

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, August 12, 2024, at 7:44 p.m. in the J.V. Stone Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation by Pastor Kirk Lithander of Fairhaven Church, followed by The Pledge of Allegiance to the flag with Mayor Compton presiding. Councilmembers and City Staff were present as follows:

Councilmembers	Belinda Kenley Jennifer McLaughlin John Palcher JoAnne Rau Bill Serr
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Clerk of Council Teri Davis  
City Manager Wayne Davis  
Assistant City Manager Mariah Vogelgesang  
Finance Director Tyler Roark  
Assistant Finance Director Miranda Piatt  
Development Director Erik Collins  
Economic Development Administrator Joey O'Brien  
City Planner Ian Vanness  
Public Works Director Pat Turnbull  
Assistant City Engineer David Swanson  
Communications Director Kate Bostdorff  
Human Resource Director Jen McCormick  
IT Director Ryan Collins  
Municipal Attorney Scott Liberman

Mayor Compton invited Pastor Lithander to speak about Fairhaven Church initiatives. Pastor Lithander spoke about the Back to School Bash to raise funds to provide clothing and school supplies to underserved children.

#### **Excuse Absent Council Members**

Mr. Palcher made a motion to excuse Mr. Engert, 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: July 15, 2024.

Work Session Meeting: July 15, 2024.

Mrs. Kenley made a motion for approval of the minutes, Mr. Palcher seconded the motion, and it passed with 6 ayes.

### **Communications**

Mrs. Davis reported no communications.

### **Presentations**

- A. City Beautiful Commission Co-Chair Mr. Bob Baldino announced the August Summer Beautification Award winners. Kettering Health Centerville Health Center at 1023 South Main Street won the Community Pride Award. Mr. Baldino then introduced a video produced by Miami Valley Communications Council (MVCC) highlighting the August Landscape Award winners:

5138 Crispy Drive, Dennis Little  
 199 S. Village Drive, Leonard Trent  
 1440 Bimni Drive, Leslie Hoying-Kantner and Rock E. Kantner  
 116 Gershwin Drive, Arnold and Teresa Nickell  
 161 Lakeview Drive, Geri Weber  
 9226 Stephanie Street, Alex and Kelsey Carr  
 1161 Charter Place, Ali and Muhabbat Koch

Several of the Landscape Award winners introduced themselves and spoke about their landscaping efforts. Ms. Debbie Pack introduced herself on behalf of Kettering Health Centerville Health Center and was then presented with the Community Pride Award.

### **Citizen Comments and Petitions**

The following individuals spoke in opposition to the proposed Continental Properties development at Alex Bell and Wilmington Pike (the Karras property):

- A. Malia Christian of 7251 Brookmeadow Drive.
- B. Ann Cherry of 7242 Brookmeadow Drive.
- C. Pamela Ring of 2111 Pelwood Drive.
- D. Darinda Reis of 7560 Pine Frost.
- E. Jeff Braun of 7580 John Elwood.
- F. Jeff Sargent of 7623 Pelbrook Farm Drive.

*Mr. Engert arrived for the meeting at this time.*

Mr. Vanness explained the application and review process, notifications, and the timing of necessary official hearings and/or actions.

### **Officials' Reports**

Mayor Compton read a prepared statement regarding State Senator Niraj Antani.

Mrs. Kenley spoke about her participation at the events at St. Leonard's over the weekend.

Mrs. Kenley praised and expressed appreciation to the Yankee Trace staff for their work during the recent Celebration of Life held there in honor of her husband Robert. She expressed appreciation to all City staff and the community for their support.

Mr. Engert spoke about the Kalamon Golf Outing scheduled for September 13, 2024.

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

- The presentations given at this evening's Work Session.
- The conclusion of the highly successful event season.

### **Old Business**

- A. PUBLIC HEARING: Ordinance 16-24, An Ordinance Amending Ordinance Number 14-08, Chapter 1216, Section 9.31 Of The Unified Development Ordinance For The City Of Centerville, Ohio, To Add A Subsection Acknowledging The Adherence To The MOT/GRE I-675/Wilmington Project Access Management Plan.

