



AGENDA
CITY COUNCIL
Work Session – June 20, 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. Police Staffing Analysis
 - B. Case Law Update
 - C. Oversized Vehicle Parking on Streets
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

ORDINANCE NO.

CITY OF BEAVERCREEK

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

AN ORDINANCE ADOPTING NEW SECTION 76.17 "PARKING OF LARGE AND OVERSIZE VEHICLES ON STREETS" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES.

WHEREAS, the City Council has determined that it would be in the best interest of the City to adopt a new Section 76.17 in Chapter 76 "Parking Regulations" of the City of Beavercreek Code of Ordinances.

NOW, THEREFORE, THE CITY OF BEAVERCREEK, COUNTY OF GREENE, OHIO, HEREBY ORDAINS:

SECTION I.

New Section 76.17 "PARKING OF LARGE AND OVERSIZE VEHICLES ON STREET" is hereby enacted as follows.

§ 76.17 PARKING OF LARGE AND OVERSIZE VEHICLES ON STREETS.

(a) It shall be unlawful for the driver, owner or operator of an oversized commercial vehicle to park or permit to be parked, stand or remain motionless:

(1) On a public street, including right-of-way, in any area zoned residential under the comprehensive zoning ordinance or used for residential purposes unless the vehicle is being actively loaded or unloaded; or

(2) For more than two hours on a public street, including right-of-way, in any area not zoned residential under the comprehensive zoning ordinance or not used for residential purposes.

(b) It shall be unlawful for the driver, owner or operator of a large recreational vehicle to park or permit to be parked, stand or remain motionless:

(1) On a public street, including right-of-way, in any area zoned residential under the comprehensive zoning ordinance or used for residential purposes; or

(2) On a public street, including right-of-way, in any area not zoned residential under the comprehensive zoning ordinance or not used for residential purposes.

(c) It is an exception to subsection (a) that the oversized commercial vehicle is being parked or allowed to be parked for use at an active construction site for no more than 15 hours in any 24-hour period.

(d) It is an exception to subsection (b)(1) above that the large recreational vehicle is being parked or allowed to be parked, stand or remain motionless for loading, unloading, maintenance, or any combination thereof, for no more than 24 hours in any seven-day period. Relocation of the large recreational vehicle to another location on private property or the adjoining public street does not stop the running of the 24-hour period.

SECTION II.

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 III.

This Ordinance shall take effect at the earliest date allowed by law.

PASSED this _____ day of _____, 2016.

MAYOR

ATTEST:

CLERK OF BEAVERCREEK COUNCIL

PREPARED BY: CITY ATTORNEY

SUMMARY

THIS ORDINANCE ADOPTS NEW SECTION 76.17 "PARKING OF LARGE AND OVERSIZE VEHICLES ON STREETS" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES. THIS IS NOT AN EMERGENCY ORDINANCE AND WILL BECOME EFFECTIVE THIRTY (30) DAYS AFTER PASSAGE.

ORDINANCE NO.

CITY OF BEAVERCREEK

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

AN ORDINANCE REPEALING CURRENT SECTION 76.99 "PENALTY" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES, AND ADOPTING NEW SECTION 76.99 "PENALTY" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES.

WHEREAS, Section 76.99 of the City of Beaver creek Code of Ordinances sets forth the penalties for Chapter 76, Parking Regulations of the City of Beaver creek Code of Ordinances; and

WHEREAS, the City Council has determined that it would be in the best interest of the City to update Section 76.99 of the City of Beaver creek Code of Ordinances.

NOW, THEREFORE, THE CITY OF BEAVERCREEK, HEREBY ORDAINS:

SECTION I.

Current section 76.99 "PENALTY" of the City of Beaver creek Code of Ordinances is hereby repealed, and new section 76.99 "PENALTY" is hereby enacted as shown in the document attached to this Ordinance as Exhibit "A" with new language in **bold** and text to be deleted in ~~strikeout~~.

SECTION II.

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 III.

This Ordinance shall take effect at the earliest date allowed by law.

PASSED this _____ day of _____, 2016.

MAYOR

ATTEST:

CLERK OF BEAVERCREEK COUNCIL

PREPARED BY: CITY ATTORNEY

SUMMARY

THIS ORDINANCE REPEALS CURRENT SECTION 76.99 "PENALTY" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES AND ADOPTS NEW SECTION 76.99 "PENALTY" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES. THIS IS NOT AN EMERGENCY ORDINANCE AND WILL BECOME EFFECTIVE THIRTY (30) DAYS AFTER PASSAGE.

Exhibit A

§ 76.99 PENALTY.

Violation of this chapter shall constitute a minor misdemeanor, and the fines for such violations shall be set forth below:

(A) The fine shall be ~~\$4~~ **\$50** for violating §§ 76.01, 76.04 through 76.12, as long as the fine is paid at the Beavercreek Police Department within 48 hours after the parking ticket was issued. Otherwise the fine shall be increased to the amount of ~~\$8~~ **\$75**, also to be paid at the Police Department.

