



CITY COUNCIL
Regular Meeting – May 9, 2016 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

PRESENTATIONS

- ◆ 4th of July Donation Presentation, [Veeraraghavan Sundar](#), UES

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Vice Mayor Vann
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. April 18, 2016 Work Session
 - B. April 25, 2016 Regular Meeting

- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-07 Z-16-2 Corle Rezoning, R-1A to RO-1 (Third Reading)
 - B. Ordinance 16-10 Additional Appropriations (Single Reading)

- VII. CITY MANAGER'S REPORT
- VIII. MAYOR'S REPORT
- IX. COUNCIL TIME
- X. CITIZEN COMMENTS
- XI. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
WORK SESSION, April 18, 2016, 5:00 p.m.

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Mayor Stone

ABSENT: Vice Mayor Vann

TARDY: None

Council Member Upton MOVED to excuse Vice Mayor Vann, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Michael Cornell, City Manager; Dennis Evers, Chief of Police; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Service Administrative Director

APPROVAL OF AGENDA

Council Member Whilding MOVED to approve the agenda, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

DISCUSSION ITEMS

Improved Signage at Creekside Trail Street Crossings – Bikeway and Non-Motorized Transportation Advisory Committee

Laura Rea, Member, Bikeway and Non-Motorized Transportation Advisory Committee (BANTAC)

Ms. Rea reviewed the two key crossings of Creekside Trail at Grange Hall Road and Factory Road. She discussed the safety hazards and the options for improvements for these crossings. The committee proposed flashing beacons at the crossings that are solar powered signs that are triggered by the bike riders. There was an informational quote for the cost for both crossings requested it be included in the 2017 City Budget. Council Member Wallace asked for the BANTAC's priorities for improvements to take to the MVRPC who has money for bikeway improvements. BANTAC will get with the City Engineer for the correct formatting to submit to MVRPC for grant money.

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Direct Election of Mayor

There was discussion for placing this charter change on the ballot in November. Council Member Upton highlighted the high points of the legislation which included the effective date for the separate election of mayor of 2019 which is the 4 term cycle year and the vice mayor would be the highest votes of the council member candidates with a two year term. There was a discussion of term limits which per the draft legislation included two four year terms as mayor and two four year terms as council member. There was discussion of the possibility of a person having no term limits if they continued to be re-elected between the two seats. There would be no changes in duties for the mayor. Council will continue this discussion at a future work session for additional options.

Expenses of Council

Council discussed the reimbursements of expenses incurred as being a council member. Currently, members are paying for events and memberships out-of-pocket which in the past was paid by the city. There was discussion of health insurance coverages and what those costs may be. There will be continued discussion of this topic in a future work session.

COUNCIL COMMITTEE/EVENT UPDATES

Council discussed committee events they had attended and anything thing they scheduled in the near future.

ADJOURNMENT

Council Member Litteral MOVED to adjourn the meeting at 7:05 p.m., seconded by Council Member Upton Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin041816Worksession

BEAVERCREEK CITY COUNCIL
REGULAR MEETING April 25, 2016 6:00 p.m.

PROCLAMATIONS

- ◆ Older Americans Month
- ◆ National Bike Month

CERTIFICATES OF APPRECIATION

- ◆ Roger Brislawn
- ◆ Ralph Speelman

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Mayor Stone

ABSENT: Council Member Whilding, Vice Mayor Vann

Council Member Litteral MOVED to excuse Council Member Whilding and Vice Mayor Vann, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Randy Burkett, City Planner; Michael Cornell, City Manager; Dennis Evers, Chief of Police; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Jeff McGrath, Planning & Zoning Director; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Mayor Stone led the pledge and a moment of silence.

APPROVAL OF AGENDA

Council Member Litteral MOVED to approve the agenda, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

APPROVAL OF MINUTES

Council Member Upton MOVED to approve the minutes of the April 11, 2016 Regular Meeting, seconded by Council Member Wallace. Motion PASSED by majority voice vote. (Jarvis abstained)

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 16-07 Z-16-2 Corle Rezoning, R-1A to RO-1 (Second Reading)

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Clerk Lampton read an Ordinance amending the Zoning Map, by rezoning approximately 0.47 acres of land located at 4230 Dayton-Xenia Road, further described as Book 2, Page 4, Parcel 36 from R-1A One Family Residential to RO-1 Residential Office (Z-16-2)

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Resolution 16-10 Bullet Proof Vest Grant

Clerk Lampton read a Resolution to authorize the application for the Bulletproof Vest Partnership 2016 Federal Grant Program on behalf of the Beavercreek Police Department

Chief Evers said the city has taken advantage of the federal grant to provide funding up to 50% of the total cost of the city's purchase of approved bulletproof vests since March of 1999 when this process became available. He said to date a total of \$55,240.86 of federal money has been approved to aid in these purchases to the city. He said they were anticipating purchasing six vests as replacement vests for patrol officers for a total cost of \$4,700.40. He said the city share would be fifty percent of the total, \$2,350.20 and additional monies were placed in the police budget to defray the city's shared costs of the vests. Staff recommended Council adopt the Resolution allowing the police department to make application for this federal grant opportunity.