Mr. Vanness presented the application process and application summary. Mr. Vanness noted that Planning Commission recommended approval without conditions.

Mayor Compton opened the Public Hearing.

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

Mrs. Rau sponsored Ordinance 16-24 and moved for its adoption. Mr. Serr seconded the motion, and it passed with 7 ayes.

- B. PUBLIC HEARING: Ordinance 18-24, An Ordinance To Amend Section 210.11, Purchase Of Federal And/Or State Government Surplus, Of The Centerville Municipal Code To Allow Purchases From Other Political Subdivisions.

Mr. Liberman explained that the Ordinance will amend the purchasing exceptions which currently exist for purchases of State and Federal surplus property to now include purchases from other local jurisdictions.

Mayor Compton opened the Public Hearing.

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

Mr. Serr sponsored Ordinance 18-24 and moved for its adoption. Mr. Engert seconded the motion, and it passed with 7 ayes.

- C. PUBLIC HEARING: Ordinance 19-24, An Ordinance To Amend Ordinance Number 20-23 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, 2024.

Mr. Roark reviewed the fund adjustments to the 2024 appropriations.

Mayor Compton opened the Public Hearing.

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

Mr. Palcher sponsored Ordinance 19-24 and moved for its adoption. Mrs. Kenley seconded the motion, and it passed with 7 ayes.

**New Business**

- A. PUBLIC HEARING: Application P-2024-0002 – Cornerstone South PDP  
Applicant: Robert Hall III, Oberer Land Developers, LTD  
Location: Cornerstone South, Lot 1

Mr. Vanness presented the application process, property description, background, and application summary. He advised that Planning Commission recommended approval 5-1 with the following 12 conditions:

1. All review comments from public and utility review agencies shall be incorporated into the Final Development Plan to the satisfaction of the City Planner.
2. A connectivity plan for pedestrian walkways, both inside and outside of the public right-of-way, shall be submitted with the Final Development Plan for the entire development. The connectivity plan shall show pedestrian crosswalks at all street and driveway intersections, and internal pedestrian connectivity outside of the public right-of-way.
3. A landscaping plan showing landscape buffering, mounding, street trees, tree preservation areas, along with a tree inventory study shall be submitted with the Final Development Plan for the entire development. The landscaping plan shall include landscape bufferyards along the subject property's perimeter, mounding along Wilmington Pike and Clyo Road, street trees along the Miami Valley Drive extension, and tree preservation easements in areas where established growth exists.
4. Lots that are zoned O-PD shall have a maximum setback of 95' from the Miami Valley Drive right-of-way boundary. (20' pavement setback + 18' parking + 24' parking aisle + 18' parking + 5' sidewalk + 5-10' landscaping bed = 95')
5. The final design of all gateways, public amenities including decorative street lighting, ornamental lighting, on-site lighting, public benches, and street trees shall be submitted by the Applicant as a part of their Final Development Plan. The streetlights shall be similar to those found in Uptown, and the on-site lights shall be uniform throughout the development to the satisfaction of the City Planner.
6. The required bufferyards along Wilmington Pike and Clyo Road shall be platted as reserve areas to provide for common landscaping, irrigation and maintenance through a Master Property Owners Association.
7. All existing floodplains and wetlands shall be shown in the Final Development Plan.
8. A Traffic Impact Study shall be approved prior to a Final Development Plan being reviewed by Centerville Planning Commission. All recommendations from the Traffic Impact Study shall be incorporated into the Final Development Plan where applicable.
9. Stormwater management shall minimize the use of individual retention/detention ponds and shall strive to consolidate stormwater management in regional ponds.
10. A Master Property Owners Association shall be established to oversee the common areas' landscaping, irrigation, ornamental lighting, the regional retention pond, and maintenance as part of the Record Plat application subject to the approval of the Municipal Attorney.

11. A Final Development plan for each Phase, as a minimum, must be approved by the Centerville City Council with a recommendation from Planning Commission. A Major Site Plan may be included with the Final Development Plan. Otherwise, a Major Site Plan must be approved by the Planning Commission for each lot prior to construction.
12. The Traffic Impact Study shall evaluate using a traffic circle at Clyo Road and Possum Run Road and evaluate the additional traffic that will be imparted on Possum Run Road.

