

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, June 6, 2022, at 7:37 P.M. in the JV Stone Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation, followed by The Pledge of Allegiance to the flag with Mayor Compton presiding. Councilmembers and City Staff were present as follows:

Councilmembers	Mark Engert
	Belinda Kenley
	Duke Lunsford
	John Palcher
	Bill Serr

Acting Clerk of Council Donna Fiori
 City Manager Wayne Davis
 Assistant City Manager Mariah Vogelgesang
 Police Chief Matt Brown
 City Engineer Jim Brinegar
 Development Director Michael Norton-Smith
 City Planner Mark Yandrick
 Communications Director Kate Bostdorff
 Human Resources Director Jen McCormick
 IT Director Ryan Collins
 Municipal Attorney Scott Liberman

Excuse Absent Members

Mrs. Kenley made a motion to excuse Mrs. Rau from the meeting, Mr. Serr seconded the motion, and it passed with 6 ayes.

Minutes

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

Council Meeting: May 16, 2022.

Work Session Meeting: May 16, 2022.

Mr. Lunsford made a motion for approval of the minutes, Mr. Palcher seconded the motion, and it passed with 5 ayes and with Mrs. Kenley abstaining.

Communications

Mrs. Fiori reported no communications.

Recognitions

- A. Mr. Ed Ross, representing the Board of Architectural Review, announced the 2022 Mayor's Historic Preservation Award winner as Chris and Christina Papakirk at 4 West Franklin Street. Mr. and Mrs. Papakirk accepted the award and thanked the Board for the honor.

Proclamations

- A. Mayor Compton provided a summary of a proclamation in support of Lemonade Day.

Citizen Comments and Petitions

- A. Mr. Karl Biermann of 1175 Ambridge Road addressed City Council thanking Kate Bostdorff for facilitating public communications regarding the desire for utility aggregation since the last Council Meeting. He spoke about his desire for the city to implement a utility aggregation program noting his prior experience with aggregation. He expressed his opinion that the energy choice market can be confusing stating aggregation would provide another option for citizens. Mayor Compton advised City Council will review the matter noting it does require a ballot initiative.
- B. Ms. Jacqueline Heman of 6733 Tifton Green Trail addressed City Council expressing her attempts to understand the utility choice programs and confusion related to it. She spoke about her desire for assistance in determining what the best option is.

Officials' Reports

Mayor Compton spoke about the following items:

- Mayors Breakfast last week. Business awards presented as follows: Large Business - Ardent Technologies; Small Business - was Burgundy Chic Boutique; Community Partner - Heart of Centerville Washington Township.
- Thanked all who participated in the Memorial Day Event.
- Party in the Park on June 10 at 6:00 p.m. in Stubbs Park.

Mrs. Kenley spoke about her attendance at the Dayton Area Chamber of Commerce Legislative Day in Columbus. Key leaders from the region, State representatives and Senators were in attendance. Topics included an update on Capital budget, the primary in August, and redistricting. She expressed her gratitude for the support from our legislators.

Mr. Engert announced Centerville-Washington History will have a tent at the Party in the Park and stated they offer a summer program for kids ages 8-12. Save the date of June 28 for a Centerville-Washington History fundraiser from 6 – 8 p.m. at the Submarine House.

Mr. Lunsford noted the Americana Festival is less than thirty days away and volunteers are always needed. Volunteers meeting tomorrow night at 5:30 p.m. at the police department. Those interested in volunteering for a particular committee or just the day of the event should attend the meeting.

Mayor Compton spoke about the Landmark's Foundation 25th Anniversary Celebration he attended last week complimenting the excellent presentation and event.

Mayor Compton spoke about the St. Leonard's 5K and Fitness Walk he attended on Saturday praising the organizers and participants.

In the City Manager's Report, Mr. Davis spoke about:

- \$200,000 in state capital funding for upgrades to Benham's Grove.
- Upcoming demolition of city owned property at 98 West Franklin Street as part of the Uptown plan to accommodate parking for businesses and public use.

- Swearing in of new police officer Austin Sweitzer.

Mayor Compton expressed appreciation for all the work done by staff at the Memorial Day Ceremony especially the cooperation among staff to quickly overcome issues with the public address system.

Mrs. Kenley shared with the public an easy like-for-like comparison for utility pricing can be found at www.energychoice.ohio.gov . She indicated to have an electric bill and natural gas bill available to quickly compare rates and make a choice if desired.

Old Business

- A. PUBLIC HEARING: Ordinance 08-22, An Ordinance To Amend Section 1060.08, Hours And Periods Of Time When Industrial And Commercial Waste Collection May Be Made, Of The Municipal Code Of The City Of Centerville, Ohio.

Mr. Norton-Smith explained the Municipal Code currently prohibits collection of commercial waste between the hours of 9:00 p.m. and 7:00 a.m. from June 10 through August 29 of each year. This ordinance removes the dates from the code to prohibit collection between 9:00 p.m. and 7:00 a.m. year round.

Mayor Compton opened the Public Hearing.