Council Member Upton asked if this was done every year. Chief Evers replied said they had received the grant since 1999.

Council Member Upton MOVED to approve Resolution 16-10, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Resolution 16-11 Cooperation Agreement with Greene County Commissioners

Clerk Lampton read a Resolution authorizing the City Manager to enter into an agreement with the Greene County Commissioners for the resurfacing of portions of Lantz Road and Beaver Valley Road.

Mr. Moorman explained that Greene County had installed a new sanitary sewer main along portions of Lantz Road and Beaver Valley Road last year. He said when the work was done it was very late in the season and were unable to completely restore the roadways before the winter weather occurred. He said it would work better for both entities to accomplish the restoration as part of the City's Annual Resurfacing Program and the County reimburse the City for half of

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the cost to complete the work. He said the overall cost would be less to both the County and the City and the entire road would be fixed instead of only the half where the sewer main was installed. He said it would be better final product. Staff recommended Council approve the Resolution authorizing the City to enter into an agreement with Greene County.

Council Member Wallace asked when the work would occur. Mr. Moorman replied it would be the first week in May. He said these two streets were at the top of the list.

Council Member Wallace MOVED to approve Resolution 16-11, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

LIQUOR PERMITS

Lakes Venture LLC Fresh Thyme Farmers Market (New)

Chief Evers said the Ohio Division of Liquor Control sent police notification referencing a new C2 liquor permit for Lakes Venture LLC Fresh DBA Thyme Farmers Market, 2850 Centre Drive, Suite E, Beavercreek, Ohio 45324. The records checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the business officers/shareholders for this application request. Staff recommended this application request move forward with no comment.

Council Member Litteral MOVED to accept without comment, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Max & Ermas Holdings LLC, DBA Max and Erma's & Patio (Transfer)

Chief Evers said the Ohio Division of Liquor Control sent police notification of a request to transfer a D5, D6 liquor permit from American Blue Ribbon Holdings LLC, DBA Max and Erma's & Patio, 2739 Fairfield Commons, Beavercreek, OH 45431 to Max and Ermas Holdings LLC, DBA Max and Erma's & Patio, 2739 Fairfield Commons, Beavercreek, Ohio 45431. The records checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the business officers/shareholders for this application request. Staff recommended this application request move forward with no comment.

Council Member Litteral MOVED to accept without comment, seconded by Council Member Upton. Motion PASSED by majority voice vote.

CITY MANAGER'S REPORT

Mr. Cornell said the Grange Hall Widening project is anticipated to be completed this June. Congratulations to Rich Weaver who is retiring next week after thirty

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years of service. Mr. Cornell asked Mr. McHugh to address a citizen's request regarding parking and valet parking at the Greene. Mr. McHugh said in 2005 Council entered into a development agreement with the Greene for a number of public improvements. He said one of the sub-agreements was a maintenance agreement which provides for the operation and maintenance of the streets which are to go to Greene Towne Center LLC. He said at the time the intent was and still is that the maintenance and public improvements which include city public improvements including right-of-way streets. He said this means the Greene is in charge of snow removal, salting, repairing and replacing the streets including potholes. He said they are doing what was intended and this includes parking and valet parking that is used for restaurants.

MAYOR'S REPORT

Mayor Stone said the parks department had the summer opening at the Lofino Park last Saturday. He said the BEA is having a Purse Bingo and Auction at the Senior Center this Friday. He said on Friday, May 6th he will be attending a meeting in Columbus to meet with the mayors of the thirty largest cities in Ohio. He thanked Col. Devillier for offering a behind the scenes tour of the Air Force Museum to see how they restore the aircrafts.

COUNCIL TIME

Council Member Litteral congratulated Roger Brislawn and Ralph Speelman for their time on the Bikeway Committee and sharing their knowledge.

Council Member Upton said the committee had met to review the bids from search firms to assist in the hiring of the next city manager.

