

RECORD OF PROCEEDINGS

Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *January 25,*20*10*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, January 25, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were 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 Spitler
Assistant City Engineer	John Sliemers
Assistant to the City Manager	Jennifer Wilder
Assistant to the City Manager	Kristen Gopman
City Planner	Steven Feverston
Economic Development Director	Nathan Cahall
Human Resources Manager	Ginger Yonak
Municipal Attorney	Scott Liberman

Mayor Kingseed thanked Joe McKenzie and Bob Daley for the time they put in televising Council meetings.

Mr. Compton moved that Council elect Mr. Cline as Deputy Mayor for a term of two years. Mrs. Kenley seconded the motion. The vote was unanimous. Deputy Mayor Cline thanked Council for the honor of being selected.

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

Council Meeting -	December 21, 2009.
Work Session Meetings -	December 21, 2009.
	January 04, 2010.

Mr. Beals moved that the minutes of the foregoing Council Meetings, as distributed, be approved. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

Mayor Kingseed thanked City Chaplain Pastor John Bradosky for his service to the City of Centerville for meetings and gatherings. He presented Pastor Bradosky with certificates from Yankee Trace as a token of appreciation.

Mayor Kingseed administered the Oath of Office to Pam Cima as a member of the Personnel Appeals Board for the City and to Jan Prettyman as a member of the City

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Beautiful Commission. He thanked them for their willingness to serve and noted the value of volunteerism for the City.

The Mayor presented checks to the groups which were the recipients of the proceeds from the Mayor's Charity Event in November. Focusing on local charities for aid in the local community, Mayor Kingseed selected three groups—Habitat for Humanity, The Castle and Hannah's Treasure Chest. The Mayor presented a check for \$4016.00 to each organization. Representatives who talked briefly about the people they aid and the services they provide were Mr. Doug Cline and Ms. Diane Graham for Habitat for Humanity, Mr. Dick Neff and Mr. Tony Staub for The Castle, and Ms. Angela Addington for Hannah's Treasure Chest. Mayor Kingseed commended the three groups for seeing a need and initiating something positive to meet the need.

Mr. Rob James, Public Works Director, gave an update on the new Public Works Facility and showed pictures depicting the construction progress. Some energy-saving features have been incorporated into the building. Moving into the new areas will begin within a few weeks. Mr. Horn noted that the Open House will not occur until parking areas are completed, possibly in May.

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

He attended the retirement party for Oakwood Mayor Judy Cook, who is leaving after eight years as mayor.

He extended best wishes to Mr. Ken Hahn of Village South who is recovering from a heart attack. Mr. Hahn has been very active with community events over the years.

The Mayor recommended approval of the following list of appointments:

COUNCIL COMMITTEES

NEIGHBORHOOD RELATIONS

Belinda H. Kenley, Chairman
Brooks A. Compton
Douglas C. Cline

ECONOMIC DEVELOPMENT

Douglas C. Cline, Chairman
Brooks A. Compton
Paul M. Gresham

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

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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

PHONE

BICYCLE COMMITTEE

Paul M. Gresham 885-3401
 John J. Beals 433-6492

BOARD OF ARCHITECTURAL REVIEW

James E. Singer 433-6922

CENTERVILLE ARTS COMMISSION

Belinda H. Kenley 434-4877

CENTERVILLE CITY SCHOOLS

C. Mark Kingseed 433-6922

**CENTERVILLE-WASHINGTON TOWNSHIP
HISTORICAL SOCIETY**

John J. Beals 433-6492

CENT. PROPERTY REVIEW COMMISSION

Brooks A. Compton 885-5730

CENTERVILLE-WASHINGTON PARK DIST.

Brooks A. Compton 885-5730

CITY BEAUTIFUL COMMISSION

John J. Beals 433-6492

CITY PLANNING COMMISSION

Douglas C. Cline 438-0257

SISTER CITY COMMITTEE

Paul M. Gresham 885-3401

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held January 25,20 10WASHINGTON-CENTERVILLE PUBLIC LIBRARY

Belinda H. Kenley 434-4877

WASHINGTON TOWNSHIP TRUSTEES

C. Mark Kingseed 885-1865

CENTERVILLE REPRESENTATIONCENTERVILLE-WASHINGTON DIVERSITY COUNCILGregory B. Horn
Jennifer S. WilderCREATE THE VISION/CENTERVILLE/WASHINGTON
TOWNSHIP COMPREHENSIVE PLAN

Douglas C. Cline (Co-Chair)

CREATE THE VISION/IMPLEMENTATION TASK FORCE

Brooks A. Compton (Co-Chair)

DAYTON AREA MANAGERS ASSOCIATIONGregory B. Horn
Jennifer S. Wilder
Kristen P. GopmanFIRST TIER SUBURBSPaul M. Gresham (Delegate)
C. Mark Kingseed (Alternate)GREENE COUNTY WATER/WASTEWATER ADVISORY COMMITTEE

James E. Singer

HITHERGREEN CENTER OF CENTERVILLE/WASHINGTON TWP.Board of Trustees
C. Mark Kingseed (Delegate)
Jennifer S. Wilder (Alternate)
Personnel Committee
Ginger YonakMIAMI VALLEY COMMUNICATIONS COUNCILJames E. Singer (Delegate)
C. Mark Kingseed (Delegate)
Gregory B. Horn (Alternate)

Government Technology Committee

Gregory B. Horn

MIAMI VALLEY REGIONAL PLANNING COMMISSIONJohn J. Beals (Delegate)
Gregory B. Horn (Alternate)

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

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Robert A. James (Delegate)
 Steven A. Feverston (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 CO. DRUG ACTION COALITION

Belinda H. Kenley

MONT. & 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 Board of Directors
 Paul M. Gresham

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

NLC Program Committee
 Belinda H. Kenley

OHIO BENEFITS COOPERATIVE

Steven A. Hinshaw
 Ginger Yonak

SATELLITE JUVENILE COURT

Gregory B. Horn
 Stephen E. Walker

SOUTH METRO REGIONAL CHAMBER OF COMMERCE

Board of Trustees
 John J. Beals (Delegate)

SYCAMORE MEDICAL CENTER

Citizens Advisory Council

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C. Mark Kingseed
Gregory B. Horn

WASHINGTON TOWNSHIP FIRE DEPARTMENT

Paul M. Gresham

WASHINGTON TOWNSHIP RECREATION BOARD

John J. Beals (Delegate)
Brooks A. Compton (Alternate)

Dr. Gresham moved to accept the Mayor's recommendations for appointments to Council Committees, Council Liaisons and Council Representations. Mr. Cline seconded the motion. The motion passed with seven ayes.

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

Funding for the local share of the Sheehan Road and SR 48 project, including money from Kroger and Black Equities, is in place, so the widening of Sheehan Road from SR 48 to Bonnie Ann Place will proceed this spring in anticipation of the construction of a new Kroger Marketplace. The local funding locks in a grant from the Ohio Public Works Commission for the project.

He commended Mr. James and Danis Building Construction Company for their leadership and management in keeping construction on schedule for the Public Works Center.

He congratulated Jennifer Wilder, Terry Taylor, Steve Shaw and Steve Marino since Yankee Trace won the People's Choice Award for Top Golf Course in the Miami Valley in a contest run by the Dayton Daily News. He thanked all the golf staff for a job well done.

Fiscally, the City finished the year with a positive balance that was about \$700,000.00 ahead of fall estimates for the period.

Mrs. Gopman outlined code violations and resolutions for the month of December, 2009, and presented the community calendar for the remainder of January and for February. The State of the City Address will be televised from the Centerville Police Department at 6:00 p.m. on Monday, February 01, 2010. Mrs. Gopman noted that Art at the Trace is scheduled from 6-9 p.m. on Saturday, February 13, 2010. She also emphasized that RV owners must register their RV's with the City before July 1.

Nathan Cahall gave the update for January on issues in the Ohio Legislature of note to the City of Centerville. It is anticipated that a statewide ballot issue will be presented for the renewal of the Third Frontier Program for investment in small and medium-sized businesses. SB218 limits the ability of jurisdictions to invoke zoning restrictions on amateur radio towers. HB 7 has passed the house; it requires that buildings constructed with State money meet energy standards (a level of LEED certification) and encourages the use of materials produced in Ohio. HB404 amends Section 321 of the Ohio Revised Code and increases the fees the county treasurer may charge local jurisdictions for the collection of real property taxes and estate taxes.

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Mr. Beals commented on several of the groups with which he is affiliated. The Miami Valley Regional Planning Commission has alerted cities of the possibility of a second round of funding for stimulus projects for this summer. Staff is submitting to MVRPC the application for several projects for possible funding. Mr. Beals noted that passenger rail service could come to the Miami Valley by 2012, if current plans come to fruition with federal support. Our Sister City Committee is interested in connecting with a city from Quebec in order to take advantage of youth exchanges involving high school French students. Mr. Beals announced that he had been selected to serve on the Energy, Environment and Natural Resources Committee's Steering Committee for the National League of Cities.

Mrs. Kenley recently was appointed to the NLC Program Committee and will be helping to plan a high quality program for the March Conference in Washington, D.C.

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. Councilmembers took turns reading the Consent Agenda items, before Mr. Cline moved that the following Consent Agenda items be approved.

- A. Ordinance 03-10, An Ordinance Enacting A Speed Limit Of 35 Miles Per Hour On Clio Road And Paragon Road Within The City Limits Of The City Of Centerville And A Speed Limit Of 45 Miles Per Hour On Social Row Road Within The City Of Centerville, be set for Public Hearing on February 15, 2010.
- B. Resolution 01-10, A Resolution Authorizing And Directing The City Manager To Enter Into An Economic Development (PIR) Grant Agreement With DES XChange, LLC, An Ohio Limited Liability Company.
- C. Resolution 02-10, A Resolution Authorizing The City Manager Or His Designee, On Behalf Of The City Of Centerville, To Submit An Application For Federal Jobs For Main Street Act of 2010 Funds Through The Miami Valley Regional Planning Commission For Roadway Improvement Projects.
- D. Resolution 03-10, A Resolution Accepting The Bid Submitted By Salem Office Products For The Purchase Of Office Furniture For The Public Works Center Of The City Of Centerville And To Ratify The Action Of The City Manager In Entering Into A Contract In Connection Therewith.
- E. Resolution 04-10, A Resolution To Provide A Non-Exclusive List Of Businesses For Towing And Vehicle Storage Within The City Of Centerville And Authorizing The City Manager To Enter Into An Agreement For Those Towing And Vehicle Storage Services.

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F. Performance Bond Reduction for The Highlands at Yankee Trace, Section 2.

Dr. Gresham seconded the motion. The Consent Agenda passed unanimously with Mr. Compton recusing himself from the vote on Item "D" of the Consent Agenda.

ORDINANCE NUMBER 12-09: APPROPRIATIONS FOR 2010

The public hearing was held regarding Ordinance Number 12-09. Mr. Horn gave the staff report on the 2010 Financial Plan for the City of Centerville. The City has prepared a conservative budget that includes no increase in taxes; the rate remains at 1.75% of earned income. Current services are to be 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 \$4.4 million in projects, at a net cost to the City of about \$2.6 million. Overall, the beginning balance in 2010 was \$19,381,994.00 with a closing balance forecast at \$15,066,633.00. Expenses are exaggerated for the coming year because over \$3 million will be paid out as the Public Works Center is completed. Mr. Horn noted efficiencies and cost reducing measures being implemented in the City. The budget includes some cuts in personnel. Mr. Horn acknowledged Steve Hinshaw, the City staff, and the Council for their fiscal responsibility and their efforts in producing the 2010 Financial Plan.

Mr. Cline asked about decrease in health care costs of 3% for the year. Dr. Hinshaw explained that the new rate was based on the costs associated with the Ohio Benefits Cooperative, our ten member consortium, over the past year.

Mr. Beals pointed out that the Staff has been fiscally responsible in seeking Ohio Public Works Commission money, ODOT administered grants and government stimulus awards to pair with local funds for capital improvement projects.

Mr. Compton reiterated the positive community economic impact that comes from the development of the Golf Club at Yankee Trace and the surrounding subdivisions. Each year the property taxes on the households in Yankee Trace generate over \$7.3 million for the schools, Montgomery County, Washington Township, Sinclair, the park district, the City and the library.

Mayor Kingseed declared his appreciation for the conservative fiscal planning by the Staff.

Dr. Gresham stated that about half a million dollars of the budget goes to Washington Township for very little specific benefit for City of Centerville residents.

Mr. Singer sponsored Ordinance Number 12-09, 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, 2010 and moved that it be passed. Dr. Gresham seconded the motion. The motion passed unanimously.

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ORDINANCE NUMBER 14-09: CLASS TITLES, PAY RANGES, GRADES, RATES OF PAY AND REGULATIONS FOR EMPLOYEES OF THE CITY OF CENTERVILLE

Human Resources Manager Ginger Yonak explained the changes recommended in the annual review of employees' pay ranges, grades, rates of pay and regulations. Staff has suggested a 2.3% wage rate increase for City Personnel. Class II and Class VI personnel have minor modifications to classification descriptions and pay ranges. Mr. Compton sponsored Ordinance Number 14-09, An Ordinance To Repeal Ordinance Numbers 2-09 And 25-08 In Their 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. Singer seconded the motion. Mrs. Kenley moved to amend Ordinance Number 14-09 to correct a scrivener's error and to change the pay range from \$18.00 per hour to \$18.50 for the position of secretary in Subsection F to Attachment "A." When this Ordinance was prepared, the pay range was inadvertently left with last year's number, even though the increase was discussed with Council. Dr. Gresham seconded the motion to amend Ordinance 14-09. The amendment passed with seven ayes. The motion to approve Ordinance 14-09, as amended, passed unanimously.

ORDINANCE NUMBER 16-09: CLASS TITLES, PAY RANGES AND COMPENSATION FOR THE EMPLOYEES AT YANKEE TRACE

Mrs. Yonak enumerated the changes recommended in the annual update for the employees at Yankee Trace. Class III, IV and V pay ranges are being modified for some full-time, part-time and seasonal positions. Mr. Cline sponsored Ordinance 34-07, An Ordinance To Repeal Ordinance Number 27-08 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. Mr. Compton seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 18-09: THE PERSONNEL MANUALS OF THE CITY OF CENTERVILLE

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 in the areas of policy language, policy guidance, policy scope and employment law. Revisions are in the areas of safety, sick leave, use of vehicles, tools, supplies, uniforms and equipment, alcohol misuse and drug abuse in the workplace and the personnel appeals board. Council is asked to broaden the scope of the comprehensive electronic communications policy to include inappropriate uses of electronic communication devices and social networking sites. The removal of some outdated policies is also recommended. Mrs. Kenley sponsored Ordinance Number 18-09, An Ordinance To Repeal Ordinance Number 29-08 In Its Entirety And To Establish The Personnel Manuals Of The

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City Of Centerville, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

EMERGENCY ORDINANCE NUMBER 02-10: SPEED LIMITS FOR CLYO ROAD, PARAGON ROAD AND SOCIAL ROW ROAD

Because of a technicality about the length of the street within the municipality, the statutory speed limit for the new section of Clio Road in Greene County is 25 miles per hour. Mr. Spitler explained the need to adjust the speed limit from the statutory limit in order to establish a consistent speed limit on the entire street within our jurisdiction. Other sections of Clio Road are posted at 35 miles per hour. Council has the authority to set the prima-facie limit higher than the statutory rate and staff recommends that it do so in this case.

In researching the regulations for the Clio Road speed limit, it became apparent that the same technicality applies to Paragon Road and Social Row Road. In order to comply with state law, Council is asked to set the appropriate speed limits for both these streets within the City of Centerville. A public hearing will be held next month when Ordinance 3-10 is before Council. Mr. Beals sponsored Emergency Ordinance 02-10, An Ordinance Enacting A Speed Limit Of 35 Miles Per Hour on Clio Road and Paragon Road Within The City Limits Of The City Of Centerville And a Speed Limit Of 45 Miles Per Hour On Social Row Road Within The City Of Centerville. Mr. Cline seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kenopel

Mayor

ATTEST: Debra James

Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *February 22*20 *10*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, February 22, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor Fritz Wiese and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Council Members and City Staff present were as follows:

Deputy Mayor	Douglas Cline
Council Members	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 Spitler
Assistant to the City Manager	Jennifer Wilder
City Planner	Steven Feverston
Economic Development Director	Nathan Cahall
Municipal Attorney	Scott Liberman

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

Council Meeting -	January 25, 2010.
Work Session Meetings -	January 25, 2010
	February 1, 2010.
	February 8, 2010.

Mr. Beals moved that the minutes of the foregoing Council Meetings, as distributed, be approved. Mr. Compton seconded the motion. The motion passed by unanimous vote.

Mrs. James announced the receipt of a letter from Nora Gessner with her resignation from the Centerville Arts Commission. Mayor Kingseed accepted her resignation and thanked her for her service to the City of Centerville.

