

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held April 18,

20 11

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 18, 2011, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Mayor Kingseed who led the Pledge of Allegiance to the Flag and presided over the meeting.

Councilmembers and City Staff were present as follows:

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

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

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

Council Meeting - March 21, 2011.
 Work Session Meetings - March 21, 2011.
 April 4, 2011.
 April 11, 2011.

Mr. Compton moved that the minutes of the foregoing meetings, as distributed, be approved. Mr. Cline seconded the motion. The motion passed with seven ayes with Dr. Gresham abstaining from the vote on the minutes of both meetings on March 21, 2011. Mr. Cline abstained from the minutes of the work session on April 4.

Mr. Horn introduced Police Lieutenant Matt Brown who was recently promoted to fill a vacancy created by the changes that followed Chief Walker's retirement. Mr. Horn shared Lieutenant Brown's extensive qualifications and congratulated him. He has been a member of the Centerville Police Department since April 1998. Police Chief Bruce Robertson welcomed Lt. Brown to the command staff and introduced his family.

Mayor Kingseed greeted Virginia Hess and thanked her for her generous donations of artwork to the community. Mr. Beals read a certificate of recognition that was presented to her. Mrs. Hess stated that she has given her time and her handiwork because she loves the City of Centerville. Slides were shown of the bas relief work depicting the core values of the Police Department and honoring the Centerville Police Chiefs.

Mayor Kingseed called Yvonne Jacobson forward to be sworn in as a newly appointed member of the City Beautiful Commission. He thanked her for volunteering.

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Two Centerville High School students, Jay Gruner and N. Matthew Grunwald, received certificates of recognition for their efforts in attaining the rank of Eagle Scout. Jay Gruner thanked his parents and fellow scouts for their support. Matthew Grunwald thanked his parents and noted that he had learned skills that would be useful throughout his lifetime.

Mayor Kingseed asked Mrs. Belinda Kenley to read a proclamation before presenting it to Mr. William Reyer of Athletes in Action, an international Christian ministry group celebrating its fifth annual "Night of Champions." The inspirational event will be May 5 at the Athletes in Action Complex in Xenia. The evening includes nationally known sports figures who share their stories with young athletes who are being honored for their faith and public service as well as their talent.

The Mayor welcomed high school visitors from Germany and thanked the Sister City Committee for the work the members have done to facilitate this trip. In this sixth German-American exchange, fourteen students from Bad Zwischenahn and their chaperones are staying with Sister City Committee members or students in the German classes at Centerville High School. Mr. Singer read a certificate of Honorary Citizenship, before Ms. Kristina Wassmann presented one to each of the following visiting students:

Saskia Erhardt	Hanna Wilke	Ida Bunjes
Patricia Hungerland	Annika Bremermann	Marie Blaser
Leonie Fittje	Meike Mans	Lilly Tauch
Lasse Hinrichs	Janek Smalla	Ole Skripalle
Kristina Schmidt	Lena Renken	

Also present were Bernd Munderloh and Stefanie Juchert who accompanied the students. The teachers from Bad Z and Centerville work in cooperation with both Sister City and the German-American Partnership, a program started by President Dwight Eisenhower. Centerville students will visit their counterparts in Germany this summer in a similar cultural immersion.

Mayor Kingseed announced that Youth in Government Day is being organized for April 26, 2011. Youth in Government Day is job shadowing by high school students who spend the morning with elected officials and department heads learning how local government functions and participating in a mock council meeting. Mayor Kingseed asked Darren Smith from Centerville High School to talk about Youth in Government Day and invited the following students to come forward to meet their counterparts:

C. Mark Kingseed	Mayor	Andrew Kreger
Douglas Cline	Deputy Mayor	Bryan Mann
Brooks Compton	Council Member	April Jia
John Beals	Council Member	Ben Blake
James Singer	Council Member	Ross Downs
Paul Gresham	Council Member	Kieren Smith
Belinda Kenley	Council Member	Meagan Nichols
Debra James	Clerk of Council	Taylor Myszka
Gregory Horn	City Manager	Jennifer Kelleher
Jennifer Wilder	Assistant to the City Manager	Cat Meininger
Kristen Gopman	Assistant to the City Manager	Max Rinn

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Ginger Yonak	Human Resource Manager	Ashley Warsaw
Steve Hinshaw	Director of Finance	Rahul Dole
Steve Feverston	City Planner	Kelsey Burr
Doug Spitler	City Engineer	Yazan Sahawneh
Bruce Robertson	Chief of Police	Neil Borgert
Robert James	Public Works Director	Scott Sears
Terry Taylor	Golf Maintenance	Sam Bradfield
Steve Marino	Golf Pro	Mitchell Young
Steve Shaw	Director of Food Service	Mirrisa Crenshaw
Nathan Cahall	Ec. Development Administrator	Momin Baig

Mayor Kingseed thanked them for volunteering to participate.