Council Member Wallace thanked Roger Brislawn and Ralph Speelman for their time and energy. She thanked the community for supporting the Beavercreek Women's League Scholarship Luncheon where they raised approximately \$20,000. She said Tara Estates would be having a huge garage sale with 86 homes participating this weekend.

Council Member Jarvis said this Saturday between the hours of 10:00 a.m. and 2:00 p.m. would be the Prescription Drug Drop Off at the police department.

CITIZEN COMMENTS

There being no citizen comments, citizen comments was closed.

EXECUTIVE SESSION

Council Member Jarvis MOVED to enter into Executive Session at 6:35 p.m. pursuant to Section 121.22 of the Ohio Revised Code, for the purpose of

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consideration of conference with city attorney concerning disputes involving the City that are subject to pending or imminent court action and matters required to be kept confidential by federal law or rules or state statutes, seconded by Council Member Upton . Motion PASSED by a roll call vote of 6-0.

Council Member Litteral MOVED to adjourn executive session at 7:19 p.m., seconded by Council Member Wallace . Motion was PASSED by roll call vote of 5-0.

Council Member Litteral MOVED to reconvene the meeting, seconded by Council Member Wallace . Motion PASSED by majority voice vote.

ADJOURNMENT

Council Member Upton MOVED to adjourn the meeting at 7:20 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin042516

Agenda Item VI. A.
Third Reading

ORDINANCE NO. 16-07

CITY OF BEAVERCREEK

SPONSORED BY VICE MAYOR VANN ON THE 11TH DAY OF APRIL,
2016.

AN ORDINANCE AMENDING THE ZONING MAP, BY REZONING APPROXIMATELY 0.47 ACRES OF LAND LOCATED AT 4230 DAYTON-XENIA ROAD, FURTHER DESCRIBED AS BOOK 2, PAGE 4, PARCEL 36 FROM R-1A ONE FAMILY RESIDENTIAL TO RO-1 RESIDENTIAL OFFICE (Z-16-2).

Whereas, Clyde and Patricia Corle, 3439 Riva Court, Beavercreek, OH 45432, has requested the rezoning; and

Whereas, the City of Beavercreek Planning Commission has recommended approval of the rezoning amendment; and

WHEREAS, the City Council has voted to adopt the recommendation of the Planning Commission, this being a decision that requires approval by four members of Council.

NOW THEREFORE THE MUNICIPALITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I

That the Zoning Map referenced in §158.018 of the Zoning Code is hereby further amended to change approximately 0.47 acres of land, located at 4230 Dayton-Xenia Road, known as B42000200040036000 and as further described in the attached "Exhibit A" be rezoned to RO-1 Residential Office.

SECTION II

This Ordinance shall take effect from and after the earliest period allowed by law.

SECTION III

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

PASSED this 11th day of April, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

This Ordinance adopts a recommendation to rezone approximately 0.47 acres of land located at 4230 Dayton-Xenia Road from R-1A, One Family Residential to RO-1, Residential Office.

This is not an emergency ordinance and will become effective 30 days after passage.

CITY OF BEAVERCREEK
 CITY COUNCIL
 AGENDA ITEM REPORT

MAC 5416

<p>Meeting Date: May 9, 2016</p> <p>Agenda Reference No.: VI. <i>B.</i></p>	<p>Reference Topic: Ordinance No. 16-10 To Approve Supplemental Appropriations for the Fiscal Year Beginning January 1, 2016, and Ending December 31, 2016 and to amend ordinance 15-31 and 16-03 and 16-08.</p>
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ACTION REQUESTED		
<input checked="" type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other Motion _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Human Resources
<input checked="" type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering/Planning	<input type="checkbox"/> Golf Course
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager

Parks (279) – In 2015, the Parks Department budgeted and issued a purchase order with Schumacher Dugan Construction to completely remove and repave the Lofino Park tennis courts. This project carried over into this fiscal year. While the construction crew was removing the asphalt, their trucks sank beneath the asphalt. Upon further examination it was determine that the courts were not originally built with drainage tiling, and as a result the base was not stabilized and this lead to the large cracks in the surface over time. To ensure an adequate foundation and drainage, it was recommended to install drainage tiling to extend the useful life of the new surface. This is additional work that was not anticipated during the development of the original budget and scope of services. Therefore, it is staff's recommendation, that the drainage tile be added to the original contract. The approximate cost of the drainage tile is \$10,000. In addition, after reviewing the condition of the fence surrounding the courts it was determined it would be best to replace the entire fence surrounding the new courts. The estimated cost of the new fencing is \$3,000. The additional \$13,000 requested to complete this project is available in the fund balance which would still maintain the fund balance above the 15% minimum policy threshold. Therefore, it is recommended that an additional appropriation of \$13,000 be added to the 2016 budget for this additional work (279-54-7200-7200 Capital Improvements).