Mrs. Kenley made a motion to reschedule the meeting of March 15 to March 22 since three of the council members will be in Washington, D.C. for the National League of Cities Conference on the third Monday. Dr. Gresham seconded the motion. The motion passed by a unanimous vote.

Mayor Kingseed introduced State Representative Terry Blair who gave a briefing on the happenings in Columbus. He stressed the difference between solving problems at the local level and the state level where possible legislation moves very slowly even though there are serious problems. Representative Blair is on five committees; he explained his interests and asked for input for the bills with which he is working before fielding questions.

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Paul Helfrich, President and Director of the Dayton Philharmonic Orchestra, gave an overview of the workings and outreach of the non-profit group. In the past year DPO activities included seventy-nine concerts for over 110,000 people with ten free performances and educational programs touching about 70,000 students in thirteen Ohio counties. The Dayton Philharmonic Orchestra employs around a 100 people and benefits the community as a cultural attraction. Cuts and pay freezes have helped the Philharmonic meet its budget, but a sustainability campaign is under way to raise additional funds for the long term.

Mayor Kingseed welcomed Eagle Scout Adam Bishop, extended congratulations and read a Certificate of Recognition noting his accomplishments as a Boy Scout of America. In his comments, Adam Bishop compared the Order of the Arrow to the National Honor Society for scouting.

Mayor Kingseed read a proclamation declaring March to be Red Cross Month in the City of Centerville. Mr. Tom Fodor, CEO of the Dayton Area Chapter of the American Red Cross, thanked the residents of the area for their support of relief efforts and encouraged people to volunteer with his organization. More information on volunteer opportunities is available on the website at www.dac.redcross.org.

Mr. Doug Cline discussed the green initiatives of the Centerville Environmental Committee and introduced the other members—Mr. Beals, Mrs. Kenley, Mr. James and Mrs. Gopman. They have been working to find ways to reduce the use of energy and increase recycling within the City of Centerville. Recycling not only helps the environment but saves the City money, because the refuse service is more cost effective when residents recycle more materials. The goals of the Environmental Committee are education and accessibility for residents. For example, the City of Centerville has hosted hazardous waste disposal days in cooperation with Montgomery County and Washington Township where residents could drop off such things as paint, motor oil, and electronics. Mr. Cline invited residents with expertise or a passion in environmental issues to contact the committee.

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

The Mayor's Business Breakfast is Wednesday, February 24, at Yankee Trace at 7:30 a.m. It is an opportunity to network and to hear about issues that are coming up in the City that will have an impact on business over the next year.

Having recently taken a position on the board for the Hithergreen Center, he encouraged everyone eligible to check out the facility and its resources.

He expressed concern for Mr. John Dorko who has suffered a stroke. Mr. Dorko is a long-time member of the Property Review Commission.

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

He thanked the Public Works Department for the excellent effort put forth over the past two months clearing the roads after the numerous snowstorms. Recently the Public Works Department has had the additional task of moving into the new building.

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He thanked the residents and businesses that have taken the initiative to keep the sidewalks clear for pedestrians, especially those in the areas around our schools.

He reviewed the history of gas aggregation within the community and updated the public on the decision of the members of the Miami Valley Communications Council not to continue gas aggregation for the South Dayton communities after the current contract with Interstate Gas Supply expires at the end of March, since savings with the new bid would not be significant. Residents will be notified by letter and automatically be switched back to Vectren Energy Delivery.

Nathan Cahall gave the statistics on Code violations and corrections. He went over the Community Calendar for the remainder of February and for March. He noted a City Beautiful seminar at Benham's Grove on March 6 and outlined current activities at Yankee Trace. He listed recycling information and gave notice of changes to the rules regarding the storage of RV's effective July 15. There will be no grandfathering with regard to these changes. He referred the public to the City's website for more information.

In the February legislative update Mr. Cahall announced a growing consensus concerning a bill related to the renewal of the Third Frontier program, the State of Ohio's primary vehicle for business investment in targeted areas. Also, a new annexation reform bill is expected to be introduced into the State Senate; it incorporates the Ohio Township Association's chief legislative goals. The bill is designed to slow annexations by limiting the ability of property owners to choose to which jurisdiction they wish to belong. It also modifies JEDD regulations that require cooperation between jurisdictions. Townships will have incentives to buy land for no reason other than to block annexation. This bill, coming from Mr. Blair's State and Local Government Committee, could make annexation considerably more difficult for cities like Centerville and increase costs for taxpayers if townships are encouraged to buy properties to block annexations.

Mrs. Kenley thanked the Arts Commission for making Art at the Trace such a fine event. With attendance of 180 people, the evening showed off the work of 24 artists. Art at the Trace is growing into a cultural tradition within the community. Mayor Kingseed and Dr. Gresham echoed Mrs. Kenley's praises of the event and the committee.

Dr. Gresham urged residents to make use of the free prescription drug cards available through CVS and the National League of Cities. Discounts are available for drugs not covered by other insurance or Medicare. Coverage includes discounts on prescriptions for pets. Cards may be downloaded from the website of the City of Centerville or picked up at City Hall. Dr. Gresham is working to have the cards available at more locations.

Mr. Compton reported on progress related to setting up a committee to evaluate the City's long term relationship with Washington Township. In the State of the City Address, the Mayor asked for a committee to study the issue and make a recommendation whether it is in the best interests of the residents of the City of Centerville to remain under the auspices of both the City and Washington Township governmental authority.

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Mr. Compton asked for input from citizens and for volunteers to serve on the committee. Citizens interested in serving on the committee should contact Mr. Compton, Mrs. Kenley or Mr. Beals. Mrs. James will have applications at the Clerk's Office. Mayor Kingseed has asked for a recommendation around the end of the year.

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, before Dr. Gresham moved that the following Consent Agenda items be approved.

- A. Ordinance 04-10, An Ordinance Amending Ordinance 14-08, The Unified Development Ordinance For The City Of Centerville Ohio, be set for Public Hearing on April 19, 2010.
- B. Resolution 05-10, A Resolution Accepting The Bids Submitted By O'Heil Irrigation Company DBA Buckeye Lawn & Landscaping And Brickman Group For The Maintenance During 2010-2011 Of Certain Specified Properties Throughout The Community And To Authorize The City Manager To Enter Into Contracts In Connection Therewith.
- C. Resolution 06-10, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With National Inspection Corporation (NIC) For Plan Examination.
- D. Resolution 07-10, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Enter Into An Agreement With William Bergman For Plan Examination.
- E. Resolution 08-10, A Resolution Accepting The Bid Submitted By T.R. Gear Landscaping For The Landscape Management Of Benham's Grove And Authorizing The City Manager To Enter Into An Agreement In Connection Therewith.
- F. Reappointment:
Norman Plair as a Member of the Personnel Appeals Board.
- G. Appointment:
Karen Beal as a Member of the City Beautiful Commission.

Mr. Cline seconded the motion.

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ORDINANCE NUMBER 03-10: SPEED LIMITS ON CLYO ROAD, PARAGON ROAD AND SOCIAL ROW ROAD

Mr. Spitler gave the staff report on this matter. Because of a technicality about the length of the street within the municipality, the statutory speed limit for the new section of Clyo Road within Greene County is 25 miles per hour. Mr. Spitler explained the need to adjust the speed limit from the statutory limit in order to establish a consistent speed limit on the street in Greene County. Nearby sections of Clyo Road are posted at 35 miles per hour. Council has the authority to set the prima-facie limit higher than the statutory rate and staff recommends that it do so in this case. Staff asks that Council set the speed limit at 35 miles per hour.

In researching the regulations for the Clyo Road speed limit, it became apparent to staff members in the Engineering Department that the same technicality applies to Paragon Road and Social Row Road. In order to comply with state law, Council is asked to set the appropriate speed limits for both these streets within the City of Centerville. Mr. Beals sponsored Ordinance 03-10, An Ordinance Enacting A Speed Limit Of 35 Miles Per Hour on Clyo Road and Paragon Road Within The City Limits Of The City Of Centerville And a Speed Limit Of 45 Miles Per Hour On Social Row Road Within The City Of Centerville. Dr. Gresham seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: *Charles Knepper*
Mayor

ATTEST: *Debra James*
Clerk of Council

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Ezio Vitale, Post Commander of the Centerville VFW post, announced the local Voice of Democracy winner, Erin Murphy from Centerville High School and presented a check. Miss Murphy explained the process for the contest and quoted the part of her essay defining a hero. Another VFW member, Mr. Karl Palzer, announced that, as a WWII veteran, he is making a trip to the Holocaust Museum in Washington, D.C. for its anniversary celebration.

Mayor Kingseed welcomed Steve Sprauer, a representative of those with voice disorders. The Mayor read a proclamation declaring April 16 to be World Voice Day in Centerville as a way to educate the public on voice disorders and to encourage citizens to support those who have vocal problems.

Mayor Kingseed administered the Oath of Office to Karen Beal as a member of the City Beautiful Commission.

Mr. Martin Kim, Director of Regional Planning with the Miami Valley Regional Planning Commission, presented the findings from *Going Places*, Phase 1 of a three phase process meant to guide development of the region toward 2040. The three phases are assessment of existing conditions from 1970 to the present, exploration of future options, and implementation of planning decisions. Included in the study are Greene, Montgomery, and Miami Counties, plus the Cities of Carlisle, Springboro, and Franklin in Warren County. Because of the need for local support, Mr. Kim asked for an endorsement of MVRPC's *Going Places* at the next Council meeting. Mayor Kingseed stressed the need for a balance between guidelines for development and the freedom for entrepreneurs to build businesses. Mr. Compton noted that *Create the Vision* addressed making Centerville and Washington Township attractive so businesses and people stay instead of leaving and creating vacancies. In addition, the Unified Development Ordinance is meant to foster infill and guide responsible development. The Mayor stated that the Council would discuss the endorsement at upcoming work sessions.

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

The annual Faith Leaders' Breakfast is scheduled at Yankee Trace on Wednesday, March 24. It is an initiative to bring leaders together from churches, schools and faith-based non-profits to share ideas of how to meet the needs of people in the community.

Council recently attended a presentation by the Hithergreen Center on the wide variety of activities for different age groups in the community.

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

He echoed the Mayor's good wishes and concern for Deputy Mayor Cline.

The Centerville Police Department is working to renew its national accreditation with CALEA (Commission on Accreditation of Law Enforcement Agencies). A team of assessors will be in Centerville in April. To give input to the assessors, the public may call 432-6568 between 9 a.m. and 12 p.m., April 26. Also, a public session will be held at the Police Department Training that evening.

The Ohio Department of Transportation has agreed to install cable rail barriers along the I-675/Wilmington Pike corridor to reduce the number of accidents and fatalities from

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vehicles crossing the median into oncoming traffic. He thanked Deputy Director Rex Dickey of ODOT District Seven for his involvement in the approval process.

He asked residents to respond to the Census packets being received in the mail.

The seven cities of MVCC have joined the Cities of Dayton, Beavercreek, Fairborn and Riverside in applying to be a regional community selected by Google for an ultra-high speed fiber optic network. Tonight there is a resolution of support on the Consent Agenda for Council's endorsement.

Mr. Cahall gave the statistics on Code violations and corrections, before presenting the Community Calendar for the remainder of March and for April. He noted the end of natural gas aggregation and reviewed Yankee Trace events, Operation Clean Sweep, garage sale information and Severe Weather Awareness Week. Taxes are due April 15, 2010. He reminded residents of changes effective July 15 to the rules regarding the storage of RV's and boats effective July 15.

Mr. Beals noted the success of the City Beautiful Seminar at Benham's Grove on March 6, 2010.

Mrs. Kenley reminded the public that Friday, March 26, is Centerville Night at the Dayton Gems hockey game at Hara Arena.

Mr. Compton stated that the deadline for submitting applications for the committee to study the relationship between the Centerville and Washington Township governments is being extended to April 6.

Mrs. Kenley thanked the City and the citizens for supporting the attendance of three Council members at the National League of Cities Conference in Washington, D.C. She is on the Community and Economic Steering Committee that emphasizes jobs and regional initiatives.

Mr. Beals attended the NLC general sessions and workshops concerning sustaining the environment and energy efficiency. His is a member of the Energy, Environment and Natural Resources Steering Committee.

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, before Mr. Singer moved that the following Consent Agenda items be approved.

- A. Ordinance 06-10, An Ordinance Amending Section 452.05 Of The Centerville Municipal Code Regarding Willfully Leaving Vehicles On Private Or Public Property, be set for Public Hearing on April 19, 2010.
- B. Resolution 09-10, A Resolution To Establish A Community Reinvestment Area Housing Council For The City Of Centerville.
- C. Resolution 10-10, A Resolution Authorizing The City Manager Or His Designee, On Behalf Of The City Of Centerville, To Submit Applications For New Freedom Grant Funding From The Federal Transit Administration To

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The Miami Valley Regional Planning Commission For Public Infrastructure Improvements Benefiting Americans With Disabilities.

- D. Resolution 11-10, A Resolution Accepting The Bid Submitted By Barrett Paving Materials, Inc., Of Dayton, Ohio, For The 2010 Street Program (Project SS-1A-10) For Concrete And Asphalt Repair And Asphalt Resurfacing In The City Of Centerville And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- E. Resolution 12-10, A Resolution Declaring Specific Equipment And Vehicles 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 As Stated Herein.
- F. Resolution 13-10, A Resolution Of Support For The Google Fiber For Communities Initiative And Authorizing The City Manager To Join With Other Communities In Our Region In A Joint Response To The Google Request For Information.
- G. Resolution 14-10, A Resolution Accepting The Bids Submitted By Advanced Turf Solutions, John Deere Landscapes, Helena Chemical Company, Green Velvet Sod Farms, The Hill Company and Century Equipment For Chemicals For The Golf Club At Yankee Trace And Authorizing The City Manager To Enter Into Contracts In Connection Therewith.
- H. Resolution 15-10, A Resolution Accepting The Bids Submitted by Turfgrass Inc, Greenskeeper Turf, Advanced Turf Solutions, John Deere Landscapes, Helena Chemical Company, Green Velvet Sod Farms, And The Hill Company For Fertilizer For The Golf Club At Yankee Trace And Authorizing the City Manager To Enter Into Contracts In Connection Therewith.
- I. Yankee Trace Contract Improvement Bond Reduction From \$50,000.00 to \$25,000.00.
- J. Appointment of James Dell As A Member Of The City Beautiful Commission.
- K. Reappointments of Heidi Miller As Chair To The Board Of Architectural Review, Dan Carfagno As Chair To The Property Review Commission and John Dorko As A Member Of The Property Review Commission.

Mr. Compton seconded the motion. The motion passed unanimously with five ayes.

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**ORDINANCE NUMBER 05-10: VACATION OF A PORTION OF AN EASEMENT,
6240 BRENTSHIRE COURT, RED COACH SOUTH**

Mr. Feverston gave the background on the construction of a single car garage that encroaches on a portion of a utility easement. The garage is located on Lot Number 524 of Red Coach South, Section Four, and is owned by Mr. Max Reeder, 6240 Brentshire Court. The request to vacate a portion of the easement is made by Judge Engineering Company, the surveyors. Mr. Feverston showed a map locating the suggested changes to the easement. The gas and electric utility companies with an interest in the easement have granted certificates of waiver stating their willingness to forego use of the area in question. Mr. Feverston stated that the City does not need the easement for drainage purposes. Staff has no objection to vacating this portion of the easement and recommends passage of the ordinance.

Mr. Ken Fehr, 1121 Fernshire Drive, is an adjoining neighbor for whom the 1½ story garage is visible from his patio above a privacy fence. Mr. Fehr objected to the vacation of the easement because of the height of the structure and its proximity to his patio. Mr. Fehr noted that staff is recommending that the UDO be changed to allow only shorter heights for accessory structures. Mr. Max Reeder, owner of 6240 Brentshire Court, stated that he had the written support of the vast majority of the immediate neighbors. He had worked with City Staff and followed the requirements for permits and changes as the construction proceeded. The problem was that the easement was missed when plans were finalized. Mr. Fehr stated that the zoning certificate is for a single story garage only. He feels that the oversized single car garage is not architecturally compatible with Mr. Reeder's home or the area and that the structure negatively impacts the value of his (Mr. Fehr's) property.

Further discussion included additional comments by Mr. Max Reeder, Mr. Fehr, and by Mr. Kevin Sandstrom, the builder. Mr. Horn suggested that some compromise for screening be worked out between the parties. Mayor Kingseed asked for a two week delay in the vote on the vacation of a portion of the easement for 6240 Brentshire Court, pending the outcome of discussions between the homeowners and the builder for screening options. Mr. Compton moved to table for two weeks Ordinance Number 05-10, An Ordinance To Vacate A Portion Of A Platted Utility Easement Located On Lot Number 524 Of Red Coach South, Section 4 And Addressed As 6240 Brentshire Court. Mr. Beals seconded the motion. The motion passed with 5 ayes.

There being no further business, the meeting was adjourned.

