

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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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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