**CITY OF BEAVERCREEK, OHIO
ORDINANCE NO. 16-10**

SPONSORED BY COUNCIL MEMBER _____ ON THE 9th DAY OF MAY, 2016.

**TO APPROVE SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL
YEAR BEGINNING JANUARY 1, 2016, AND ENDING DECEMBER 31,
2016, AND TO AMEND ORDINANCE 15-31, 16-03 AND 16-08.**

WHEREAS, the annual appropriations for 2016 was authorized in Ordinances 15-31, 16-03, and 16-08 it is now the desire to supplement and amend these appropriations, and

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

That to provide for current expenses and other expenditures of the City of Beavercreek during said fiscal year ending December 31, 2016 are hereby authorized, while preserving all other appropriations as previously approved.

EXPENSE FUND (FUND #)	INCREASE APPROPRIATIONS
PARK LEVY (279)	<u>\$ 13,000</u>
TOTAL	<u>\$ 13,000</u>

SECTION II

In order to conform to the amendments detailed in Section I with the schedule of 2016 annual appropriations previously approved, the Financial Administrative Services Director is hereby directed to prepare and certify a restatement of annual appropriations reflecting all approved appropriations.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

SECTION IV.

This supplement to the Annual Appropriations Ordinance shall take effect upon adoption, in accordance with Sections 10.04 and 10.10 of the Beavercreek City Charter.

PASSED this 9th day of May, 2016.

BOB STONE, MAYOR

ATTEST:

CLERK OF COUNCIL

ORD 16-10

SUMMARY

An Ordinance to approve supplemental appropriations for the Fiscal Year ending December 31, 2016

This is a supplement to the Annual Appropriation Ordinance and in accordance with Sections 10.04 and 10.10 of the Beavercreek City Charter will become effective immediately upon its passage.



**AGENDA
CITY COUNCIL
Work Session – May 16, 2016, 5:00 p.m.
Council Chambers**

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. Township Update – Alex Zaharieff
 - B. Council Expenses Legislation
 - C. Lofino Expansion
 - D. Direct Election of Mayor
- V. INFORMATIONAL ITEMS
 - A. 1st Quarter Financial Summary
- VI. COUNCIL COMMITTEE/EVENT UPDATES
- VII. ADJOURNMENT

DRAFT



CITY COUNCIL
Regular Meeting – May 23, 2016 6:00 p.m.
Council Chambers

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Council Member Jarvis
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING –PUD 93-4 SSP #6, Ashton Brooke Phase Five
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-09 Vacant Property Registration (Second Reading)
 - B. Ordinance 16-___ Direct Election of Mayor (First Reading)
 - C. Ordinance 16-___ Repealing Current and Adopting New Section 31.01 Reimbursement of Council Members of the City of Beavercreek Code of Ordinances (First Reading)
 - D. Ordinance 16-___ Repealing Current and Adopting New Section 31.17 Reimbursement of Council Members for Expenses of the City of Beavercreek Code of Ordinances (First Reading)
- VIII. DECISION ITEMS
 - A. Acceptance of 1st Quarter 2016 Financial Summary
- IX. CITY MANAGER'S REPORT
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT

PLANNING DEPARTMENT STATUS REPORT

May 5, 2016

CITY COUNCIL

May 9, 2016

- PC 16-2, Vacant Abandoned Property Registry, first reading
- Z-16-2, 4230 Dayton-Xenia, third reading
-

May 23, 2016

- PUD 93-4, SSP #6, Ashton Brooke Phase Five, public hearing
- PC 16-2, Vacant Abandoned Property Registry, second reading
-

June 13, 2016

- PC 16-2, Vacant Abandoned Property Registry, third reading
-

Tabled / Delayed / Pending

-

PLANNING COMMISSION

June 1, 2016

- PC 16-1, Zoning Code Updates (tabled 5/4/16)
- PUD 16-1, The Cottages of Beaver Creek (tabled 5/4/16)
-
-

Currently Tabled / Delayed

-

Commercial Permits Submitted and Under Review

- Galactic
- BSM Development

BOARD OF ZONING APPEALS

May 11, 2016

- V-16-1, 3845 Knollwood
-

Currently Tabled or Delayed

-
-