Approved: *C. Mark Kingseed*
Mayor

ATTEST: *Debra James*
Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 5

20 10

The Council of the City of Centerville, County of Montgomery, State of Ohio, convened for a Special Meeting on Monday, April 5, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation given by Mr. Jim Singer and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

Councilmembers Brooks Compton
Paul Gresham
Belinda Kenley
James Singer

Clerk of Council Debra James
City Manager Gregory Horn
City Planner Steven Feverston
Public Works Director Robert James
Assistant to the City Manager Jennifer Wilder
Economic Development Administrator Nathan Cahall

Dr. Gresham moved to excuse Mr. Cline and Mr. Beals from the meeting. Mr. Singer seconded the motion. The motion passed with 5 ayes.

ORDINANCE NUMBER 05-10: AN ORDINANCE TO VACATE A PORTION OF AN EASEMENT LOCATED AT 6240 BRENTSHIRE COURT

Mr. Horn explained that a verbal compromise had been reached between the owners and the neighbors involved in this action, Mr. and Mrs. Max Reeder and Mr. and Mrs. Ken Fehr. Mr. and Mrs. Fehr, rear neighbors on Fernshire Drive, had objected to the height of the structure that encroaches on a portion of the utility easement at 6240 Brentshire Drive, not the vacation of the utility easement per se. The matter was tabled at the last regularly scheduled Council Meeting in order to give the parties additional time to work out a compromise. The Reeders have agreed to lower the height of the building. There is an understanding that the City staff will not release the documents pertaining to vacating the easement until such time as the building has been lowered thirty-four inches.

The public hearing pertaining to the vacation of the easement was held during the previous Council meeting, but the Mayor invited the parties to make statements. In his remarks, Mr. Fehr requested an estimate for further reducing the height of the building to twelve feet—a shorter height than the fifteen-foot structure to which he had agreed. Mr. Reeder thanked the Council and staff for their help and noted that none of the problems were intentional. He had tried to do things properly by paying for a survey by Judge Engineering and obtaining valid permits.

Mr. Compton moved to remove Ordinance 05-10 from the table and bring it to the floor for consideration. Mrs. Kenley seconded the motion. The motion passed with 5 ayes. Mr. Horn asked for a clarification that the amount the building will be lowered is thirty-four inches. Mrs. Reeder noted that the Fehrs are not making any financial contribution to the changes to the structure.

Mr. Compton moved for approval of Ordinance 05-10, An Ordinance To Vacate A Portion Of A Platted Utility Easement Located On Lot Number 524 Of Red Coach South,

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Section 4 And Addressed As 6240 Brentshire Court subject to the stipulation that the City Planner will not stamp the easement vacation as "No Plat Required" until the revised building and zoning permits are issued and the building construction is complete and ready for issuance of an Occupancy Permit. Further, no additional fees will be charged to the Applicant. Mrs. Kenley seconded the motion. The motion passed with 5 ayes.

In new business, Dr. Gresham moved for the appointment of Marilou Enslein as Chair of the City Beautiful Commission for a term of one year. Mrs. Kenley seconded the motion. The motion passed with 5 ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kenley
Mayor

ATTEST: Debra James
Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held *April 19*20 *10*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 19, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilmember James Singer and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding.

Roll Call showed Councilmembers were present as follows:

Councilmembers John Beals
 Brooks Compton
 Paul Gresham
 Belinda Kenley
 James Singer

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

Mr. Singer moved to excuse Deputy-Mayor Cline. Dr. Gresham seconded the motion. The motion passed with six ayes.

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

Council Meeting -	March 22, 2010. April 5, 2010.
Work Session Meetings -	March 22, 2010. April 5, 2010. April 12, 2010.

Mr. Compton moved that the minutes of the foregoing Council Meetings, as distributed, be approved. Mr. Singer seconded the motion. The motion passed with six ayes before Mr. Beals asked to be excused from the vote on the minutes of the meetings on April 5, and Dr. Gresham asked to be excused from the vote on the minutes of both meetings on March 22.

Mrs. James announced that the Clerk's Office had received notice of the resignation of Mark Leonard from the Planning Commission. The Mayor thanked Mr. Leonard for his service to the community.

Mayor Kingseed announced the need for a motion to select a presider for the meetings on May 17, 2010, since Mayor Kingseed will be out of town and it is possible Deputy Mayor Cline will still be on leave of absence. Mr. Beals made a motion to appoint Brooks Compton as temporary chairman for the meetings on May 17, 2010. Mrs. Kenley seconded the motion. The motion passed with six ayes.

Carolyn Rice, Montgomery County Treasurer since 2007, gave a report on the activities of her office. She reminded citizens that anyone who turns sixty-five this year is

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eligible to apply for a Homestead Reduction that saves homeowners about \$500 annually on property taxes. She also discussed statistics for delinquencies in Centerville and Montgomery County, payment plans to avoid penalties, United Way's Health Link 2-1-1, and Ohio's Land Bank legislation. Almost 10 percent of Montgomery County properties have been in foreclosure in the last five years. Mayor Kingseed invited Ms. Rice to come to a work session to give more details concerning the Land Bank.

Mayor Kingseed welcomed Mr. James Gross, Health Commissioner for the Montgomery County Health Department. Mr. Gross explained the need for and the framework of *GetUp Montgomery County*, a program designed to foster healthy lifestyles and reduce the obesity of Montgomery County citizens to improve longevity and reduce health care costs. Obesity rates have increased at an alarming pace over the last 25 years, and six of the seven leading causes of death are related to lifestyle, especially obesity. The 5-2-1-Almost None slogan exemplifies the recommendation for five servings of fruits and vegetables, no more than 2 hours of screen time, one hour of activity and almost no sugary drinks each day. Council is in agreement to cooperate with the Health Department in this effort. More information is available at the website GetUpMC.org.

Mayor Kingseed administered the oath of office to Mr. James Dell as a member of the City Beautiful Commission and thanked him for volunteering.

Mayor Kingseed recognized Breanna McGowan, a student at Centerville High School, for her public service to children at an orphanage in Ghana and for winning a Prudential Spirit of Community Award. He presented a Certificate of Congratulations.

Ms. Jesse Lightle, Washington Township Administrator, and Fire Chief Bill Gaul were present to receive accolades and a check for \$200 from Adrian Rose, 104 Cushwa Drive. Mr. Rose has been transported by the Emergency Medical Services of the Washington Township Fire Department several times and wanted to show his appreciation.

Eduardo Aznar, an exchange student from Brazil through Rotary International, received a certificate declaring him an honorary citizen of the City of Centerville. Mr. Beals explained that the Rotary International of Southwest Ohio has sent 5 or 6 students abroad this school year and is hosting a like number. Eduardo Aznar is staying with Mr. and Mrs. David Buck in Centerville.

Representatives from the Championship Centerville Wrestling Team received certificates of recognition for individual performances in Division 1 State Finals at the Schottenstein Center in Columbus on March 6. Coach Allen Bair introduced the young men who were team leaders as Centerville placed seventh in the State of Ohio. Receiving commendations were Nick Miller, Kyle Rose, Brian Mathews and Cole Menker. Nick Miller is our first State Champion in twenty-five years and only the fourth in school history.

Youth in Government Day is being organized for April 27, 2010; Youth in Government Day is job shadowing by high school students spending the morning with elected officials and department heads. Mayor Kingseed asked Darren Smith from

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Centerville High School to talk about Youth in Government Day. He invited the participating students to come forward to meet their counterparts as follows:

C. Mark Kingseed	Mayor	Lindsey Jeffers
Douglas Cline	Council Member	Megan Kirby
Brooks Compton	Council Member	Robin Gimm
John Beals	Council Member	Zachary Karabatak
James Singer	Council Member	Brad Boll
Paul Gresham	Council Member	Ben Blake
Belinda Kenley	Council Member	Ansh Kare
Debra James	Clerk of Council	Brian Ha
Gregory Horn	City Manager	Samantha Turner
Jennifer Wilder	Assistant to the City Manager	Mack Crawford
Kristen Gopman	Assistant to the City Manager	Jessica Corns
Ginger Yonak	Human Resource Manager	Lisa Renslow
Steve Hinshaw	Director of Finance	We'am Hussain
Steve Feverston	City Planner	Casey Waterhouse
Doug Spitler	City Engineer	Amy Howell
Steve Walker	Chief of Police	Ross Downs
Robert James	Public Works Director	Nick Ruschmann
Terry Taylor	Golf Superintendent	Scott Sears
Steve Marino	Golf Pro	Austin Sipe
Steve Shaw	Director of Food Service/ Chef	Tracey Sortman
Nathan Cahall	Economic Development Administrator	Rachel Richart

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

Centerville Business Today is an advertising tool the City offers to local businesses.

The Mayor has televised visits onsite to highlight specific businesses.

He noted that Mr. Joseph Koussa, who for many years visited various local civic meetings, tragically was killed in an auto/pedestrian accident in Kettering earlier today. He offered his condolences to his family.

On Saturday, Spring Valley Academy was rededicated following a fire that occurred about a year and a half ago.

Mr. Compton to read aloud a proclamation related to Arbor Day. The tree planting event will be celebrated at 10:00 a.m. along State Route 48 near Tuxworth Drive on Wednesday, April 21, 2010.

Mr. Beals read aloud the proclamation regarding Clean Sweep Week in Centerville. Residents are urged to clean their properties and take advantage of the special pickups on regular refuse collection days from May 3-6, 2010.

Dr. Gresham read the proclamation declaring April to be Occupational Therapy Month in the City of Centerville.

Mrs. Kenley proclaimed May 9-15, 2010, to be Food Allergy Awareness Week.

Jennifer Wilder noted the following in the City Manager's Report:

She thanked the community for its overwhelming cooperation with the 2010 Census. Over 81% of residents have returned the form.

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The public is invited for an Open House at the new Public Works Center on Sunday afternoon, June 13. More details will follow.

To renew accreditation, assessors from CALEA will be at the Centerville Police Department on Monday, April 26, 2010. A public information and input session will be held at 5:30 p.m.

She thanked the Public Works Department for its efforts in attaining Tree City USA status from the Arbor Day Foundation for the City of Centerville for twenty-four consecutive years.

Dr. Hinshaw and Ms. Yonak attended the Ohio Benefits Cooperative Meeting this past week. Ten area entities form a pool for negotiation of medical, life and dental insurance. Since significant increases are forecast for the coming year, plan design changes are being considered.

Mrs. Gopman outlined code violations and resolutions for the month of March 2010, and she presented the community calendar for April and May. Information on May's bulk pickups and a list of excluded items may be found on the City's website. Mrs. Gopman encouraged recycling and noted that Montgomery County has information on its website concerning its recycling center. She noted that changes to the rules concerning the storage of RV's take effect in July, before listing the openings on the City's boards and commissions. More information may be found on the City's website.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters. The items are considered to be routine and will be handled as a group with only one motion being made.

After the Councilmembers took turns reading the Consent Agenda items into the record, Mr. Cahall answered a question concerning the CDBG funding before Mr. Compton sponsored the following Consent Agenda items and moved that they be approved:

- A. An Ordinance Expressing The City's Intent To Negotiate Jointly With Other Cities In The Region On One Price Schedule Under Which Electric Light Services Shall Be Furnished To The Residents Of The City For The Purpose Of Street Lighting. (Set for Public Hearing - May 17, 2010) *8-10*
- B. Policy Memorandum for the Care and Maintenance of Drainage Ways.
- C. A Resolution Authorizing The City Manager To Execute The Community Development Block Grant (CDBG) Delegation Of Activities Agreement With Montgomery County. *2-16-10*
- D. A Resolution Accepting The Bid Submitted By World Wide Equipment Of Ohio For The Purchase Of An Automated Side Loader Refuse Packer And Authorizing The City Manager To Enter Into A Contract In Connection Therewith. *2-17-10*
- E. 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. *4-18-10*

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- F. Appoint James Gallagher to the Community Reinvestment Area Housing Council.
- G. Appoint Phil McLaughlin as a member of the Sister City Committee for a term of three years.
- H. Reappoint Mark Taylor as Chair of the Arts Commission for a term of one year.

Dr. Gresham seconded the motion. The Consent Agenda passed with six ayes.

PUBLIC HEARING ORDINANCE NUMBER 4-10: AMENDING THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF CENTERVILLE

Mr. Feverston explained the need for the various clean-up amendments; changes are mainly related to pagination, duplication, omissions and formatting corrections within the Unified Development Ordinance, which are the rules regulating the development process within the City of Centerville. Included also are needed additions that have been found in using the document—an index and various minor clarifications. Mr. Feverston stated that at its meeting on January 26, 2010, the Planning Commission recommended the adoption of the amendments for this relatively new document. Mr. Compton noted that the changes make the UDO a stronger document. He sponsored Ordinance Number 4-10, An Ordinance Amending The Unified Development Ordinance For The City Of Centerville and moved for its approval. Mr. Singer seconded the motion. The motion passed with six ayes.

ORDINANCE NUMBER 6-10: ABANDONED VEHICLES

The Public Hearing was held for Ordinance Number 6-10. Mr. Liberman gave the staff report. Stating that Ordinance Number 6-10 is an amendment to the Traffic Code, Mr. Liberman explained that the old wording of the Section limits the time for parking on public right of way to 48 hours, but the time may be extended with notification of the Police Chief. There are no further parameters related to these exceptions. The Centerville Police Department has asked for clarification. Mr. Liberman has recommended elimination of the appeal to the Chief of Police and the continuation of the 48 hour limit. Dr. Gresham sponsored Ordinance Number 6-10, An Ordinance Amending Section 452.05 Of The Centerville Municipal Code Regarding Willfully Leaving Vehicles On Private Or Public Property, and moved that it be passed. Mr. Beals seconded the motion. The motion passed with six ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Keup

Mayor

ATTEST: Debra James

Clerk of Council

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held May 17 2010

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, May 17, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. Mr. Compton, who was presiding in the absence of Mayor Kingseed, welcomed Mr. Cline back to the Council after medical leave. Mr. Cline thanked everyone for patience and the support of cards, telephone calls, prayers and meals. The Meeting proceeded with an invocation given by Pastor John Bradosky and with the Pledge of Allegiance to the Flag.

Councilmembers and City Staff present were as follows:

- Deputy-Mayor Doug Cline
- Councilmembers John Beals
- Brooks Compton
- Paul Gresham
- Belinda Kenley
- Assistant Clerk of Council Julia Weaver
- City Manager Gregory Horn
- Finance Director Steven Hinshaw
- Public Works Director Rob James
- City Engineer Douglas Spitler
- Assistant to the City Manager Jennifer Wilder
- Assistant to the City Manager Kristen Gopman
- City Planner Steve Feverston
- Economic Development Administrator Nathan Cahall
- Municipal Attorney Scott Liberman

Dr. Gresham moved to excuse Mayor Kingseed and Mr. Singer from the Council Meeting. Mr. Beals seconded the motion. The motion passed with five ayes.

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

- Council Meeting April 19, 2010.
- Work Session Meetings April 19, 2010.
- May 03, 2010.
- May 10, 2010.

Mrs. Kenley moved that the minutes of the foregoing meetings, as distributed, be approved. Dr. Gresham seconded the motion. The motion passed with five ayes. Doug Cline abstained from the vote on the minutes of April 19 and May 10; Dr. Gresham abstained from the minutes of May 10; Mr. Compton abstained from the minutes of the meeting on May 3, 2010.

Councilmember Compton invited Mary Higgins forward to be honored for her long-term service to the City. Mrs. Higgins has been volunteering for more than twenty-four years in a variety of capacities—especially with activities at Benham’s Grove and City Beautiful Commission projects. Mr. Compton read the certificate of recognition and presented it to her. Mr. Feverston used a PowerPoint presentation to show some photos of Mary Higgins’ work with the City of Centerville. Council thanked her for her efforts.

Mr. Compton welcomed Jim, Nancy and Emily Weir representing Step Forward, a fundraiser for research, education and awareness of tuberous sclerosis, a disease causing

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tumors in multiple body systems. Mr. Beals read a proclamation declaring May 22, 2010, to be Tuberos Sclerosis Complex Awareness Day in the City of Centerville. Mr. Weir invited everyone to participate in a Walkathon fundraiser on that date at Centerville High School. Mr. Weir noted that research for tuberous sclerosis is linked to research for a whole variety of diseases since tuberous sclerosis affects so many systems of the body. Mr. Compton presented the proclamation to the Weir family.

Mr. Compton administered the oath of office to Phillip McLaughlin as a member of the Sister City Committee and thanked him for volunteering.

Betty Lou Carney, Arts Commission Member and coordinator of the Farmers Market poster contest, explained the background related to the contest before Mrs. Wilder stated that the market runs downtown each Thursday from May 27 until October 28 at the Cross Point Vineyard Church parking lot on Maple Ave. She introduced Ms. Ashley Coleman, the art teacher from Tower Heights Middle School who used the contest as a project for her students and connected the art contest with what the students were learning about healthy eating choices. Mr. Compton read a certificate of recognition for Ms. Coleman before she introduced the winners from each grade level who were present as follows:

- Overall winner: Melanie King, and 1st place, seventh grade
- 1st place, eighth grade, Drew Marcum
- 2nd place, seventh grade, Noah Hickey
- 1st place, sixth grade, Sarah Abrams
- 3rd place, sixth grade, Maggie Miller

Each student received Farmers Market gift cards and a certificate of recognition.

