the course is still open for golf when the weather is favorable.

Mrs. Wilder outlined code violations and their resolutions for the month of October, 2012, as well as the community calendar for the coming month. She covered items such as the Prescription Drug Drop Box inside the Centerville Police Headquarters, the Winter Farmers Market, exhibits at the art gallery at Police Headquarters, Benham's Grove Holiday Photo Days, Yankee Trace activities, leaf collection, recycling, prescription drug cards and board & commission openings.

Mr. Cahall gave a legislative report for regulatory updates from Columbus. The Ohio Development Services Agency has launched a pilot \$2 million Ohio Vacant Facilities Fund to help create jobs in existing buildings. SB317, an Internet Sweepstakes Café Ordinance, is still in committee; the ordinance would allow regulation of these businesses. HB 601 is the tax uniformity measure and as explained earlier would create a loss of \$640,000 to the City's income tax revenue.

In Committee Reports, Mrs. Kenley noted that fabulous digital photos, many taken by youth as part of the Arts Commission's contest, are on display at the Police Department this month. Mr. Beals verified that the Ohio Vacant Facilities Fund could apply to the building that housed Showcase Cinemas. Mr. Compton explained how the 12 day rule functioned in contrast to the proposed 20 consecutive day rule in the tax code uniformity proposal. Mr. Horn and Mr. Hinshaw gave additional details.

Mayor Kingseed explained that the Consent Agenda contains administrative matters that have been discussed during Council Work Sessions. Approval of these routine issues is as a group with one motion being made. Council members took turns reading the following legislation into the record, before Mr. Beals sponsored the following consent agenda items and moved for their approval:

- A. Ordinance Number 17-12, An Ordinance To Amend Ordinance Number 23-11, Adopting All Fees, Rules And Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, be set for Public Hearing on December 17, 2012.
- B. Resolution Number 49-12, A Resolution Opposing The Passage Of HB 601 By The Ohio General Assembly Which Proposes Uniformity Measures For Municipal Income Tax In The Form Of Unfunded Mandates And A Substantial Loss Of Revenue.
- C. Resolution Number 50-12, A Resolution Authorizing The City Manager To Execute On Behalf Of The City Of Centerville An Agreement With Montgomery County To Have The City Of Centerville Be Included As A Collaborative Partner In The Application For A Local Government Innovation Fund (LGIF) Grant To Study County-Wide Storm Water Management And Authorizing The City Of Centerville To Participate By Providing Information, Ideas, And Views Throughout The Study.
- D. Resolution Number 51-12, A Resolution Authorizing Staff To Submit An Application For Federal MAP-21 (Moving Ahead For Progress In The 21<sup>st</sup> Century) Funds Through The Miami Valley Regional Planning Commission.
- E. Resolution Number 52-12, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With Tim Hobgood Of T & S Inspection Services, LLC For Building And Electrical Inspection.

- F. Resolution Number 53-12, A Resolution To Adopt An Updated Joint Emergency Operations Plan Between The City Of Centerville And Washington Township.
- G. Resolution Number 54-12, 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.
- H. Resolution Number 55-12, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With The City Of Kettering For The Confinement Of Male Prisoners In The Kettering Municipal Jail.

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

#### PUBLIC HEARING ORDINANCE NUMBER 15-12, RECODIFICATION 2012

Mr. Horn explained that this is a request for approval of the annual update of the Municipal Code to include legislation passed in the last year. No speakers came forward to make a statement when the mayor opened the public hearing.

Mr. Compton sponsored Ordinance Number 15-12, An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And Resolutions As Parts Of The Various Component Codes Of The Codified Ordinances; Providing For The Adoption And Publication Of New Matter In The Updated And Revised Codified Ordinances; And Repealing Ordinances And Resolutions In Conflict Therewith, and moved for its approval. Mr. Cline seconded the motion. The motion passed unanimously with seven ayes.

In Citizens' Comments and Petitions, Mr. Regis Lekan, 321 South Village Drive, addressed the work being done on the Voss property, formerly the E.G. Lewis property, on the north side of Loop Road. As the spokesperson for the Village South neighbors to the rear, he voiced concerns for potential lighting changes to come and the current stormwater drainage issues being created by significant infill and bare land. He asked Council and staff to be proactive.

Mayor Kingseed noted that a stop work order had been issued because the contractor had done significantly more work than was approved by the City. Mr. Horn stated that staff is working with the Voss contractor to provide erosion control and proper stormwater drainage for the winter. No resubmittal of plans has occurred at this time.

#### EMERGENCY ORDINANCE 16-11 ADOPTING FEES RULES AND REGULATIONS FOR THE GOLF CLUB AT YANKEE TRACE

Mr. Horn asked Council to approve an Emergency Ordinance 16-12 dealing with the fees, memberships, rules and regulations for the Golf Club at Yankee Trace, as well as compensation for the golf personnel. He noted that a full presentation will be made at the public hearing for the non-emergency ordinance in January. The emergency ordinance is

needed so that rates are known as people make purchases for holiday gifts. Mr. Horn stated that changes for 2013 are exceptionally minor.

Dr. Gresham asked how the age requirement that children must be six years old is enforced, since he had recently seen a very young child on the course. He pointed out safety concerns for children riding in golf carts without seat belts or helmets in areas where golf balls fly at significant speeds. Mrs. Wilder said that the rules are posted in the clubhouse. The starters and rangers are trained to ask visitors the age of the child, but when a child does not come in when the golfer pays, it is hard to catch immediately, especially during the off season when less starters and monitors are on the course. Mr. Horn and Mrs. Wilder stated that they would follow up with golf personnel.

Dr. Gresham sponsored Ordinance Number 16-12, An Emergency Ordinance To Amend Ordinance Number 23-11, Adopting All Fees, Rules And Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, and moved for its approval. Mr. Compton seconded the motion. The motion passed unanimously with seven ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kenner  
Mayor

ATTEST: Debra A. James  
Clerk of Council