Mrs. Rau inquired about wetland designations. Mr. Turnbull noted those are still being studied.

Mayor Compton opened the Public Hearing.

1. Robert Hall, III, representing Oberer Development, addressed City Council taking no exception to the conditions and requesting approval.
2. Dr. Rajkamal Jit, representing Digestive Specialists, Inc., addressed City Council, citing parking and traffic concerns. He indicated no opposition to the development, however.

Mr. Vanness advised there will be enough parking so that Dr. Jit's office parking will not be affected. He further advised that the traffic impact study will provide traffic mitigation recommendations.

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

Mrs. Rau made a motion for the approval of Case P-2024-0002, including Planning Commission's 12 conditions, Mrs. Kenley seconded the motion, and it passed with 7 ayes.

- B. Application P-2024-0015 –Record Plat  
Applicant: Jayson Morris, Centerstone Homes  
Location: Woodland Greens at Yankee Trace, Section Two

Mr. Vanness presented the application process and application summary. He advised that Planning Commission recommended approval with the following 8 conditions:

1. Prior to the release and recording of the Record Plat, all review comments from public and utility review agencies shall be addressed to the satisfaction of the City Planner and City Engineer.
2. Prior to the release and recording of the Record Plat, construction drawings shall be approved by the City Engineer.
3. Prior to the release and recording of the Record Plat, a Subdivider's Agreement shall be executed to the satisfaction of the Municipal Attorney.
4. Prior to the release and recording of the Record Plat, all improvements in the public right-of-way shall be financially secured by a performance bond for 100% of all improvements, and a \$2,500 street sweeping bond to the satisfaction of the City

- Engineer.
5. Prior to the release and recording of the Record Plat, a public access agreement shall be executed for the 10' common area path to the satisfaction of the City Engineer.
  6. Prior to the release and recording of the Record Plat, the Applicant shall modify the rear yard drainage swale behind Lots #2-8 to be built as shown in the construction drawings that were approved as part of Woodland Greens, Section One, or the Applicant shall secure a performance bond for 100% of the improvement to the satisfaction of the City Engineer.
  7. Prior to the release and recording of the Record Plat, the Applicant shall remove overgrowth behind Lots #28-37, or the Applicant shall secure a performance bond for 100% of the improvement to the satisfaction of the City Engineer.
  8. Prior to the release and recording of the Record Plat, construction drawings shall be approved for the common area that comply with the Lifestyle Community Overlay District resort community's natural areas of woods and streams or ponds per the UDO 9.07 (D)(3)(d)(ii)(2) to the satisfaction of the City Planner.

Mr. Serr made a motion for the approval of Case P-2024-0015, including Planning Commission's 8 conditions, Mr. Engert seconded the motion, and it passed with 7 ayes.

- C. Emergency Ordinance 20-24, An Ordinance Approving Individual Assessments Amounts And Directing The Director Of Finance Or His Designee To Certify The Amounts To The County Auditor For Collection And Declaring An Emergency.

Mr. Roark explained that the Ordinance will allow the Finance Department to certify the submission of assessment amounts to the Montgomery County Auditor.

Mrs. Rau sponsored Ordinance 20-24 and moved for its adoption. Mr. Palcher seconded the motion, and it passed with 7 ayes.

### **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 21-24, An Ordinance Authorizing The Write-Off Of The Uncollectible Accounts For Waste Collections (Set for Public Hearing on September 9, 2024).
- B. Ordinance 22-24, An Ordinance Authorizing The Write-Off Of The Uncollectible Accounts For Mowing Charges (Set for Public Hearing on September 9, 2024).
- C. Resolution 75-24, A Resolution Authorizing The City Manager To Enter Into A Service Agreement With TEC Engineering, Inc. For Improvements To Clyo Road For The Dimco Way Projects.
- D. Resolution 76-24, A Resolution By The Centerville City Council Extending The Moratorium For A Period Of Up To Nine (9) Months (270 Days) On The Granting Of