In the Mayor's Report, Mr. Compton asked Mrs. Kenley to read a proclamation declaring May 16-22 to be National Public Works Week in the City of Centerville. Mr. James noted that National Public Works Week is an annual celebration of the pervasiveness of the work of the department. The efforts of these employees are "above, below and all around" the citizens. He stated that Centerville is fortunate to have competent and dedicated Public Works' employees.

Mr. Compton announced that the free Summer Concert series is finalized and, starting June 13, will run each Sunday at 7 p.m. at Stubbs Park with some additional concerts also scheduled.

The City recently celebrated Arbor Day by planting a tree for Arbor Day. Centerville has been a Tree City for twenty-four consecutive years.

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

The dedication of the new Public Works Center on June 13 from 1-4 p.m. is indirectly related to Public Works Week. A short dedication ceremony will be at 3:00 p.m. Planned activities include displays of large equipment, demonstrations and refreshments. Everyone is encouraged to attend.

Tom Imwalle, a thirty year employee of the Public Works Department, recently retired; Grace Averitt, who has been a receptionist at the Municipal Building for over twenty years, will be retiring at the end of May.

The Kroger project on S. Main Street is progressing, and an announcement should be forthcoming soon.

Street reconstruction is ongoing in Black Oak South.

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

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

Held *May 17*20 *10*

Mrs. Gopman outlined code violations and their resolutions for the month of April 2010, as well as the community calendar for May and June. She noted changes in RV regulations that go into effect July 15, 2010. All owners must register their RV's with the City. Registration may be done online on the City's website. There will be no grandfathering when the new regulations begin.

During the Standing Committee Reports, Mrs. Kenley thanked the Arts Commission for its work to set up the summer concert series and noted that Mark Taylor had been reappointed as Chairman.

Mr. Cline shared that the Bicycle Rodeo at the Police Department had been a successful and educational event. He thanked the staff and volunteers who participated.

Dr. Gresham commended the young people involved in Youth in Government Day. He encouraged everyone who had not seen the broadcast of the meeting to watch a replay because the students were so impressive.

Mrs. Kenley referred to the DARE graduation at John Hole School and commended School Resource Officer Rob Markham. Mr. Cline noted that Ronnie Bowling, the former DARE officer, had recently suffered a heart attack and wished him a speedy recovery.

Mr. Beals brought up the Furry Scurry event at Miami Valley South Hospital that was sponsored by the Humane Society of Greater Dayton on May 8, 2010.

Mr. Compton explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Council Work Sessions. Approval of these issues will be as a group with one motion being made. Councilmembers read aloud the titles of the Consent Agenda items before Mr. Beals sponsored the following legislation and moved that it be passed:

- A. Ordinance 7-10, An Ordinance Amending Ordinance 14-08, The Unified Development Ordinance For The City Of Centerville, Ohio, Amending Table 9.1, Permitted Land Uses In The Base Zoning Districts, To Allow A Funeral Home As A Conditional Use In The Office Planned Development And Industrial Planned Development Zoning Districts And Modify The Noticing Requirements For Vacation of Street, Alley Or Easements, be set for Public Hearing On June 21, 2010.
- B. Ordinance 9-10, An Ordinance Amending Ordinance Number 14-08, Chapter 1216, The Unified Development Ordinance, To Rezone 7.599 Acres Of Land, More Or Less, Located at 6661 Clio Road And 6690 Centerville Business Parkway, From I-PD, Industrial Planned Development, to O-PD, Office-Planned Development Zone Classification, be set for Public Hearing on June 21, 2010.
- C. Ordinance 10-10, An Ordinance Adopting An Amendment To The City Of Centerville's Public Records Policy To Limit The Number Of Records Transmitted By U.S. Mail, be set for Public Hearing on June 21, 2010.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 19148

Held May 17

20 10

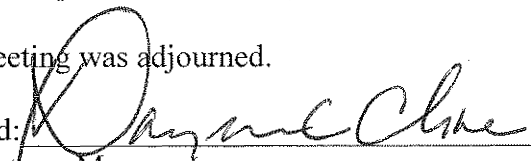
- D. Ordinance 11-10, An Ordinance Amending Ordinance No. 18-09, Establishing The Personnel Manuals For The City Of Centerville, To Add Section 4.21 Leave Donation Policy To The City Of Centerville Personnel Manual, be set for Public Hearing on June 21, 2010.
- E. Resolution 19-10, A Resolution Authorizing The City Manager To Enter Into An Independent Contractor Agreement With Michael J. Malone As Market Manager For The On-Site Management Of Centerville's Farmers Market.
- F. Resolution 20-10, A Resolution Recognizing The Efforts Of The Miami Valley Regional Planning Commission, Its Staff And Members, For Completing The Condition Assessment Phase Of Going Places – An Integrated Land Use Vision For The Miami Valley Region.
- G. The Kroger Company Major Use Special Approval/Variances Location: Northwest Corner Of South Main Street (S.R. 48) And Sheehan Road, Modifications of MUSA/Variances to Grant An Extension to December 31, 2010.
- H. The Highlands at Yankee Trace, Section 2 Performance Bond Reduction from \$81,214.00 to \$68,964.00.
- I. Reappointment of Paul Clark as Chairman to the Planning Commission for a term of one year.

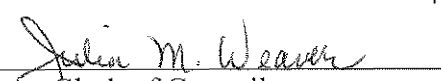
Dr. Gresham seconded the motion. The motion passed with five ayes.

PUBLIC HEARING FOR ORDINANCE NUMBER 08-10: AUTHORIZING JOINT NEGOTIATION WITH OTHER CITIES FOR ELECTRIC STREET LIGHTING SERVICES

Mr. Horn explained that the City of Centerville is able to join other cities in the area through MVCC to negotiate favorable rates for the energy requirements and maintenance of street lights. It is hoped that the joint effort will result in better rates. No one came forward to comment during the Public Hearing. Mr. Cline sponsored Ordinance Number 08-10, An Ordinance Expressing The City's Intent To Negotiate Jointly With Other Cities In The Region On One Price Schedule Under Which Electric Light Services Shall Be Furnished To The Residents Of The City For The Purpose Of Street Lighting, and moved that it be passed. Dr. Gresham seconded the motion. The ordinance passed with five ayes.

There being no further business, the meeting was adjourned.

Approved: 
Deputy Mayor

ATTEST: 
Clerk of Council

RECORD OF PROCEEDINGS

Minutes of

COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

June 21

20 10

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, June 21, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky with Mayor C. Mark Kingseed presiding. The Pledge of Allegiance was led by Cub Scout Pack #616, Den 3. 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

City Planner Steven Feverston

Public Works Director Robert James

City Engineer Douglas Spitler

Assistant City Engineer John Sliemers

Assistant to the City Manager Jennifer Wilder

Economic Development Director Nathan Cahall

Community Resources Coordinator Maureen Russell-Hodgson

Municipal Attorney Scott Liberman

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

Council Meeting	May 17, 2010.
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Work Session Meetings	May 17, 2010.
	June 07, 2010.
	June 14, 2010.

Mr. Compton moved that the minutes of the foregoing meetings be approved as distributed. Mr. Cline seconded the motion. The motion passed with seven ayes. Mr. Singer abstained from the vote on the minutes of May 17 and June 14 as he was absent from those meetings. Mayor Kingseed abstained from the vote on the minutes of May 17.

Mayor Kingseed invited Debbie Wright, owner of local McDonalds Restaurants, to speak about the 14th Annual Ray Wright Classic which raises funds for Ronald McDonald House Charities. This year's events are scheduled for July 14, 2010, at The Golf Club at Yankee Trace with the golf shotgun start at noon and fundraising festivities continuing into the evening. Over the years the Wrights have raised about a million dollars for the local Ronald McDonald House that helps families of seriously ill children have a place to stay near area hospitals. Mr. Beals read a Certificate of Recognition that was presented to Mrs. Wright.

Mayor Kingseed greeted Jacob Bradosky, the top Boston Marathon finisher from the State of Ohio for the second consecutive year; a certificate of recognition was read. Mr. Bradosky is training in hopes of qualifying for the 2012 U.S. Olympic Team.

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 2120 10

Karen Beal and Kim Engleman of the City Beautiful Commission announced that Burke Orthodontics, 55 North Main Street, was the winner of the June Business Pride Award. They presented a plaque and gift certificate to Dr. Stephen Burke.

Mayor Kingseed recognized Robin Gimm, Valedictorian of the Centerville High School Class of 2010, and Samantha King, Salutatorian. He gave each of them a certificate of congratulations from the City of Centerville.

Mayor Kingseed congratulated the Centerville High School Destination Imagination Team. Centerville High School won the Destination Imagination Global Competition in Knoxville, Tennessee, in May. Mayor Kingseed congratulated them for bringing this honor to the community, before Coaches Ken and Barb Proehl introduced the team members as follows: Erica Abrams, Greg Feingold, Chloe Gessner, Anam Hussain, Alexis Spencer, Lyndi Vinson, and Kris Williams. The members of the team received engraved key chains.

Mayor Kingseed welcomed a group of citizens who have each been volunteering for the City of Centerville for more than 25 years. He awarded certificates of recognition to the following:

Karl Pauzar – 42 Years of Service - Police Department, CIVIC

John Spoor – 35 Years of Service - Sister City Committee

Bob Perkins – 32 Years of Service - Property Review Commission

Sue Pirie – 30 Years of Service - Historical Society, Bicentennial

Commission, Friends of Benham's Grove

Jim Wasson, 30 Years of Service - Centerville Financial Committee, Property Review Commission

Maxine Levinson, 29 Years of Service - CIVIC

Marty Hohl, 26 Years of Service - CIVIC

Alice Nace, 26 Years of Service - CIVIC

Sandy Baver, 25 Years of Service - Sister City Committee

Dan Carfagno, 25 Years of Service - Property Review Commission

John Dorko, 25 Years of Service - Property Review Commission

Jack Lohbeck, 25 Years of Service - Property Review Commission

Barry McClain, 25 Years of Service - Property Review Commission

The Mayor thanked the volunteers for making the community a better place.

In May, the youth group of the Centerville Community Church volunteered for service projects for "Love Your City Day." Mrs. Kenley read a certificate of recognition for the group which Mayor Kingseed gave to Jon Biggs, Pastor of Student Ministries, and Scott Hanna, a student representative.

Mr. Cahall introduced Melissa Tilley, the branch manager of the Day-Air Credit Union, who shared information concerning the Centerville Home Enhancement Loan Program (C-HELP), a new homeowner assistance program the City is launching in the next few weeks. Day-Air will be lowering its interest rate by ½ % while the City contributes 2% for certain home equity loans. Ms. Tilley went over the guidelines for qualifying for one of these loans that are aimed at improving properties and maintaining the value of the City's

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 2120 10

housing stock. Mr. Cahall stated that this program is a collaborative partnership between the County/ City CBDG Office and Day-Air Credit Union. Those interested should contact Day-Air Credit Union. A new link will be on the City's website about the second week of July.

In the Mayor's Report, Mr. Kingseed noted the following:

During the summer, *Third Fridays After Hours* advertise Heart of Centerville businesses by combining community fun, music, sales and shopping. The Mayor encouraged everyone to support the local merchants.

Centerville Business Today is featuring a weekly onsite interview at a local business. The program airs on cable network Channel 5. The goal is to acquaint local citizens with local businesses. To schedule a taping with the Mayor, those interested should contact Maureen Russell-Hodgson at 433-7151.

He noted that June 26 is the sixtieth anniversary of the start of the Korean War.

He introduced JoAnne Rau as DP&L's ambassador to the City of Centerville.

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

He noted the excellence and generosity of Ray and Debbie Wright in helping various causes within the community.

He thanked everyone involved in the Open House for the Public Works Center.

He thanked Council and City of Centerville employees for supporting the Clemens Cancer Rally at Miami Valley Hospital South to raise money for free cancer screenings for those without insurance.

Mr. Cahall outlined code violations and resolutions for the month of May, 2010, as well as the community calendar for the coming weeks. Americana events are scheduled for July 4 and 5. New regulations concerning the storage of recreational vehicles, boats, and trailers take effect on July 15 with no grandfathering.

Mr. Cahall gave the legislative update. HB7 that sets energy efficiency standards for buildings constructed with public money has passed the House. HB521 would create a small business working capital loan program. HB541 would enact a new section of Title VII to allow municipal corporations and public entities to enter into agreements to perform a wide variety of services for each other. SB110 deals with changing sewage treatment specifications; an eleventh hour amendment to this bill would prohibit municipalities from requiring annexation of the area in order for the landowner to receive water treatment services. SB254 would set up a Water Access to every Residence Task Force that would be empowered to study how to provide clean drinking water for all residents to the state; it incorporates many of the same items as SB110 that are not in the best interests of municipalities. SB248 amplifies the community reinvestment statute to lengthen the term from fifteen to thirty years of property tax abatement for large commercial construction.

In Standing Committee Reports, Mr. Compton stated that interviews are being conducted for the committee to study independence from Washington Township. He will have an additional report in July. Mr. Beals reported that the Centerville Washington

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Minutes of COUNCIL

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 21

20 10

Township Historical Society is planning a trip to Marysville for the Chautauqua there in the middle of July. The contact for those interested is Vicki Bondi.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters. Approval of these issues will be as a group with one motion being made. Items may be removed from the Consent Agenda by request of any Councilmember. Councilmembers took turns reading the items on the Consent Agenda before Mr. Compton sponsored the following items and moved for their approval:

- A. Ordinance 12-10, An Ordinance Amending Chapter 880 Business Regulation And Taxation Code Of The Centerville Municipal Code, be set for Public Hearing July 19, 2010.
- B. Resolution 21-10, A Resolution Accepting The Bid Submitted By Double Jay Construction, Inc. Of Englewood, Ohio For Black Oak South Improvements-Phase 3B, SS-1B, For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- C. Resolution 22-10, A Resolution Accepting The Bid Submitted By Mark Finchum Excavating, LLC Of South Charleston, Ohio For The City Of Centerville's Sidewalk Repair Program – 2010 (SS-1C) And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- D. Resolution 23-10, 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 SR 725 21.88, PID No. 87386, For SR 725 Bridge Rehabilitation.
- E. Appointment of Robert Corbin to the Community Reinvestment Area Housing Council.
- F. Appointments as Follows:
Richard Hoback to the Board of Architectural Review.
Bill Etson to the Planning Commission.
- G. Reappointments as Follows:
Sandra Baver to the Sister City Committee.
Frank Masterson to the Personnel Appeals Board.

Dr. Gresham seconded the motion. The motion passed with seven ayes.

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Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held *June 21*20 *10*

ORDINANCE NUMBER 7-10: UDO AMENDMENT PERMITTING FUNERAL HOMES AS A CONDITIONAL USE IN O-PD AND B-PD DISTRICTS

Mr. Feverston explained that the amendment requested is the result of the interest of Mr. and Mrs. Reis in redoing the vacant Sears property at 6661 Clyo Road as a funeral home. In reviewing the issue the Planning Commission felt that allowing the funeral home as a conditional use was appropriate as a transition for the residential area across Clyo Road and because of the office development that has occurred in the area. Ordinance 7-10 also amends noticing requirements for the vacation of streets, alleys and easements to match the publishing requirements in the Ohio Revised Code. Planning Commission reviewed the ordinance at its April 27 meeting and recommended Council's approval.

Mary Beth Thompson, 6127 Cedar Cove Drive, noted the increasing volume of traffic on Clyo Road. She expressed concern about the curve of the road, the changing number of lanes (turn lanes), the type of lighted signage permitted, the speed of traffic, the hours of operation and the back up of traffic on Clyo Road. Mr. Feverston gave basic information about lighted signs and stated that the public hearing before the Planning Commission for the conditional use approval is June 22 at 7:30 p.m.; such issues will be discussed at that time. He invited Ms. Thompson to attend the Planning Commission Meeting.

Mr. Compton sponsored Ordinance Number 7-10, An Ordinance Amending Ordinance 14-08, The Unified Development Ordinance For The City Of Centerville Ohio, Amending Table 9.1, Permitted Land Uses In The Base Zoning Districts, To Allow A Funeral Home As A Conditional Use In The Office Planned Development And Industrial Planned Development Zoning Districts And Modify The Noticing Requirements For Vacation Of Street, Alley Or Easements, and moved for its approval. Mr. Cline seconded the motion. The motions passed with seven ayes.