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

The post office on Maple Street is closing on May 27; the post office on Paragon Road will then be the closest one for Centerville residents.

The Second Court of Appeals in Greene County recently rendered a negative decision on Centerville's right to use TIF financing for the development of the Dille property at Wilmington and I-675. Plans for a quality development at Wilmington Pike and I-675 are going forward.

The governor's biennial budget for the State of Ohio shows a cut of 25% in Local Government Funding for this year and the loss of an additional 25% next year. These cuts would be significant for the City of Centerville. If the budget is passed with these measures intact, the City will need to scale back some day-to-day services in order to balance the budget.

Dr. Gresham read aloud a proclamation naming April 21, 2011, as "Arbor Day" in the City of Centerville. Third graders will be helping to plant trees in the median on Rahn Road.

Before reading aloud the proclamation regarding Clean Sweep Week in Centerville, Mr. Compton thanked the Public Works Department for its efforts in keeping the City safe, clean and attractive. Residents were urged to clean their properties and take advantage of the special pickups of large items on regular refuse collection days from May 2-5, 2011.

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

He noted that Virginia Hess not only donated hundreds of hours in creating the bas relief artwork for the Police Headquarters, but she also provided considerable funding in order to have the bronze casting done.

Mr. Horn commended the Montgomery County Water Department for the smooth operation to date of the replacement of the water lines on State Route 48 south of downtown. Traffic has been maintained at this point and has been flowing well most of the day. The County plans to have the construction done by the Americana Festival in early July.

Mrs. Wilder outlined code violations and resolutions for the month of March 2011, and presented the community calendar for April and May. She noted that the John P. Kalamian Memorial Blood Drive will be held at Police Headquarters from 9 a.m. to 5 p.m. on Wednesday, April 27, 2010. Since 1998, over 3,000 units of blood have been donated from this annual event. She gave details on the citywide garage sale on April 28, 29 and 30

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and the special refuse collection the first week of May. Mrs. Wilder noted Yankee Trace golf and dining events, Arts Commission activities, Operation Clean Sweep in Centerville, the Great American Cleanup sponsored by Montgomery County and openings on the City's boards and commissions.

In standing committee reports, Dr. Gresham pointed out that prescription drug discount cards are available through the City of Centerville, the National League of Cities and CVS. Cards may be picked up at the Municipal Building or downloaded from the website. Dr. Gresham gave the basics of the program and noted that savings can average twenty-three percent for those without other insurance.

Mrs. Kenley, as Council's liaison to the library, on April 16 attended the opening of Hoot Trail at Grant Park. The trail, with funding by the library, the Yeck family and the Park District, has boards which provide a storyline geared to children aged three to eight. The Centerville Library is having its first book sale on April 30, 2011.

Mr. Cline, Council's liaison to the South Suburban Drug and Alcohol Awareness Coalition, reminded the public that prom nights are coming up, and he encouraged all parents to discuss the dangers of drinking and driving with their high school students.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters. The items are considered to be routine and are handled as a group with only one motion being made. Councilmembers took turns reading the Consent Agenda items into the record, before Mr. Beals sponsored the following Consent Agenda items and moved that they be approved:

- A. Resolution Number 12-11, 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 13-11, A Resolution Enacted By The City Of Centerville, Montgomery County, Ohio, Hereinafter Referred To As The Local Public Agency (LPA), In The Matter Of The Stated Described Project, MOT/CLA Guide Sign Replacement, PID No. 87931.
- C. Resolution Number 14-11, A Resolution Authorizing The City Manager To Enter Into An Agreement Between The City Of Centerville And The Montgomery County Engineer's Office Relating To The Yankee Trace Improvements From Social Row Road To Winding Green Way.
- D. Resolution Number 15-11, A Resolution Authorizing And Directing The City Manager To Enter Into An Exclusive Beverage Marketing Agreement With Bottling Group LLC (Pepsi Beverages Company) And Finding That Competitive Bidding Is Inappropriate.
- E. Resolution Number 16-11, A Resolution Ratifying The Action Of The City Manager, On Behalf Of The City Of Centerville, In Signing A Site Agreement To Locate The Centerville Farmers Market At 892 S. Main Street.

