

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

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: C. Mark Knepper
Mayor

ATTEST: Debra James
Clerk of Council