ORDINANCE NUMBER 9-10: REZONE 6661 CLYO ROAD AND 6690 CENTERVILLE BUSINESS PARKWAY TO O-PD

Mr. Feverston stated that both Planning Commission and City Council had discussed this City initiated rezoning in a work session. Planning Commission is in favor of rezoning the property to give the widest possible range of uses without giving way to the heaviest uses of the I-PD district because of the proximity to housing across Clyo Road and to the offices nearby. Planning Commission reviewed this ordinance at its April 27 meeting and unanimously recommended its passage by Council. In response to a question from Mayor Kingseed, Mr. Feverston stated that the ordinance would limit industrial uses in the areas bordering the major thoroughfares that have developed mainly as office parks, but maintain flexibility. Mr. Singer asked about Parkway Professional Suites not being rezoned. Because there are multiple owners in these business condominiums, the rezoning of these buildings would be harder to accomplish. Dr. Gresham sponsored Ordinance Number 9-10, An Ordinance Amending Ordinance Number 14-08, Chapter 1216, The Unified Development Ordinance, To Rezone 7.599 Acres of Land, More Or Less, Located at 6661 Clyo Road and 6690 Centerville Business Parkway, From I-PD, Industrial Planned Development, to O-PD,

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *June 21**2010*

Office Planned Development Zone Classification, and moved that it be approved. Mr. Singer seconded the motion. The motion passed with seven ayes.

ORDINANCE NUMBER 10-10: LIMIT NUMBER OF PUBLIC RECORDS TO BE SENT BY MAIL

Mr. Liberman gave the staff report concerning this update of the City's Public Records Policy of 2007. All public entities had to adopt a public records protocol at that time. Part of the law dealt with multiple requests, mainly from those using public records for commercial purposes. Following the adoption of initial policies, many cities and other governmental agencies found that these commercial requests have been a burden. The proposed ordinance is intended to slow the expense of sending multiple mailings by limiting the number to a particular person or business to ten per month. Records are still available for review in person or to be sent electronically.

Mary Beth Thompson, 6127 Cedar Cove Drive, asked if personal information is redacted from records that are sent out. Mr. Liberman answered that the Ohio Revised Code allows deletion of certain information, such as social security numbers. Dr. Gresham verified that records can be emailed, before Mr. Singer stated that the law initially was blind to the purpose of the request and announced his concern about discriminating against commercial purposes.

Mr. Cline sponsored Ordinance 10-10, An Ordinance Adopting An Amendment To The City Of Centerville's Public Records Policy to Limit The Number Of Records Transmitted By U.S. Mail, and moved for its approval. Mrs. Kenley seconded the motion. The motion passed with six ayes. Mr. Singer voted against the measure.

ORDINANCE NUMBER 11-10: EDIT PERSONNEL MANUALS TO ADD LEAVE DONATION POLICY

Dr. Hinshaw noted that the Employee Relations Committee asked for clarification of the leave donation policy. After review of the policies of several other entities, the recommendation is that the City Manager should have the discretion to deal with leave donation on a case by case basis to meet employee needs as well as the city's interests. Mayor Kingseed pointed out that the policy had been discussed at a work session. Dr. Gresham sponsored Ordinance Number 11-10, An Ordinance Amending Ordinance No. 18-09, Establishing The Personnel Manuals For The City Of Centerville, To Add Section 4.21 Leave Donation Policy To The City Of Centerville Personnel Manual, and moved for approval. Mrs. Kenley seconded the motion. The motion passed with seven ayes.

There being no further business, the meeting was adjourned.

Approved: *C. Mark Kenney*
Mayor

ATTEST: *Debra A. James*
Clerk of Council

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *July 19*20 *10*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, July 19, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor Fritz Wiese followed by the Pledge of Allegiance with Deputy Mayor Douglas Cline presiding. Pastor Wiese announced that he is moving to Peachtree City, Georgia. Deputy Mayor Cline expressed the appreciation for the work that Pastor Wiese has done during his fourteen years in Centerville.

Councilmembers and City Staff were present as follows:

Councilmembers	John Beals
	Brooks Compton
	Paul Gresham
	Belinda Kenley
	James Singer
Assistant Clerk of Council	Julia Weaver
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
Tax Superintendent	Sue Noe
City Planner	Steven Feverston
Public Works Director	Robert James
City Engineer	Douglas Spitler
Assistant to the City Manager	Jennifer Wilder
Economic Development Director	Nathan Cahall
Municipal Attorney	Scott Liberman

Dr. Gresham moved to excuse Mayor Kingseed from the meeting as he is out of town. Mr. Singer seconded the motion. The motion passed with six ayes.

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

Council Meeting	June 21, 2010.
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Work Session Meetings	June 21, 2010.
	July 12, 2010.

Mr. Compton moved that the minutes of the foregoing meetings be approved as distributed. Dr. Gresham seconded the motion. The motion passed with six ayes.

Mrs. Weaver announced the resignation from the City Beautiful Commission of Julie Krabill who has moved out of state. Mrs. Weaver also noted the filing of an appeal of the decision of the Planning Commission denying a variance for an additional ground sign for the Kroger Marketplace.

Deputy Mayor Cline administered the Oath of Office to Dr. Richard Hoback as a member of the Board of Architectural Review.

Deputy Mayor Cline greeted Girls Scouts who have earned the Bronze Award and presented certificates of recognition to them. Troop Leader Lori Embry noted the work

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *July 19*20 *10*

done by the following Girl Scouts to earn the award: Abby Almanrode, Anita Ambalavanan, Emily Bennett, Gabrielle Burkett, Nadalie Devara-Russell, Jacqueline Fox, Deborah Liberman, Margeaux Lim, Sami Loechelt, Alyssa Schafer, Alyssa Embry, Kelsee Etmans and Kristin Stein.

Deputy Mayor Cline called forward the members of the Centerville High School 2010 Science Olympiad Team. This group won the 2010 Science Olympiad National Championship for the second consecutive year. Deputy Mayor Cline presented a plaque and distributed key chains to the team members and coaches who were present as follows:

Team—Audrey Hall, Sunny Xu, Jeff Behm, Emily Briskin, Seth Cazzell, Megan Kramer, Habeeb Mantra, Rebecca Wang, Aaron Zhao, Matthew Brockman, Andrew Diamond, Carole Falugi, Jordan Kinde, Olivia Rogers, and Sam Tilmann; Coaches—Bonnie Buddendeck, Doug Glass, Dick Lee and Alberta Guise.

Karen Beal of the City Beautiful Commission announced that the July Business Pride Award winners were David Ellinger, D.D.S, at 107 East Franklin Street and Gibson & O'Keefe Co., LPA, at 6239 Wilmington Pike. She presented plaques and certificates to Dr. and Mrs. David Ellinger as well as Mr. Stephen O'Keefe and Ms. Sharon York.

Mr. Feverston announced the winners of the residential awards for June and July and showed pictures of their homes.

June

Allan & Karen Kennedy
1925 Home Path Court

Peter & Elisabeth Petrusch
449 Blackstone Drive

Frank & Stacy Rose
6908 Chardonnay Drive

Ron & Vicki Kuhn
300 Shawnee Trail

Gary & Patty Ware
5009 Alpine Rose Court

Wallace & Carol Nugent
850 Vintage Lake Court

Gary & Nancy Croley
705 Spring Ridge Place

July

Charlene & Rick Schock
6486 Hollowview Trail

Amy & Greg Foley
440 Cedarleaf Drive

Doris & Tom Cassley
220 Glenburn Drive

Jan & Ted Frederick
430 Island Lake Court

Gloria & Jim McNamara
2131 Pelwood Drive

Leslie & Ron Newcomb
1123 Waters Edge Drive

Dorothy & Howard Hensley
148 E. Franklin Street

RECORD OF PROCEEDINGS

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *July 19**20 10*

In the Mayor's Report, Deputy Mayor Cline noted the following:

He congratulated everyone involved with the Americana Festival for making it such a successful community event. He especially commended Public Works and the Centerville Police Department for keeping the festivities clean and safe.

He noted that three items on the agenda had relevance for expanding or opening businesses in Centerville.

He sent greetings to long time volunteer videographer for MVCC, John Moraites, wishing him a speedy recovery.

He congratulated Mr. Horn's family on the marriage of son, Zachary.

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

The Bigger Road Stimulus Project is nearing completion.

The summer paving program is underway and will continue for the next several weeks. The stimulus money has enabled the City to stretch budgeted paving dollars into some residential areas. The current phase of the Black Oak Improvement rehabilitation of curbs, gutters, etc. is also progressing.

The Dille litigation continues with the annexation finalized, but with the dispute over Tax Increment Financing proceeding. The City will appeal to the Second District Court, since TIF funding is an important tool for development of the area.

The City is on sound fiscal condition. Income is stable or rising slightly and departments have been very conservative so expenditures are running below the past few years.

Stubbs Park is a wonderful venue for the excellent lineup of performances for the summer concert series sponsored by the Arts Commission. The schedule is on the City's website.

Mr. Cahall, Economic Development Coordinator, outlined code violations and their resolutions for the month of June, 2010, and presented the community calendar for the coming weeks. He covered items such as the concert series, the activities at Yankee Trace in celebration of its fifteenth anniversary, the end of grandfathering for the storage of RV's and the availability of discount drug cards from NLC.

Mr. James, Public Works Director, reviewed the manpower and the activities of Public Works and the Centerville Police Department for the Americana concert, parade, festival and fireworks. He particularly noted the increase in recycling at the festival.

PUBLIC HEARING: CONDITIONAL USE APPROVAL REIS FUNERAL HOME, 6661 CLYO ROAD

In the report of the Planning Commission, Mr. Feverston presented a Conditional Use Application by Edward Reis for 6661 Clyo Road. Edward and Darinda Reis wish to renovate the property for use as a funeral home. Zoning on the property was recently changed to O-PD. At its meeting on June 22, 2010, Planning Commission unanimously recommended that Council approve this Conditional Use request subject to five conditions.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 1920 10

Mr. Larry Rezash, 1141 Smugglers Way in Cedar Cove Condominiums, stated that he had no problem with the neighboring property becoming a funeral home. As a local resident, he welcomed the occupancy of the vacant building.

Mrs. Darinda Reis, 1733 Brown Street, Dayton, one of the owners of Meyer, Boehmer, and Reis Funeral Home, stated her excitement about expanding the family business into Centerville. The move will bring 16 to 18 full and part-time jobs.

Mr. Compton thanked Mrs. Reis for renovating a building that has been vacant for about five years, before he moved for the approval of the conditional use application for 6661 Clyo Road subject to the following five conditions as recommended by the Planning Commission:

1. Prior to issuance of a Zoning Certificate, a final landscape plan shall be subject to approval by the City Planner in accordance with Article 9.25 of the UDO. This plan shall specifically address bringing the eastern side yard into compliance with the UDO. Landscaping shall include a minimum of 10 canopy trees, 20 understory trees, and 30 shrubs within this side yard.
2. Prior to issuance of a Zoning Certificate, a landscape bond or other construction guarantee shall be required in an amount acceptable to the City Planner for all required landscaping.
3. All vegetation within 3 feet of all existing fire hydrants shall be cleared.
4. No signs shall be approved as a part of this application.
5. Prior to issuance of a Zoning Certificate, an exterior lighting plan shall be submitted subject to approval by the City Planner.

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

CONDITIONAL USE HEARING: DRIVE-THRU WINDOW DUNKIN DONUTS AT BP FUELING CENTER 6201 WILMINGTON PIKE

Mr. Compton recused himself and left the Council Chambers before Mr. Feverston began the overview of the application for a conditional use by the BP Fueling Center at 6201 Wilmington Pike to add a drive-thru window on the southern face of the building for Dunkin Donuts; the western façade will have a cooler added. Traffic will be one way around the rear of the structure for the drive-thru, the car wash and a general drive lane. Signage was not part of this hearing. The zoning is B-2, General Business. On June 22, 2010, Planning Commission reviewed the request and recommended approval of the conditional use application subject to eight conditions. Mr. Beals expressed concern for crossover traffic congestion in front of the building as cars try to return to Clyo Road to exit. Mr. Toto, MS Consultants, stated that traffic circulation and congestion are typical for gas station

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operations. Dr. Gresham moved that the Conditional Use Application be approved subject to the following eight conditions recommended by the Planning Commission:

1. Prior to issuance of a Zoning Certificate, a one-way vehicle circulation shall be established west and south of the principal building and car wash subject to approval by the City Engineer.
2. Prior to issuance of a Zoning Certificate, an access easement shall be established for the business property to the south guaranteeing access to Wilmington Pike and Clyo Road subject to approval by the City Attorney that replaces the existing access easement situated along the western property line.
3. Prior to issuance of a Zoning Certificate, the Site Improvement Plan shall be modified to include site data for both existing and proposed conditions to verify impervious areas subject to approval by the City Engineer.
4. Prior to issuance of a Zoning Certificate, the Site Improvement Plan shall be modified to show the relocated Vacuum Station subject to approval by the City Planner.
5. Prior to issuance of a Zoning Certificate, a detailed Exterior Lighting Plan shall be required for all new light fixtures subject to approval by the City Planner.
6. Prior to issuance of a Zoning Certificate, A landscape bond or other construction guarantee shall be required in an amount acceptable to the City Planner for all required landscaping.
7. No signs shall be approved as a part of this application.
8. The meters located on the south side of the existing building shall be physically protected in a manner to be approved by the Engineering Department and the applicant.

Mrs. Kenley seconded the motion. The motion passed with four ayes, as Mr. Beals abstained from the vote.

Mr. Compton returned to Council Chambers.

In Standing Committee Reports, Mr. Beals reported that the Centerville Washington Historical Society is sponsoring a bus trip to Marysville on July 29 for the Chautauqua being held there. Thursday, August 12, a W. C. Fields impersonator will be at Benham's Grove with tickets for the event available at Asahel's Emporium. Also, Mrs. Kenley thanked Evergreen Veterinary and Centerville BBQ and Catering for being sponsors for the Summer Concert Series by the Arts Commission.

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Deputy-Mayor Cline explained that the Consent Agenda contains procedural and administrative matters. Approval of these issues will be as a group with one motion being made. Items may be removed from the Consent Agenda by request of any Councilmember. He asked Mr. Horn to give a brief overview of the legislation before Councilmembers took turns reading the items on the Consent Agenda. Mr. Compton sponsored the following items and moved for their approval:

- A. Resolution 24-10, A Resolution Of Support For The Multi-County Advantage Sharing Program Proposal.
- B. Resolution 25-10, A Resolution Ratifying The Actions Of The City Manager To Enter Into License Agreement With John M. Thompson And Theresa J. Thompson To Allow Property Owners To Continue To Locate A Fence In The City Right-Of-Way.
- C. Resolution 26-10, A Resolution Accepting The Bid From Cargill, Inc. And Authorizing The City Manager To Enter Into An Agreement With Cargill, Inc., For The Purchase Of Highway Rock Salt For Snow And Ice Control For The City Of Centerville For The Year 2010.
- D. Resolution 27-10, A Resolution Declaring City Vehicles 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 As Stated Herein.

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

PUBLIC HEARING: ORDINANCE NUMBER 12-10 AMENDING THE TAX CODE OF THE CITY OF CENTERVILLE

Dr. Hinshaw explained the eight changes proposed for updating the Tax Code of the City of Centerville that was last amended in 2004. He stated that the changes make the system more efficient, incorporate best practices used by most cities our size and help to make the code more equitable for all taxpayers. Mr. Compton sponsored Ordinance 12-10, An Ordinance Amending Chapter 880 Business Regulation And Taxation Code Of The Centerville Municipal Code. Mr. Singer seconded the motion. The motion passed with six ayes.

PUBLIC HEARING: APPEAL OF PC DECISION FOR SECOND KROGER GROUND SIGN

Mr. Feverston presented the background on Kroger's appeal of the decision of the Planning Commission denying a variance for a second ground sign for the Kroger Marketplace at the corner of Sheehan Road and South Main Street. Mr. Feverston voiced concerns about the placement of such a sign because of the grade of the road and sight distance requirements. Planning Commission issued a 2-2 split decision on this variance at

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its meeting on June 22, 2010, and therefore did not approve the variance. Staff feels that the size of the property justifies a second sign.

Mr. Jonathan Woche, 5527 Dragon Way, Cincinnati, Ohio, a representative of Kroger, noted that Christy Snelling was also present, before he asked Council to overturn the decision of the Planning Commission and allow a sign on Sheehan Road for way finding that would also help to avoid additional congestion at the intersection of South Main Street and Sheehan Road. He noted that Kroger was willing to compromise on the size of the signs and work with staff and the Planning Commission to determine the optimal placement of the additional ground sign.

Mr. Compton moved to approve the variance and allow a second ground sign of 32 square feet per sign face with the following conditions:

1. The location of the second ground sign must be approved by the City Planner.
2. The large ground sign facing South Main Street shall be reduced in size from 142 square feet per sign face to 124-126 square feet per sign face.

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

There being no further business, the meeting was adjourned.

Approved: 
 Deputy Mayor

ATTEST: 
 Assistant Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 16,20 10

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, August 16, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky 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
	Paul Gresham
	James Singer
Clerk of Council	Debra James
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
Public Works Director	Robert James
City Engineer	Douglas Spidler
Assistant City Engineer	John Sliemers
Assistant to the City Manager	Jennifer Wilder
City Planner	Steve Feverston
Economic Development Administrator	Nathan Cahall
Municipal Attorney	Scott Liberman

Mr. Beals moved to excuse Mrs. Kenley and Mr. Compton from the meeting. Dr. Gresham seconded the motion. The motion passed with five ayes.