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- F. Reappointments for three years for Paul Heintz to the Board of Tax Appeals and Richard Morrison to the Property Review Commission.

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

PUBLIC HEARING: ORDINANCE NUMBER 05-11 TO REZONE PROPERTIES
ALONG CENTERVILLE BUSINESS PARKWAY
FROM I-PD TO O-PD

Mr. Cline moved to remove from the table Ordinance number 05-11, An Ordinance Amending Ordinance Number 14-08, Chapter 1216, The Unified Development Ordinance, To Rezone 29.83 Acres Of Land, More Or Less, Located Along Centerville Business Parkway And North of Clio Road And Being Multiple Tracts Of Land, From I-PD, Industrial-Planned Development, to O-PD, Office-Planned Development. Mr. Compton seconded the motion. The motion passed with seven ayes. At the previous meeting Council tabled the matter in order to do more fact-finding. Since that time, Council toured the area in question. Council is waiting for one additional report. When asked, Mr. Horn stated that one month should be a sufficient amount of time for the information to be received and dispersed. Mr. Singer moved to table the matter until the Council meeting on May 16, 2011. Mr. Cline seconded the motion. The motion passed with seven ayes. Mayor Kingseed asked that the individuals who spoke on this matter at the March meeting be notified that the issue would be before Council in May.

PUBLIC HEARING: ORDINANCE 07-11 TO AMEND THE UNIFIED
DEVELOPMENT ORDINANCE

Mr. Feverston, City Planner, gave the staff report explaining this annual clean-up ordinance that clarifies issues raised in the past year concerning our rules, defines regulations so that they are consistent with the original intent, and makes the Unified Development Ordinance compliant with amendments to the Ohio Revised Code. At its January 25 meeting, Planning Commission reviewed the proposed changes, held a public hearing, and unanimously recommended approval of Ordinance 07-11. Mr. Feverston enumerated the some of the more substantive changes as follows:

- In the section concerning residence family home and residence group homes, changes make the Code compliant with state regulations which allow residential family homes as a permitted use in all residential zones; residence group homes are still a conditional use. The spacing rate is reduced from half a mile to 500 feet.
- An update to the Section on Temporary Garden Centers returns to the original intent of permitting spring bedding plant sales and fall or holiday items as separate temporary operations. The change limits the amount of time a temporary business can be open to 90 days and creates a 60 day gap between uses.
- A change regulates sign materials by establishing minimum criteria similar to what is in effect in the APD. Sign materials should be opaque and of significant substance to resist deterioration. Corrugated plastic is not considered to be sturdy enough for temporary signs.

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- Beekeeping is defined as an agricultural use requiring a minimum of 5 acres. A section on this topic has been added.
- He explained other corrections, clarifications and table updates. Some of the subjects were building setbacks, minimum acreages for residential planned development and non-residential development, fence material and parking lot landscaping.

Council concurred to remove changes related to family residence and group residence homes from the Ordinance 7-11, to be considered separately at a later time. Mr. Cline moved to strike Section 9.05 (A, 5) and (A, 6). Dr. Gresham seconded the motion to strike. The motion passed with seven ayes.

Dr. Gresham asked if the section on signs applied to both temporary and permanent signs, particularly to election signs. Mr. Feverston replied that it would apply to all signs and clarified that the directives would apply to election signs. Following discussion, Dr. Gresham moved to strike Section 9.51 (D) Sign Standards, Paragraph 15 on sign materials from proposed Ordinance 07-11. Mrs. Kenley seconded the motion to delete the section on sign materials. The motion passed unanimously with seven ayes

Mr. Cline sponsored Ordinance Number 07-11, An Ordinance Amending Ordinance Number 14-08, The Unified Development Ordinance For The City Of Centerville, as modified, and moved for its approval. Mr. Compton seconded the motion. The motion passed with seven ayes.

Dr. Gresham made a motion for the Council to move to the Law Library for an Executive Session concerning Litigation and Personnel. Mr. Cline seconded the motion. The motion passed unanimously. At such time, after no official business was conducted, Dr. Gresham moved to close the Executive Session. Mr. Cline seconded the motion. The motion passed with seven ayes.

There being no further business, the meeting was adjourned.

Approved: *C. Mark Kuyper*

Mayor

ATTEST: *Debra A. James*

Clerk of Council