Hearing no one come forward, Mayor Compton closed the Public Hearing.

Mayor Compton noted City Council has had an opportunity to discuss each of the public hearing items and how they function within the municipal code and strategic plan.

Mr. Palcher sponsored Ordinance 08-22 and moved for its adoption. Mr. Lunsford seconded the motion, and it passed with 6 ayes.

- B. PUBLIC HEARING: Ordinance 09-22, An Ordinance To Amend Section 1028.03, Trimming Of Trees By City; Responsibility Of Abutting Property Owners For Costs, Of The Municipal Code Of The City Of Centerville, Ohio.

Mr. Norton-Smith explained staff recommends standardizing the amount of administrative fees collected from property owners when the City uses contractors to correct property maintenance violations and currently there are no administrative fees for tree trimming. This ordinance adds a \$100.00 fee to be consistent with other Municipal Ordinances.

Mayor Compton opened the Public Hearing.

Hearing no one come forward, Mayor Compton closed the Public Hearing.

Mr. Engert requested an example of when trimming of trees might be necessary by the City. Mr. Norton-Smith explained if the property owner does not comply with correcting the trimming violation the City hires a contractor for the removal and then passes on the cost of the removal in addition to the administrative fee to the property owner.

Mr. Serr sponsored Ordinance 09-22 and moved for its adoption. Mrs. Kenley seconded the motion, and it passed with 6 ayes.

- C. PUBLIC HEARING: Ordinance 10-22, An Ordinance To Amend Section 660.03, Littering; Deposit Of Garbage, Rubbish, Junk, Of The Municipal Code Of The City Of Centerville, Ohio.

Mr. Norton-Smith explained the City is standardizing the amount of administrative fees and currently section 660.03 levies a 15% administrative fee. This ordinance replaces the existing percentage with \$100.00 fee to be consistent with other Municipal Ordinances.

Mayor Compton opened the Public Hearing.

Hearing no one come forward, Mayor Compton closed the Public Hearing.

Mr. Engert inquired if this relates to advertisements left at the end of the driveway. Mr. Norton-Smith stated this relates to old rubbish or garbage left at the end of a driveway.

Mr. Lunsford sponsored Ordinance 10-22 and moved for its adoption. Mr. Serr seconded the motion, and it passed with 6 ayes.

- D. PUBLIC HEARING: Ordinance 11-22, An Ordinance To Amend Section 660.05, Duty To Keep Sidewalks In Repair And Clean, Of The Municipal Code Of The City Of Centerville, Ohio.

Mr. Norton-Smith explained property owners and occupants are required to keep sidewalks, curbs, and gutters in good repair and free from snow, ice, or any nuisance; however, residents who clear snow from their sidewalks are altering the “normal accumulation,” which can open them up to legal liability if someone were to slip. Historically Centerville has elected to not enforce this ordinance to avoid any resulting legal issues. This ordinance removes the reference to snow and ice.

Mayor Compton opened the Public Hearing.

Hearing no one come forward, Mayor Compton closed the Public Hearing.

Mr. Engert sponsored Ordinance 11-22 and moved for its adoption. Mr. Palcher seconded the motion, and it passed with 6 ayes.

- E. PUBLIC HEARING: Ordinance 12-22, An Ordinance To Amend Section 452.13, Parking Time Limit For Heavy Vehicles; Exception, Of The Municipal Code Of The City Of Centerville, Ohio.

Mr. Norton-Smith explained the Municipal Code limits parking of commercial vehicles and trailers on public streets to two (2) hours unless they are actively providing services. Large recreational vehicles (RVs), which are not considered commercial vehicles, are allowed to be parked in a driveway for three (3) days; however, these vehicles are allowed to remain in the street for 48 hours. This ordinance imposes a two (2) hour limit on any vehicle parked on the public street larger than eight (8) feet in height, eight (8) feet in width or 22 feet in length.

Mayor Compton opened the Public Hearing.

Hearing no one come forward, Mayor Compton closed the Public Hearing.

At the request of Mr. Engert, Mr. Norton-Smith provided examples of styles of trucks that could fall into this category. Mayor Compton clarified vehicles present for the purpose of actively providing a service are exempt which Mr. Norton-Smith confirmed.

Mr. Palcher sponsored Ordinance 12-22 and moved for its adoption. Mr. Serr seconded the motion, and it passed with 6 ayes.

- F. PUBLIC HEARING: Ordinance 13-22, An Ordinance To Amend Section 1480.02, Property Maintenance Code, Of The Municipal Code Of The City Of Centerville, Ohio, To Require Clear Boarding Materials For Windows And Doors That Are To Be Boarded Within The City.

Mr. Norton-Smith explained that following an emergency which significantly damages a building, windows and doors are required to be boarded in an approved manor to prevent entry by unauthorized persons. Currently, the boards are required to be painted to match the corresponding color of the existing structure. Many jurisdictions have adopted boarding standards which require the use of clear boarding materials as a best practice. This ordinance requires clear boarding materials after 30 days.

Mayor Compton opened the Public Hearing.