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

Council Meeting	July 19, 2010.
Work Session Meetings	July 19, 2010.
	August 02, 2010.
	August 09, 2010.

Mr. Singer moved that the minutes of the foregoing meetings, as distributed, be approved. Mr. Beals seconded the motion. The motion passed with five ayes.

Mayor Kingseed welcomed Samantha Hill and Sarah Moore, creators of artwork that were given to the City as projects from the Centerville High School Art Department. He presented certificates of appreciation and thanked them for donating their talents to enhance the new Public Works Center and the Yankee Trace Clubhouse.

Mayor Kingseed administered the oath of office to Timothy Myers and Joy Brush as members of the Community Reinvestment Area Housing Council. He thanked them for their service to the community.

Mayor Kingseed greeted representatives from the Centerville Community Band and presented a proclamation to the group in honor of the band's 25th anniversary. Bob Duffy introduced Wilbur Cline, Jay Finley, Cheryl Holt, Bill Hart, and Anita Looper. Mr. Duffy thanked Council for its support of the group, and Mrs. Looper said the group began in the summer of 1985; Mr. Wayne Markworth invited musicians to form a local band.

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Mrs. Kim Engleman announced the August Business Pride Award winners--Bethany Village by Graceworks Lutheran Services at 6451 Far Hills Avenue and Esther Price Candies & Gifts at 269 North Main Street. She presented plaques and gift certificates to Aaron Rodgers and Jon Beale representing Bethany and to Barb Dressman and Lynne Revelos from Esther Price.

Mr. Feverston read the names and addresses of the August Residential Summer Landscape Award winners.as follows:

Rick and Marsha Heben
6509 Atterbury Court

Terry and Beverly Cole
170 Laurel Oak Drive

Tom and Karla Gebbie
5507 Red Coach Road

Walter and Sue Schenk
440 Island Lake Court

Ken and Nancy Pingleton
8015 Brainard Woods Drive

Joe and Cathy Trame
9491 Lantern Way

Larry and Ruth Brouse
145 Cloverwood Drive

All the Residential Summer Landscape Award Winners will be invited to attend the September Council meeting to be honored. Mayor Kingseed thanked the members of the City Beautiful Commission for the work they do for the City.

During the Mayor's Report, Mayor Kingseed noted the following:

He encouraged Centerville businesses to participate in the Channel 5 cable TV shows taped by the City that showcase local companies. He encouraged residents to shop Centerville whenever possible to support the local economy.

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

He and Mr. Cahall attended the ceremony dedicating the Austin Road interchange. He congratulated all those involved in the project.

He reminded residents of the need for renewed awareness of children who are walking to and from school as classes begin this month.

He announced that Chief Stephen Walker will be retiring January 14, 2011, after 35 years of service in the Centerville Police Department. He has been Chief of Police since 1996.

He thanked Bob Daley, Joe McKenzie and the staff of MVCC for the broadcast of the Council Meetings.

Mrs. Wilder outlined code violations and their resolutions for the month of July, 2010, as well as the community calendar for the coming month. Topics included the Farmers Market, Arts Commission activities, the Centerville map exhibit, Yankee Trace anniversary events, recycling, storage changes for RV's, NLC discount drug cards and the C-Help program in cooperation with DayAir Credit Union.

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held August 16,20 10

PLAT PLAN FOR UTILITY EASEMENTS AT KROGER MARKETPLACE 1095 S. MAIN

Mr. Feverston gave the report of the Planning Commission. He presented a plat plan for utility easements for 1095 S. Main Street that was approved unanimously by the Planning Commission at its meeting on July 27, 2010. This utility plan is for the area to be occupied by the Kroger Marketplace and Grismer Tire. The plat plan was approved previously by Council. This plan establishes easements for water mains and sanitary sewers. In response to a question from Mr. Beals, Mr. Feverston stated that the easement plan diagrams both old and new easements. Mr. Beals moved for approval of the easement plan for the Kroger Marketplace. Mr. Cline seconded the motion. It passed with five ayes.

During the Standing Committee Reports, Mr. Beals noted the 13th Annual Kalamian Golf Outing and Pig Roast is September 13 at Yankee Trace. He encouraged participation in this worthwhile event.

Mayor Kingseed explained that the Consent Agenda contains administrative matters that have been discussed during Council Work Sessions. Approval of these routine issues will be as a group with one motion being made. Councilmembers read aloud the titles of the Consent Agenda items before Mr. Beals moved that the following legislation be passed:

- A. Resolution 28-10, A Resolution Designating A Public Depository And Awarding Public Monies (National Bank and Trust).
- B. Resolution 29-10, A Resolution Accepting The Bid Submitted By Flora Excavating, Inc. Of Greenville, Ohio, For Centerville Station Road – Embankment Stabilization Phase 2 And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- C. Resolution 30-10, A Resolution Authorizing The City Manager To Prepare And Submit An Application To Participate In The Ohio Public Works Commission (OPWC) State Capital Improvement And/Or Local Transportation Improvement Program(s) And To Execute Contracts As Required.
- D. Resolution 31-10, A Resolution Authorizing The City Manager To Enter Into An Agreement With The Greene County Engineer And Sugarcreek Township In Order To Obtain Funding From The Ohio Public Works Commission For The Clio Road Phase II Project.
- E. Appointment as follows:
Carol Farquhar Nugent as a Member of the City Beautiful Commission.

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- F. Reappointments as follows:
Jeffrey Gammell to the Planning Commission for a term of four years.
Carolyn Basford, Louise Gaertner and Kristina Wassmann to the Sister City Committee.

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

There being no further business, the meeting was adjourned.

Approved: C. Mark Kupfer

Mayor

ATTEST: Debra A. James

Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 2,**20 10*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in special session on Thursday, September 2, 2010, at 6:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilmember James Singer 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	Brooks Compton
	Belinda Kenley
	James Singer

Clerk of Council Debra James
 City Manager Gregory Horn
 Assistant City Engineer John Sliemers
 Municipal Attorney Scott Liberman

Dayton Daily News – Jill Kelley

Mr. Compton moved to excuse Mr. Beals and Dr. Gresham who were out of town. Mr. Cline seconded the motion. The motion passed with five ayes.

RESOLUTION NUMBER 32-10 ACCEPTING THE BID BY BARRETT PAVING MATERIALS, INC. FOR IMPROVEMENTS TO SHEEHAN ROAD (PHASE I, SS-14-10)

Mr. Horn reviewed the proposed Resolution to accept a bid for complete reconstruction of Sheehan Road from Bonnie Anne Place to South Main Street (SR 48). Seven bids were received and the necessary documents have been obtained from Bon Ton, Kroger and Black Equities to allow the project to move forward. The Resolution accepts the bid submitted by Barrett Paving Materials of Dayton in the amount of \$1,061,396.00 with an additional \$66,000.00 in contingencies, if extra work becomes necessary. Therefore the possible total is \$1,127,396.00. Portions of the funding will come from the developer, an Ohio Public Works Commission Grant, Montgomery County Sanitary and the City of Centerville. Mr. Horn stated that a pre-construction meeting is scheduled for Wednesday, September 8, to move this project forward as quickly as possible to avoid a winter timeline.

A question was asked with regard to the request made by the City to Washington Township for half of the City's portion since the project borders the township. Mayor Kingseed asked Mr. Horn to please contact Ms. Lightle regarding this specific request.

Council thanked Mr. Horn and staff for the time and effort that have gone into this project. Mr. Cline sponsored Resolution No. 32-10, A Resolution Accepting The Bid Submitted By Barrett Paving Materials, Inc., Of Dayton, Ohio, For Sheehan Road Improvements – Phase I, SS-14-10, In the City Of Centerville And Authorizing The City

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Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed unanimously with five ayes.

There being no further business, the meeting was adjourned.

Approved: C. McS. Kenney
Mayor

Attest: Debra A. James
Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held September 20, 20 10

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 20, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky followed by the Pledge of Allegiance with Mayor Mark Kingseed presiding.

Councilmembers and City Staff were present as follows:

Deputy Mayor Doug 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

City Planner Steven Feverston

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

Municipal Attorney Scott Liberman

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

Council Meetings August 16, 2010.

September 2, 2010.

Work Session Meetings August 16, 2010.

September 13, 2010.

Mrs. Kenley noted that she was not present for the meetings of August 16, and Mr. Beals and Dr. Gresham abstained from vote on the minutes of September 2 since they were out of town at that time. Mr. Cline moved that the minutes of the foregoing meetings be approved as distributed. Dr. Gresham seconded the motion. The motion passed with seven ayes.

Mrs. James announced that Mr. Jo Lease had submitted his resignation from the Arts Commission.

Mayor Kingseed administered the Oath of Office to Carol Farquhar Nugent as a member of the City Beautiful Commission. Carol Nugent recalled that she served on the City Beautiful Commission some twenty years ago.

Mr. Franz Hoge explained the need for passage of Issue 9, the Human Services levy, at the November election. The 6.03 mils replacement levy will give a small increase to Human Services—about \$4 million. The increase is about \$15 a year for every \$100,000 in

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property value. The increase is needed to offset cuts in State funding. Even if the millage passes, there will be cuts in these services, but the \$4 million will generate additional money in matching funds that will help to close the gap.

Mayor Kingseed thanked homeowners who have gone the extra mile to maintain their homes with distinction, before Patty Kraft explained the work of the City Beautiful Commission and welcomed the winners of the Summer Residential Landscape Awards. Pictures of the homes were shown. The winners were:

June

Allan & Karen Kennedy	1925 Home Path Court
Frank & Stacy Rose	6908 Chardonay Drive
Gary & Patty Ware	5009 Alpine Rose Court
Gary & Nancy Croley	705 Spring Ridge Place
Peter Petrusch	449 Blackstone Drive
Ron & Vicki Kuhn	300 Shawnee Trail
Wally & Carol Nugent	850 Vintage Lake Court

July

Richard & Charlene Schock	6486 Hollowview Trail
Tom & Doris Cassley	220 Glenburn Drive
Jim & Gloria McNamara	2131 Pelwood Drive
Howard & Dorothy Hensley	148 East Franklin Street
Greg & Amy Foley	440 Cedarleaf Drive
Ted & Jan Frederick	430 Island Lake Court
Ron & Leslie Newcomb	1123 Waters Edge Drive

August

Rick & Marsha Heben	6509 Atterbury Court
Tom & Karla Gebbie	5507 Red Coach Road
Ken & Nancy Pingleton	8015 Brainard Woods Drive
Larry & Ruth Brouse	145 Cloverwood Drive
Terry & Beverly Cole	170 Laurel Oak Drive
Walter & Sue Schenk	440 Island Lake Court
Joe & Cathy Trame	9491 Lantern Way

Doris and Tom Cassley received the Mayor's Award because they have won numerous summer Residential Landscape Awards and are now retired from the competition. The City Beautiful Committee presented an engraved decorative stone to each winning household. Council recessed for a reception to congratulate and honor the winners of the awards.

Following the recess, Mayor Kingseed asked Mrs. Kenley to read a proclamation on the Children's Outdoor Bill of Rights as requested by the Ohio Leave No Child Inside Collaborative to encourage an appreciation of nature and to fight childhood obesity.

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

He announced two road closings—Centerville Station Road and Sheehan Road. Centerville Station Road is expected to be closed from September 23 through September 29

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for embankment stabilization. Detours will be posted. Sheehan Road from SR48 to Bonnie Anne Place will be closed through mid-November.

He recently attended the groundbreaking for the Miami Valley Firefighter/EMS Memorial at Stubbs Park. The dedication will be Sunday, October 17, at 1:30 p.m. The public is invited.

Lt. Mark Casey, a thirty year veteran of the Police Department, has graduated from the FBI Academy in Quantico, Virginia.

Mr. Horn congratulated everyone involved in the Thirteenth Annual Kalamon Golf Outing on September 13 for a very successful fundraiser for local scholarships.

Montgomery County/Greene County Mayors and Managers are sponsoring an equity study by the University of Toledo. They will be looking at the interrelationships and funding of various services by the counties, the townships and the cities. The report will be forthcoming in about six months.

The Golf Course at Yankee Trace has some excellent golf opportunities, especially the twilight rates.

He congratulated Mrs. Gopman, the Arts Commission and the sponsors for an excellent outdoor concert season.

Mrs. Gopman outlined code violations and their resolutions for the month of August, 2010, and presented the community calendar for the coming weeks. She covered items such as the Farmers Market, Beggars Night, Day in India, brush disposal, leaf collection, recycling and the C-help program at DayAir Credit Union.

In Standing Committee Reports, Mr. Compton noted that the Committee to Study Township Relations has been meeting regularly and expects to have a recommendation for the Mayor about the first of the year. Mrs. Kenley and Mr. Beals reviewed their NLC activities, and Mr. Beals noted that this year's Kalamon Tournament raised approximately \$20,000. He also stated that the Historical Society had thirty-one people who went by bus to the Chautaugua in Marysville. Mayor Kingseed thanked the Councilmembers for their work on committees.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters. Approval of these issues will be as a group with one motion being made. Items may be removed from the Consent Agenda by request of any Councilmember without the requirement of a second. Councilmembers took turns reading the items on the Consent Agenda, before Dr. Gresham sponsored the following items and moved for their approval:

- A. Resolution 33-10, A Resolution Authorizing An Agreement With Montgomery County Related To The Relocations Of The Existing Fire Hydrants And The Lowering Of The Water Main Lines On Sheehan Road From The Corner Of South Main Street (SR 48) West To Bonnie Anne Place.
- B. Resolution 34-10, A Resolution Ratifying The Action Of The City Manager In Entering Into A Revocable License Agreement For The Use Of The

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Leonard E. Stubbs Memorial Park As A Location For The Miami Valley Firefighter/EMS Memorial.

- C. Resolution 35-10, 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.
- D. Motion to grant the City Manager the limited authority and discretion to determine, with the concurrence of the City Engineer, if required improvements are completed; and, if so, to allow the City Manager the discretion to determine the amount of the remaining cash bond reductions for The Highlands at Yankee Trace, Section 2 Performance Bond from the current \$68,964.00.
- E. Appointments as follows for three year terms:
 Sherry Leighty – City Beautiful Commission.
 Tom Wheeler – City Beautiful Commission.

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

There being no further business, the meeting was adjourned.

Approved: *C. Mark Kenney*
 Mayor

ATTEST: *Debra A. James*
 Clerk of Council

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Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held *October 18,*20 *10*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, October 18, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky 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
 Paul Gresham
 James Singer
 Belinda Kenley
 Brooks Compton

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

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

Council Meeting September 20, 2010.
 Work Session Meetings September 20, 2010.
 October 4, 2010.
 October 11, 2010.

After Mrs. Kenley asked to be excused from the vote on the minutes of October 4 as she was absent; Dr. Gresham noted that he was absent on October 4 also. Mr. Beals moved that the minutes of the foregoing meetings, as distributed, be approved. Dr. Gresham seconded the motion. The motion passed with seven ayes.

Mrs. James, Clerk of Council, announced that she had received notification of the resignation of John Spoor from the Sister City Committee. She also noted the receipt of an appeal of a decision of the Planning Commission filed by Tom Bednarczyk regarding the denial of a variance application for an extension of time for a business located at 881 South Main Street.

Mayor Kingseed administered the Oath of Office to Sherry Leighty and Tom Wheeler as members of the Centerville City Beautiful Commission. He thanked them for their service to the community and noted that city government relies heavily on volunteer boards and commissions.

Mayor Kingseed welcomed Cianan Moore, a Centerville eighth grader at Watts Middle School. He is collecting items for Sgt. Zachary McDonald, a Centerville graduate who is in Afghanistan. Cianan Moore is hosting a whiffle ball tournament to raise money

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and get donations. Mayor Kingseed presented a Certificate of Recognition in acknowledgment of this commendable project.

Mayor Kingseed honored Mr. Mark Yandrick, GIS Technician for the City of Centerville. Mr. Yandrick won second place recognition for his Yankee Trace Storm Sewer Runoff Map at a recent Ohio Geographic Information Systems Conference in Columbus. Mayor Kingseed presented the award and noted that technology allows the City to serve the citizens in efficient new ways.

Emily Greer and Colette Myers introduced Girl Scouts from Troop #30065 at Driscoll Elementary who had completed the requirements for the Bronze Award. To earn the distinction the girls collected over nine hundred items and held a baby shower for expectant mothers at the St. Vincent Hotel, a homeless shelter in Dayton. Mayor Kingseed presented certificates to the following Girl Scouts:

Jessie Deaton	Gillian Hodges	Sarah Meyer
Nora Fullenkamp	Erika Kerr	McKenna Myers
Darcy Greer	Taylor Maxwell	Riley Myszka (absent)

Mrs. Marilyn Hoback and Mrs. Suzie Holloway showed pictures and reported highlights of the Sister City trip to Bad Zwischenahn, Germany, and the Scandinavian cruise that followed. Students from Germany will be here next March with the adults coming in 2013. The committee is exploring the possibility of an additional Sister City in Quebec, Canada. The group has openings for new members.