- Any Permits For Allowing Retail Dispensaries, Cultivators, Or Processors Of Medical Marijuana Within The City Of Centerville.
- E. Resolution 77-24, A Resolution By The Centerville City Council Extending The Moratorium For A Period Of Up To Nine Months (270 Days) On Adult Use Cannabis Operators Within The City Of Centerville.
  - F. Resolution 78-24, A Resolution Authorizing The City Manager On Behalf Of The City Of Centerville To Apply For Two Projects Through The Montgomery County Solid Waste District Grant Funding For The Purchase Of Prairie Robotics Recycling Products And Services And Recycled Playground Matting And Authorizing The City Manager To Take All Steps Necessary To Enter Into An Agreement Therewith.
  - G. Resolution 79-24, A Resolution Authorizing And Directing The City Manager To Enter Into An Artist Licensing Agreement With Olivia Faillace For Design, Construction, And Installation Of A U.S. Space Force Relief Sculpture In The Veteran's Memorial.
  - H. Resolution 80-24, A Resolution Accepting The Bid Submitted By Spectra Holdings, Inc. dba Spectra Contract Flooring For The Purchase Of Patcraft Carpet For The Municipal Building And Authorizing The City Manager To Enter Into A Contract In Connection Therewith.
  - I. Resolution 81-24, Resolution Authorizing The City Manager To Enter Into A Service Agreement With Rumpke Of Ohio, Inc. For Processing Of Delivered Single Stream, Comingled Residential Recyclables For The City Of Centerville.
  - J. Resolution 82-24, A Resolution Authorizing Payment Of Invoices With Then And Now Certificates For The Second Quarter Of Calendar Year 2024.
  - K. Resolution 83-24, A Resolution Authorizing And Directing The City Manager, On Behalf Of The City Of Centerville, To Execute A Cost Sharing Agreement With The Board Of County Commissioners Of Montgomery County, Ohio And The Montgomery County Engineer's Office For The Yankee Street Resurfacing Project In The City Of Centerville.
  - L. Resolution 84-24, A Resolution Authorizing The City Manager To Execute A Change Order To First Star Safety, LLC For The 2024 Annual Pavement Marking Program And Authorizing The City Manager To Enter Into A Contract Amendment Therewith.
  - M. Resolution 85-24, A Resolution Authorizing The City Manager To Seek Grant Funding From The One Time Strategic Community Investments Grant Program And Authorizing The City Manager To Enter Into A Grant Agreement With The Office Of Budget And Management For One Time Strategic Community Investments For The Uptown Centerville Connectivity And Development Improvements Project.
  - N. Resolution 86-24, A Resolution Authorizing The City Manager To Seek Grant Funding From The One Time Strategic Community Investments Grant Program And Authorizing The City Manager To Enter Into A Grant Agreement With The Office Of Budget And Management For One Time Strategic Community Investments For The Centerville Schools Safety Access Project.
  - O. Resolution 87-24, A Resolution Authorizing And Directing The City Manager To Enter Into The Ninth Amendment To The Development Agreement With Cornerstone Developers, Ltd. For Property Located In The City Of Centerville Consisting Of Approximately 228.5 Acres Located North And South Of I-675.
  - P. Resolution 88-24, A Resolution Reappointing Two Citizen Members And Appointing One New Citizen Member To The Board Of Trustees To Represent The Interests Of

Present And Future Residents And Employers Of Cornerstone Of Centerville Community Development Authority.

- Q. Resolution 89-24, A Resolution Appointing One Citizen Member Of The Board Of Trustees And Reappointing One Citizen Member Of The Board Of Trustees To Represent The Interests Of Present And Future Residents And Employers Of The Randall Residence New Community Authority.

Mrs. Kenley sponsored the Consent Agenda and moved for its approval. Mrs. Rau seconded the motion, and it passed with 7 ayes.

**Adjournment**

With no further business before the Council, Mayor Compton adjourned the regular meeting at 9:29 p.m. to reconvene in Work Session. The next regular meeting of City Council is scheduled to take place on Monday, September 9, 2024 at 7:30 p.m.

Approved:   
 Mayor

ATTEST:   
 Clerk of Council