Hearing no one come forward, Mayor Compton closed the Public Hearing.

Mrs. Kenley sponsored Ordinance 13-22 and moved for its adoption. Mr. Lunsford seconded the motion, and it passed with 6 ayes.

- G. PUBLIC HEARING: Ordinance 14-22, An Ordinance To Amend Section 840.01, Residential Rental Unit Mandatory Inspection Required, Of The Municipal Code Of The City Of Centerville, Ohio.

Mr. Norton-Smith explained the Municipal Code requires all rental units in the City to be inspected biennially to determine compliance with the Property Maintenance Code. This ordinance exempts any newly constructed rental units for a period of five (5) years after a Certificate of Occupancy is issued. This would not prohibit Code Enforcement staff from investigating complaints.

Mayor Compton opened the Public Hearing.

Hearing no one come forward, Mayor Compton closed the Public Hearing.

Mr. Serr sponsored Ordinance 14-22 and moved for its adoption. Mr. Palcher seconded the motion, and it passed with 6 ayes.

New Business – none.

Consent Agenda

Mayor Compton turned the attention of the group to the Consent Agenda. Any City Councilmember may remove an item from the Consent Agenda by request. No second is required for removal of an item. Items removed for separate discussion will be considered after the motion to approve the remaining Consent Agenda items.

City Council read the Consent Agenda into the record as follows:

- A. Ordinance 15-22, An Ordinance Amending Chapter 1060 Of The Municipal Code Of The City Of Centerville, Ohio To Revise And Update Definitions, Policies, Requirements, Fees, And Collection Procedures For Municipal Waste Collection Services (Set for Public Hearing on July 11, 2022).
- B. Resolution 43-22, Resolution Authorizing The City Manager To Enter Into The Revised Primary Interchange Project Phase II Addendum To The I-675/Wilmington Pike Interchange Projects Management And Financing Agreement With The Montgomery County Transportation Improvement District, The Board Of County Commissioners Of Greene County, Ohio And The Greene County Engineer's Office.
- C. Resolution 44-22, Resolution Authorizing The City Manager To Execute An Agreement For Purchase And Sale With The Board Of Education Of The Centerville City School District For The Purchase Of Approximately Six Acres Of Vacant Land Plus Or Minus Located In The City Of Centerville And Authorizing The City Manager To Take All Steps Necessary To Execute Documents To Affect The Purchase Of Said Real Property.
- D. Resolution 45-22, A Resolution Accepting The Bid Submitted By Capital Electric Line Builders, Inc. Of Dayton, Ohio For The 2022 Annual Street Lighting And Traffic Signal Maintenance Service Contract And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
- E. Resolution 46-22, A Resolution Authorizing The City Manager To Enter Into An Amendment To The Agreement For Delegation Of Activities For A Montgomery County Community Development Block Grant Program Agreement With The Board Of County Commissioners Of Montgomery County, Ohio For Grant No. B-20-UC-39-004, The Uptown Centerville Business Façade Improvement Program.
- F. Resolution 47-22, A Resolution Authorizing And Directing The City Manager To Enter Into An Economic Development (PIR) Grant Agreement With Desulf-Tek, LLC.
- G. Resolution 48-22, A Resolution Accepting The Bids Submitted By Triton Services Of Mason, OH And Adams-Dayton Heating And Cooling Of Centerville, OH, For The HVAC Contracted Services For The City And To Authorize The City Manager To Enter Into Contracts In Connection Therewith.
- H. Motion to Reappoint the following Boards and Commission Members:
 1. Don Stewart to the Board of Tax Appeals (3 year term).
 2. Bob Baldino co-chair of the City Beautiful Commission (1 year term).
 3. Mary Ann Kabel co-chair of the City Beautiful Commission (1 year term).
 4. Susan Jessee to City Beautiful (3 year term).

Mayor Compton acknowledged Mr. Davis for organizing the I-675/Wilmington Pike improvement project and noted appreciation for the cooperation of Greene County, Greene County Engineer, Montgomery County Transportation District, and Sugar creek Township.

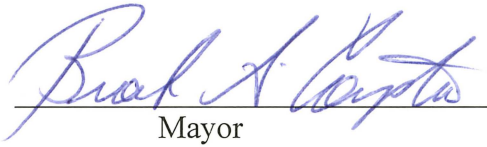
Mr. Davis also acknowledged support from the federal level, state level, and the Ohio Department of Transportation. He recognized Cornerstone Development, Premier Health, and Sinclair Community College for also supporting the project.


Mayor Compton gave special thanks to the Centerville City School District for approving the school property project. Mr. Davis noted it is a great project for the community and partnership with the school board.

Mr. Serr sponsored the Consent Agenda and moved for its approval. Mr. Lunsford seconded the motion, and it passed with 6 ayes.

Adjournment

With no further business before the Council, Mayor Compton adjourned the regular meeting at 8:33 P.M. The next regular meeting of City Council is scheduled to take place on Monday, July 11, 2022, at 7:30 P.M.

Approved: 
Mayor

ATTEST: 
Clerk of Council