During the Mayor's Report, Mayor Kingseed noted the following:

He extended condolences to the family of Moraine Mayor Bob Rosencrans, who died in a traffic accident last week.

He invited everyone to attend the dedication of the new Firefighter/EMS Memorial, on October 31 at 1:30 p.m. at Stubbs Park.

He encouraged people to vote in the November 2 election. Voting is currently available at the Board of Elections for those for whom casting a ballot on November 2 is inconvenient.

In the City Manager's Report, Mr. Horn announced that Captain Bruce Robertson is being appointed as Centerville's fifth police chief effective with the retirement of Police Chief Stephen Walker this coming January. Captain Robertson has been a member of the Centerville Police Department since 1978 and has excellent qualifications for the position.

Mrs. Gopman outlined code violations and their resolutions for the month of September, 2010, as well as the community calendar for the coming month. She covered items such as the Farmers Market, Beggars' Night, Veterans' Day, Hometown Holiday activities, Arts Commission activities, Yankee Trace happenings and leaf collection. She noted that waste bills may now be paid online.

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In Standing Committee Reports, Mr. Singer announced that a Stormwater Drainage Task Force meeting will convene at 7:00 p.m. on Thursday, October 28, in the Law Library. Mrs. Kenley thanked the Arts Commission members, especially Kera Estep, for work on the Digital Photography Contest in partnership with the Centerville Library. Mr. Compton noted that the Committee to Study Township Relations has been meeting regularly. Recently Mr. Mike Barlow and Mr. Tom Zobrist, Chief Fiscal Officer from Washington Township, met with the committee recently. Mr. Compton thanked Mr. Zobrist and Mr. Barlow for their preparedness.

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. Councilmembers read into the record the titles of the Consent Agenda items before Mr. Singer moved that the following legislation be passed:

- A. Ordinance Number 13-10, An Ordinance Amending Sections 1420.01, 1420.02, 1422.01, 1422.02, 1422.03, 1424.01, 1424.02, And 1424.03, Regarding Adoption Of Standardized Building And Housing Codes, And Adding Sections 1426.01 And 1426.99 Regarding The Establishment Of Requirements For Issuance Of A Demolition Permit, be set for Public Hearing on November 15, 2010.
- B. Ordinance Number 14-10, An Ordinance Amending Sections 1440.99, 1442.01, 1442.02, 1442.03, 1444.01, 1444.02, 1444.03, 1444.04, And 1444.05 Of The Centerville Municipal Code Regarding Building Administration, Plumbing Permits, Fees And Registration, be set for Public Hearing on November 15, 2010.
- C. Resolution Number 36-10, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor.
- D. Resolution Number 37-10, A Resolution Authorizing The City Manager To Take All Steps Necessary To Execute And File An Application With The State Of Ohio To Obtain A Determination From The Ohio Department Of Taxation That Certain Real Property Located In The City And Commonly Known As Bethany Lutheran Village Is Partially Exempt From Ohio Real Property Taxes And To Authorize Graceworks To Act As Agent.
- E. Resolution Number 38-10, A Resolution Authorizing The City Manager To Enter Into A Lease Agreement Between The City Of Centerville And The Centerville-Washington Township Historical Society.
- F. Resolution Number 39-10, A Resolution Authorizing The City Manager Or His Designee, On Behalf Of The City Of Centerville, To Submit An Application For New Freedom Grant Funding From The Federal Transit Administration To The Miami Valley Regional Planning Commission For

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Public Infrastructure Improvements Benefiting Americans With Disabilities.
(RTA Bus Stop Accessibility Project)

- G. Resolution Number 40-10, A Resolution Authorizing Staff To Submit An Application For Federal SAFETEA-LU Funds Through The Miami Valley Regional Planning Commission. (Yankee Street Improvements-Phase 2 Project)
- H. Resolution 41-10, A Resolution Authorizing The City Manager On Behalf Of The City Of Centerville To Enter Into An Agreement For Funding For The Relocation And Installation Of Accessible Pedestrian Signals Through The Greater Dayton Regional Transit Authority's JARC-New Freedom MVRPC Grants Program.
- I. Resolution 42-10, A Resolution Authorizing The City Manager On Behalf Of The City Of Centerville To Enter Into An Agreement For Funding For The Completion Of A Sidewalk Section Along Loop Road Through The Greater Dayton Regional Transit Authority's JARC-New Freedom MVRPC Grants Program.
- J. Resolution 43-10, A Resolution Accepting The Bid Submitted By America's Decorative Concrete, LLC, Of Greenville, Ohio, For The Loop Road Sidewalk Infill Project (Project SS-3) And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.

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

PUBLIC HEARING FOR THE GARDENLAND APPEAL OF PLANNING COMMISSION DECISION - EXTENSION OF TIME

Mr. Feverston gave the report of the Planning Commission regarding the appeal for Gardenland, a temporary garden center at 881 S. Main Street that fronts on W. Spring Valley Road. The zoning is B-2 which is general business. The variance request was for an extension of time so that the business could continue into the fall market with items such as mums and pumpkins. For a garden center, the UDO permits a 3 month maximum in any half of the calendar year, evenly divided. The request was for a four month period in the second half of the 2010 calendar year. Mr. Bednarczyk argued that he was only open two months in the first half and would like to add the additional month to the second half, maintaining a six month window where the business would be open. Staff and the Planning Commission unanimously recommended denial of the petition because the situation did not exhibit a degree of practical difficulty that would warrant an extension of time. Planning Commission has asked staff to reevaluate the code as it applies to temporary garden centers.

Mr. Tom Bednarczyk, 1005 Steven Circle, New Carlisle, Ohio, stated that it is a hardship to cut sales so early as the season extends well into the fall. He stated that the hot weather in the summer created a hardship and the additional two weeks until November 1 would benefit his family. He asked for the UDO to be changed to simply state a six month

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period of time. In response to Mayor Kingseed's question concerning his experience in other communities, Mr. Bednarczyk stated that the rules are generally a flat number of days.

Mr. Charles Prentice, 159 Sailboat Run, is a part-time employee of The Gardenland. He said that the community enjoys the color of the pumpkins and mums and values the atmosphere the business brings to the site.

Mr. Singer stated that the applicant made good points, especially when the ordinance is under review. He did not feel the additional two weeks was significant.

Mr. Compton asked about the initial agreement with the landlord. Mr. Bednarczyk said that the lease goes from April to October.

Mr. Beals asked about the three months in each half of the year. Mr. Feverston stated that the current regulations were set to create a natural division for spring planting flowers and holiday decorations. The code does not stipulate that there must be a separation in time, so the garden center opted to combine the two.

Discussion followed to clarify who inspects temporary garden centers, whether the six month period includes set up and tear down, how other communities regulate garden centers, whether other garden centers in town have difficulty with the current regulations and the exact wording of the ordinance.

Mr. Horn stated that Mr. Bednarczyk started setting up in mid April and now is in his seventh month, having added fall items so that he well exceeded the six month window provided in the ordinance which is the maximum window for a temporary garden center.

Mr. Liberman interpreted that the "use" of the property is the important factor in zoning legislation, not the time that sales are being made. The intent is that businesses be in and out in six months. As Mr. Horn noted, otherwise, the materials could be left year-round with a business only open for 180 days.

Mr. Compton asked if Mr. Feverston considered the weather this summer to be an extenuating circumstance. Mr. Feverston deferred that judgment of a practical difficulty to Council.

Mr. Compton made a motion to approve the appeal to allow Mr. Bednarczyk to stay in business until November 1, 2010. Dr. Gresham seconded the motion. The motion approving the appeal passed with five ayes. Mr. Compton, Mrs. Kenley, Mr. Singer, Dr. Gresham and Mayor Kingseed voted aye; Mr. Cline and Mr. Beals voted nay. Council asked that staff revisit the regulations for temporary garden centers.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kingseed

Mayor

ATTEST: Debra A. James

Clerk of Council

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Held November 15,20 10

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, November 15, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky 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
	Paul Gresham
	James Singer
	Belinda Kenley
	Brooks Compton

Assistant Clerk of Council Julia Weaver
 City Manager Gregory Horn
 Finance Director Steven Hinshaw
 Public Works Director Robert James
 City Engineer Douglas Spitler
 Assistant City Engineer John Sliemers
 Assistant to the City Manager Jennifer Wilder
 Assistant to the City Manager Kristen Gopman
 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 18, 2010.
Work Session Meetings	October 18, 2010.
	November 1, 2010.
	November 8, 2010.

Mayor Kingseed abstained from the vote on the minutes of the work sessions of November 1 and November 8; Mr. Singer was absent for the work session of October 18; Mr. Cline abstained from the vote on the minutes of the work session on November 8. Mr. Beals moved that the minutes of the foregoing meetings, as distributed, be approved. Mr. Compton seconded the motion. The motion passed with seven ayes.

Mrs. Weaver, Assistant Clerk of Council, announced that the Clerk's Office had received notification from John T. Ross of an appeal of a decision of the Planning Commission regarding a variance for a reduction in parking lot landscaping for the property at 30-46 Compark Road.

Dr. Gresham made a motion to appoint Amy Korenyi-Both, JoAnne Rau and Sharma Stone as members of the Board of Architectural Review for a term of three years. Mr. Beals seconded the motion. After the motion passed with seven ayes, Mayor Kingseed administered the Oath of Office to the newly appointed members.

In the Mayor's Report, Mayor Kingseed noted the following:

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He has been taping 15 minute segments with local business owners for broadcast on Channel 5. Recently he met on-site with Mr. John Voss of Voss Auto Network and Lisa Tucker of Bill's Donuts. He invited other owners to participate.

Three hundred fifty to four hundred people attended the Veterans Day ceremony at Stubbs Park. The keynote speaker was Colonel Richard Hazdra, the Vice Commander of the 88th Air Base Wing at Wright-Patterson Air Force Base. The diverse patriotic activities were well received by those in attendance.

Mayor Kingseed asked Mr. Compton to read a proclamation in support of Small Business Saturday on November 27, 2010, in the City of Centerville. He encouraged citizens to visit local shops this holiday season, since small businesses are critical to the economic health of the community.

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

Leaf collection is on schedule.

Work is progressing on the sidewalk along the west side of Loop Road from the I-675 overpass to Alex-Bell Road. Completion is expected in the next ten days.

Black Oak South Improvements are wrapping up for the year.

The goal is to open Sheehan Road at SR 48 by Thanksgiving weekend, so paving will be underway soon.

The EMS/Firefighter Memorial in Stubbs Park has been dedicated, and those involved in the process are grateful to the City for providing the site.

Yankee Trace Golf Club had a near record number of rounds in October, and November has been strong to date.

The City will honor retiring Police Chief Stephen Walker at a reception at the Centerville Police Department on Friday, January 14 and with a dinner at Yankee Trace that evening.

Council and staff have been working on a 2011 Operating Budget and a Capital Improvement Program for 2011-2015 that are conservative but still meet the needs of the City of Centerville very well. The appropriate legislation will be on the December meeting agenda.

Mrs. Gopman presented the report on Zoning Code Violations and Corrections and the Community Calendar. She mentioned items such as the Hometown Holiday activities on November 20, seasonal events at Yankee Trace, the availability of online payment of waste collection bills, and the City's holiday schedules.

In Standing Committee Reports, Mrs. Kenley stated that, although the Arts Commission has no meeting in December, members are working on the concert schedule for next summer and finalizing plans for Art at the Trace on February 12, 2011. Mr. Beals said that he and Mr. Horn had attended two days of Strategic Plan Review for the Washington Township Fire Department where those present considered the goals, vision and core values of the group. Mayor Kingseed thanked Washington Township for including city representatives in the process.

Mayor Kingseed explained that the Consent Agenda contains administrative matters that have been discussed during Council Work Sessions. Approval of these routine issues is

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Held *November 15,**20 10*

as a group with one motion being made. Councilmembers read into the record the titles of the Consent Agenda items before Mr. Compton moved that the following legislation be passed:

- A. Ordinance Number 15-10, 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, be set for Public Hearing December 20, 2010.
- B. Ordinance Number 17-10, An Ordinance to Amend Ordinance Number 09-09, 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 December 20, 2010.
- C. Resolution Number 44-10, A Resolution Authorizing The City Manager, On Behalf Of The City Of Centerville, To Execute An Agreement With Multi-Bank Securities, Inc./Pershing LLC.
- D. Resolution Number 45-10, A Resolution Authorizing The City Manager To Enter Into An Intergovernmental Cooperation Agreement, 2011 – 2015, On Behalf Of The City Of Centerville, With Other Member Jurisdictions.
- E. Resolution Number 46-10, A Resolution Accepting The Bid For An All-Purpose Tractor (Project VE-7-10-3) As Submitted By Zimmer Tractor Sales Inc. Of Monroe, Ohio, And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- F. Resolution Number 47-10, A Resolution Accepting The Bid For A 75,000 Gross Weight Rated Lift System (Project VE-7-10-5) As Submitted By Heavy Lift Systems, Inc. Of Akron, Ohio, And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- G. Resolution Number 48-10, A Resolution Ratifying The Action Of The City Manager, On Behalf Of The City Of Centerville, In Cooperating With The City Of Dayton And In Signing An Agreement To Provide Targeted Enforcement According To The Terms Of A Montgomery County OVI Task Force Grant.
- H. The Kroger Company Major Use Special Approval/Variances.
Location: 1095 South Main Street (Northwest Corner of South Main Street and Sheehan Road).For An Extension to March 31, 2011, for Modification of MUSA/Variances.

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I. Appointment of Robert Vines to the Sister City Committee.

J. Reappointments as Follows:
 Paul Clark to the Planning Commission.
 Patty Kraft to the City Beautiful Commission.
 Mark Taylor to the Arts Commission.

Dr. Gresham seconded the motion. The motion passed with seven ayes.

PUBLIC HEARING ORDINANCE NUMBER 13-10: AMENDING THE BUILDING AND HOUSING CODE AND ADDING REQUIREMENTS FOR DEMOLITION PERMITS

Mr. Dan Sammon, Chief Building Official, reported on the changes needed for updating the Municipal Code with appropriate titles and editions for the current Housing and Building Codes. Also included are general housekeeping changes such as updates of the appropriate names of referenced codes and of the requirements for the issuance of demolition permits. Mr. Beals sponsored Ordinance Number 13-10, An Ordinance Amending Sections 1420.01, 1420.02, 1422.01, 1422.02, 1422.03, 1424.01, 1424.02, And 1424.03, Regarding Adoption Of Standardized Building And Housing Codes, And Adding Sections 1426.01 And 1426.99 Regarding The Establishment Of Requirements For Issuance Of A Demolition Permit and moved for its approval. Mrs. Kenley seconded the motion. The motion passed with seven ayes.

PUBLIC HEARING ORDINANCE NUMBER 14-10: AMENDING THE CENTERVILLE MUNICIPAL CODE FOR BUILDING ADMINISTRATION, PLUMBING PERMITS, FEES AND REGISTRATION

Mr. Sammon explained that the City of Centerville is organizing to begin doing plumbing inspections along with its other types of inspections in 2011. Citizens should find it more convenient, more comprehensive and less expensive than the current process. For example, water heater replacement permits will cover more types of potential problems: water connections, venting, electrical hook-ups, and relief valves. Currently only the water connections are checked. The price for the permit will remain the same. Mr. Singer sponsored Ordinance Number 14-10, An Ordinance Amending Sections 1440.99, 1442.01, 1442.02, 1442.03, 1444.01, 1444.02, 1444.03, 1444.04, And 1444.05 Of The Centerville Municipal Code Regarding Building Administration, Plumbing Permits, Fees And Registration and moved for its approval. Dr. Gresham seconded the motion. The motion passed with seven ayes.

PUBLIC HEARING: APPEAL FILED BY JOHN T. ROSS AGAINST DECISION OF PLANNING COMMISSION ON PARKING LOT LANDSCAPING, 30-46 COMPARK ROAD.

Mayor Kingseed noted that Mr. Ross, the applicant, because of a time conflict, asked Council to delay the Public Hearing on his appeal of the decision of the Planning Commission. On October 12, 2010 the Planning Commission denied a variance for

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landscaping for his property at 30-46 Compark Road. Mr. Singer moved to table the matter until the council meeting of December 20, 2010. Mr. Cline seconded the motion. The motion passed with seven ayes. The staff report and public hearing will take place at that time.

PUBLIC HEARING EMERGENCY ORDINANCE NUMBER 16-10: GOLF FEES, RULES AND REGULATIONS AT YANKEE TRACE

Mr. Horn explained that each year in November Council approves an emergency ordinance with fees for the coming year so that citizens may purchase gift certificates in the correct amounts as holiday gifts. Earlier in this meeting, an ordinance on golf fees, rules and compensation for golf professionals was set for public hearing at the December Council meeting, so Mrs. Wilder will be making a presentation in January with regard to changes in fees at Yankee Trace. Because Mrs. Wilder had given a full accounting of the updates at a Council work session, Council waived the staff report on the matter until the December meeting. Mr. Beals sponsored Emergency Ordinance Number 16-10, An Emergency Ordinance To Amend Ordinance Number 09-09, Adopting All Fees, Rules And Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals. Mrs Kenley seconded the motion. The motion passed with seven ayes.

There being no further business, the meeting was adjourned.

Approved: [Signature] Mayor

ATTEST: [Signature] Assistant Clerk of Council

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *December 20, 2010*

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, December 20, 2010, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor Dan Mershon 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
	Paul Gresham
	Belinda Kenley
	James Singer
Assistant Clerk of Council	Julia Weaver
City Manager	Gregory Horn
Finance Director	Steven Hinshaw
City Planner	Steven Feverston
City Engineer	Douglas Spitler
Assistant to the City Manager	Jennifer Wilder
Economic Development Administrator	Nathan Cahall
Acting Municipal Attorney	Rob Jacques

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

Council Meeting	November 15, 2010.
Work Session Meetings	November 15, 2010.
	December 06, 2010.
	December 13, 2010.

Dr. Gresham made a motion to approve the minutes, as distributed. Mr. Singer seconded the motion. The motion passed unanimously with Mr. Compton abstaining from the minutes of the work session of December 6.

Mayor Kingseed welcomed Robert Vines and administered the oath of office for the Sister City Committee. Dr. Gresham noted that Mr. Vines' father had served on the initial Sister City Committee.

Patty Kraft announced the Business Pride and Residential Holiday Lighting Awards that are presented for exceptionally tasteful decorations and lighting. She thanked Mary Lou Pence and Rob James for the help these staff members have given to the City Beautiful Commission. The Business Pride Holiday Award went to 252 West Salon and Spa at 252 W. Franklin Street. The Residential Awards were as follows:

Rob and Lynda Ehret	2288 Wahsum Circle
Erica Hole	171 S. Village Drive
Mike and Deanna Arellano	1255 Centerville Station Road
Cliff and Pat Smith	260 Bethel Road
Alison and Mark Tidwell	439 Cedarleaf Drive
George and Sally Langenderfer	1396 Courtyard Place
Susan Hogan	371 Roselake Drive

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Mrs. Kraft announced two spring seminars sponsored by the City Beautiful Commission. The first is a gardening class, "Secret Garden", at Benham's Grove on February 12; the second is a presentation on Saturday March 12 by Marvin Durand of Marvin's Garden. More information will be on the City website.

In the Mayor's Report, Mayor Kingseed extended holiday greetings to all residents and expressed gratitude for our wonderful community. He also sent good wishes to Debbie James, Clerk of Council, who was out on medical leave.

In the City Manager's Report, Mr. Horn introduced Mr. Rob Jacques who was filling in for Municipal Attorney Scott Liberman, before he gave details of the Open House at the Centerville Police Department honoring Police Chief Stephen Walker as he retires on January 14. He announced that the Finance Department under the leadership of Dr. Hinshaw had been selected for a Government Finance Officers Association reporting award, the Popular Annual Financial Reporting Award, for the high quality, easy accessibility and clarity of the Comprehensive Annual Financial Report Summary of early 2010. Less than one percent of the cities in Ohio receive this prestigious award. He wished everyone a bright and prosperous 2011.

Mrs. Wilder outlined code violations and their corrections for November 2010, as well as the community calendar for December and January. She noted that dog licenses are currently for sale at City Hall through the end of January. Other topics were recycling, Chief Walker's retirement, Art at the Trace, and the holiday schedule for refuse collection, as well as board and commission openings.

In Committee Reports, Mr. Feverston presented the report of the Planning Commission recommending a replat of the utility easements at Miami Valley Hospital South to allow for the construction of a second major structure on the property north of Clyo Road and west of Wilmington Pike. The Planning Commission recommended approval with only one condition related to renaming the stub street near Wendy's. Mr. Beals made a motion to approve the replat for the utility easement as recommended by the Planning Commission. Mrs. Kenley seconded the motion. Mayor Kingseed voiced appreciation for the presence of Miami Valley Hospital South in our community.

Mr. Beals, Mrs. Kenley and Dr. Gresham outlined their activities at the National League of Cities Conference in Denver. They thanked the citizens for the opportunity to attend seminars and presentations and to help to set national policies for cities. Mayor Kingseed congratulated Dr. Gresham as a member of the NLC Board of Directors and thanked the council members for their efforts in representing Centerville.

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:

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Held December 20, 20 10

- A. Approval of the 2011-2015 Capital Improvement Program.
- B. Ordinance Number 20-10, 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, 2011, be set for Public Hearing on January 24, 2011.
- C. Ordinance Number 22-10, An Ordinance To Repeal Ordinance Number 14-09 In Its Entirety And To Establish Class Titles, Pay Ranges, Grades, Rates of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing On January 24, 2011.
- D. Ordinance Number 24-10, An Ordinance To Repeal Ordinance Number 16-09 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, be set for Public Hearing on January 24, 2011.
- E. Ordinance Number 26-10, An Ordinance To Repeal Ordinance Numbers 18-09 And 11-10 In Their Entirety And To Establish The Personnel Manuals Of The City Of Centerville, be set for Public Hearing on January 24, 2011.
- F. Ordinance Number 27-10, An Ordinance To Repeal Ordinance Number 9-98, Which Enacted A Speed Limit of 45 Mph On Yankee Street Within The 1998 Corporate Limits Of The City Of Centerville, And To Enact A Replacement Ordinance To Establish A Speed Limit Of 45 Mph On Yankee Street Within The 2010 Corporate Limits Of The City Of Centerville, be set for Public Hearing on January 24, 2011.
- G. Ordinance Number 28-10, An Ordinance Not To Designate As A Landmark The House At 5300 Wilmington Pike And Known As The Dille House Within The City Of Centerville, Ohio, In Accordance With Article 9.45 "Landmarks" Of Ordinance 14.08, The Centerville Unified Development Ordinance, be set for Public Hearing on January 24, 2011.
- H. Resolution 49-10, A Resolution Requesting Advances Out of The Current Collections of Real Estate, Personal Property and Estate Taxes Assessed And Collected On Behalf Of The City Of Centerville.
- I. Resolution 50-10, A Resolution Repealing Resolution Number 45-10 And Authorizing The City Manager To Enter Into The Revised Intergovernmental Cooperation Agreement, 2011-1015 On Behalf Of The City Of Centerville, with Other Member Jurisdictions.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *December 20*20 *10*

- J. Resolution 51-10, A Resolution Repealing Resolution Number 45-00 And Authorizing And Directing The City Manager To Enter Into An Agreement Between The County Of Montgomery And The City Of Centerville For The City's Participation In The Economic Development/Government Equity (EDGE) Program Established By Montgomery County.
- K. Resolution 52-10, A Resolution Authorizing The City Manager To Execute A Letter Of Intent With DPL Energy (DPLE) For Street Lighting Services For Use On Public Grounds And Streets In The City Of Centerville, Montgomery County, State Of Ohio, For A Period Of Five (5) Years Commencing January 1, 2011 And Expiring On December 31, 2015 And Authorizing The City Manager To Execute The Agreement Consistent With The Letter Of Intent.
- L. Resolution 53-10, A Resolution Accepting The Bid For A Utility Truck With An Aerial Device (Project VE-7-10) As Submitted by Utility Truck Equipment, Inc. Of Circleville, Ohio, And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- M. Resolution 54-10, A Resolution Authorizing And Directing The City Manager To Enter Into A Service Agreement With The Law Office Of The Montgomery County Public Defender To Provide Legal Services For Indigent Persons Charged With Jailable Offenses Under The City's Local Ordinances.
- N. Resolution 55-10, A Resolution Declaring Specific Property No Longer Used 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.
- O. The Links at Yankee Trace, Section 1-C, Performance Bond Reduction from \$9,373.00 To A \$1,000.00 1-year Maintenance Bond.
- P. Motion For Minor Design Modification To Major Use Special Approval For Applicant, Jonathan Woche, McBride, Dale, And Clarion, On Behalf Of Kroger LPI For The Development Plan For The Kroger Market Place At SR 48 And Sheehan Road, Adding Two Conditions Regarding The Fueling Center Location And The Screening Requirements.
- Q. Reappointment of Barry McClain to the Property Review Commission for a Term of Three Years.
- R. Appointments of Mary Pizza and Phillip McLaughlin as Co-Chairs of the Sister City Committee for One Year.

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

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DAYTON LEGAL BLANK, INC. FORM NO. 1614B

Held December 20

20 10

PUBLIC HEARING: APPEAL BY TOM ROSS OF PLANNING COMMISSION
DECISION ON A LANDSCAPING VARIANCE

Mr. Feverston gave background on the appeal filed by John Chico, the engineer for Ross Enterprises, related to landscaping in the parking lots of the properties at 30-46 Compark Road, north of Franklin Street and west of Clyo Road. The zoning is I-1. The minimum requirement by the Code is 8% of the parking area; the request is for 3.126 %. The parking area is gravel, but needs to be improved because of additional tenants in the buildings on the lots. Planning Commission denied the request for an interior landscaping variance in a split decision.

Mr. John T. Ross, 1290 E. Social Row Road, Washington Township, addressed Council to give a history and to express his concerns about the parking lot in the industrial area. Interior buffer strips on another nearby property have required constant maintenance because of damage by large vehicles. In the past, his neighbors did not have the same requirements as he has had. He stated that there had not been "equal application" of the rules and that the UDO is not friendly to the industrial areas with a predominance of large trucks and small spaces. Additionally, the tenants are having difficulty in these economic times, so the expense of making changes such as interior landscaping, perimeter landscaping and lighting is high. He encouraged the Council to have staff look at the UDO from the standpoint of the industrial areas.

Mayor Kingseed clarified that the UDO was a broader issue that needs to be addressed, but that the specific issue before Council was action on the appeal of the decision of the Planning Commission related to the variance to reduce the interior landscaping. Mayor Kingseed asked for focus on the appeal and requested that Mr. Horn have staff look at the UDO. Mr. Horn stated that Wright State students are working on suggestions for redevelopment of the industrial area in question. Currently, the perimeter requirements are in place and any disagreement or request for a variance regarding the perimeter landscaping would have to go through Planning Commission. Mr. Ross stated that he would like to be allowed to wait for the changes to the UDO before making any upgrades.

Mr. Horn offered to meet with Mr. Ross, but changes to the UDO will take a considerable amount of time.

Mayor Kingseed returned to the issue at hand. Because the engineer's drawing showed more than the minimum area for perimeter landscaping, Mr. Beals favored flexibility for less interior landscaping. He also discussed the needs of the Fire Department for access.

In answer to a question, Mr. Feverston explained that the industrial area was developed over time with initial oversight by Montgomery County. It was hoped that the requirements of the UDO could help to rejuvenate this industrial area. In recent years, the buildings have been subdivided with some legal tenants and some illegal tenants who have not complied with Building Codes, permits and Fire Codes as interior changes have been made.

Following discussion of whether the interior landscaping would create a hardship for accessibility and use of the property, Mr. Compton moved to approve the appeal of the decision of the Planning Commission for the landscape variance as submitted. Mrs. Kenley seconded the motion. The motion passed with 5 ayes. Mr. Cline and Dr. Gresham voted nay.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *December 20*20 *10*

PUBLIC HEARING FOR ORDINANCE NUMBER 15-10: ANNUAL RECODIFICATION

Mr. Horn explained that Ordinance Number 15-10 is the annual update of the Municipal Code, incorporating our new ordinances and resolutions as well as revisions to the Ohio Revised Code as they affect city government. Mr. Cline sponsored Ordinance Number 15-10, 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. Dr. Gresham seconded the motion. The motion passed unanimously

ORDINANCE NUMBER 17-10: RULES, FEES & REGULATIONS AT THE GOLF CLUB AT YANKEE TRACE

The Public Hearing was held for Ordinance Number 17-10 to adopt changes in fees, rules and regulations for the Golf Club at Yankee Trace. Mrs. Wilder gave the staff report on the recommendations for changes in green fees, reductions in annual membership fees, three tiers of twilight fees, definitions and clarifications of payments to golf professionals. There are no rule changes suggested for 2011. Mr. Compton sponsored Ordinance Number 17-10, An Ordinance To Amend Ordinance Number 09-09, 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. Beals seconded the motion. The motion passed with seven ayes.

EMERGENCY ORDINANCE NUMBER 18-10: APPROPRIATIONS FINISHING 2010

Mr. Horn noted that, each year in December, appropriations must be adjusted as final expenditures in various accounts are completed for the calendar year. To finish 2010, the Finance Department recommends adjustments to four accounts, including salaries and related expenses and the golf maintenance fund. The golf course expansion fund is being closed. Mr. Singer sponsored Emergency Ordinance Number 18-10, An Ordinance To Amend Ordinance 12-09 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, 2010, and moved for its approval. Dr. Gresham seconded the motion. It passed with seven ayes.

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *December 20*20 *10*

EMERGENCY ORDINANCE NUMBER 19-10: APPROPRIATIONS FOR 2011

Mr. Horn noted that the formal presentation on annual appropriations will be given by staff at the next regularly scheduled Council Meeting since Council has voted to set Ordinance Number 20-10 for Public Hearing on January 24, 2011. Appropriations for 2011 are \$15,760,392.00 in the general fund, with total appropriations of \$29,346,169.00. Emergency Ordinance Number 19-10 will give authority for appropriations until a regular ordinance is in place so that the City may do business immediately in 2011. Mr. Beals sponsored Ordinance Number 19-10, An Emergency 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, 2011 and moved that it be passed. Dr. Gresham seconded the motion. The motion passed with seven ayes.

EMERGENCY ORDINANCE NUMBER 21-10: 2011 TITLES, PAY RANGES, GRADES, RATES OF PAY FOR EMPLOYEES OF THE CITY OF CENTERVILLE

The formal presentation on this annual update will be at the January meeting with the Public Hearing for Ordinance Number 22-10. This current measure allows the City to function in the interim. Mr. Compton sponsored Emergency Ordinance Number 21-10, An Emergency Ordinance To Repeal Ordinance Number 14-09 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. Mrs. Kenley seconded the motion. The motion passed with seven ayes.

EMERGENCY ORDINANCE NUMBER 23-10: 2011 TITLES, PAY RANGES, GRADES, RATES OF PAY, REGULATION AND COMPENSATION AT THE GOLF CLUB AT YANKEE TRACE

Mr. Horn noted that Ms. Yonak will make the formal presentation on this annual update at the January meeting with the Public Hearing for Ordinance Number 24-10. The emergency ordinance allows the Golf Club at Yankee Trace to function in the interim. Mr. Cline sponsored Emergency Ordinance 23-10, An Ordinance To Repeal Ordinance Number 16-09 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. Mr. Beals seconded the motion. The motion passed with seven ayes.

EMERGENCY ORDINANCE NUMBER 25-10: 2011 PERSONNEL MANUALS

Annual changes are needed for the personnel manuals for both the employees of the City of Centerville and of the Golf Club at Yankee Trace. The public hearing will be held at the January meeting when Ordinance Number 26-10 is considered. Most of the updates are utilitarian in nature, with few major changes being recommended. An explanation of the changes will be presented by Ginger Yonak at that time. Dr. Gresham sponsored Ordinance 25-10, An Emergency Ordinance To Repeal Ordinance Numbers 18-09 and 11-10 In Their Entirety And To Establish The Personnel Manuals Of The City Of Centerville, and moved that it be passed. Mr. Cline seconded the motion. The motion passed with seven ayes.

RECORD OF PROCEEDINGS

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 20

20 10

RESOLUTION 56-10: COMMUNITY REINVESTMENT AREA

Dr. Hinshaw defined a CRA and explained how it works to abate property tax on the amount reinvested in improvements to a commercial or residential property that is over 25 years old. Current taxes on the unimproved value will continue to be collected. The abatement is only for taxes collected on the added value.

Mr. Cahall explained that this is Centerville's second amendment to the CRA that was originally passed in 1980. Any additional changes would require a major reworking of the legislation. The City has expanded the areas that are eligible for abatement from the Architectural Preservation District and select landmarks to include a broader base of many areas within the City of Centerville.

Mayor Kingseed stated that the aim of the legislation is to encourage businesses to expand and renovate and to help homeowners in the community with maintenance and upgrades in order to improve the housing stock of the City and protect it from deterioration. Dr. Gresham sponsored Resolution Number 56-10, A Resolution Amending Chapter 890 Community Reinvestment Area Of The Municipal Code Of The City Of Centerville, A Resolution Making Findings And Determinations As Permitted In Section 3735.70 Of The Ohio Revised Code, Establishing and Describing The Boundaries Of A "Community Reinvestment Area" And Designating A Housing Officer To Administer The Program, and moved that it be approved. Mr. Compton seconded the motion. The motion passed with seven ayes.

There being no further business, the meeting was adjourned.

Approved: C. Mark Kingseed
Mayor

ATTEST: Julia M. Weaver
Clerk of Council