(B) The fine for any overtime parking in the business district under § 76.04~~(N)~~ shall be ~~\$2~~ **\$25**, as long as the fine is paid at the Beavercreek Police Department within 48 hours after the parking ticket issued. Otherwise the fine shall be increased to the amount of ~~\$4~~ **\$50**, also to be paid at the Police Department.

~~(C) The fine for parking in handicapped zones in violation of §§ 76.05(E) or (F) shall be \$50.~~

(C) The fine for parking in violation of § 76.13 shall be ~~\$10~~ **\$50**, as long as the fine is paid at the Beavercreek Police Department within 48 hours after the parking ticket was issued. Otherwise the fine shall be increased to the amount of ~~\$20~~ **\$75**, also to be paid at the Police Department.

(D) Violation of § 76.17 shall constitute a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to a violation of § 76.17, whoever violates § 76.17 is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more violations of § 76.17, whoever violates § 76.17 is guilty of a misdemeanor of the third degree.

~~(DE)~~ The violation of any provision of this chapter for which no penalty is provided shall constitute a minor misdemeanor.

~~(EF)~~ Any person receiving a citation for a violation of this chapter may request, after the parking ticket is issued, at the Beavercreek Police Department a uniform traffic citation for violation of Ohio Revised Code Chapter 4511 giving a court date to appear in a court of competent jurisdiction to contest the violation.



CITY COUNCIL
Regular Meeting – June 27, 2016 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

PROCLAMATIONS

- ◆ Park and Recreation Month

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Council Member Upton
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING –PUD 15-3 SSP #2, Beavercreek Retail
 - 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 (Third Reading)
 - B. Ordinance 16-11 Charter Amendments (Third Reading)
- VIII. CITY MANAGER'S REPORT
- IX. MAYOR'S REPORT
- X. COUNCIL TIME
- XI. CITIZEN COMMENTS
- XII. EXECUTIVE SESSION
- XIII. ADJOURNMENT



CITY COUNCIL
Regular Meeting – July 11, 2016 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND MOMENT OF SILENCE – Council Member Wallace
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING –PUD 98-9 MOD 5/16, The Lux at Beavercreek
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-___ BAN for Not To Exceed \$1.5 million (First Reading)
 - B. Resolution 16-___ Authorizing Reimbursement of Park Fund for Lofino Plaza Renovation after sale of BAN
- VIII. CITY MANAGER'S REPORT
- IX. MAYOR'S REPORT
- X. COUNCIL TIME
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT

PLANNING DEPARTMENT STATUS REPORT

June 7, 2016

CITY COUNCIL

June 13, 2016

- PC 16-2, Vacant Property Registration, second reading
-

June 27, 2016

- PUD 15-3, SSP #2, Beaver Creek Retail, public hearing
- PC 16-2, Vacant Property Registration, third reading
-

July 11, 2016

- PUD 98-9, MOD 5/16, The Lux at Beaver Creek, public hearing
-

Tabled / Delayed / Pending

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PLANNING COMMISSION

July 6, 2016

- PUD 16-2, Creekstone, public hearing
- PC 16-3 Good News Baptist Church Conditional Use, public hearing
- S-16-5, Ashland Hills, Section 5
- PUD 16-1, The Cottages of Beavercreek (tabled 5/4/16, 6/1/16)
- PC 16-1, Zoning Code Updates (tabled 5/4/16, 6/1/16)
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Currently Tabled / Delayed

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Commercial Permits Submitted and Under Review

- BSM Development
- Flying Ace/Starbucks

BOARD OF ZONING APPEALS

July 13, 2016

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Currently Tabled or Delayed

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CITY COUNCIL, 2016

January 11, 2016

- Z-15-4, Sylvania Drive rezoning, third reading

January 25, 2016

- Z-16-1, TCN Behavioral, public hearing, first reading

February 8, 2016

- Z-16-1, TCN Behavioral, public hearing, second reading (continued)

February 22, 2016

- PUD 93-4, Amendment 1/16, Ashton Brook Phase 5, public hearing, first reading
- PUD 15-3, SSP #1, AAA-Bob Sumere! Tire, public hearing
- Z-16-1, TCN Behavioral, second reading continued

March 14, 2016

- PUD 93-4, Amendment 1/16, Ashton Brook Phase 5, public hearing, second reading
- Z-16-1, TCN Behavioral, third reading (tabled)

March 28, 2016

- PUD 93-4, Amendment 1/16, Ashton Brook Phase 5, third reading
- Z-16-1, TCN Behavioral, third reading (tabled 3/14/16) (withdrawn by applicant)

April 11, 2016

- Z-16-2, 4230 Dayton-Xenia, public hearing, first reading
- PUD 541 Major MOD, Flying Ace Express/Starbucks, public hearing

April 25, 2016

- Z-16-2, 4230 Dayton-Xenia, public hearing, second reading

May 9, 2016

- 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 Property Registration, first reading

PLANNING COMMISSION, 2016

January 6, 2016

- Z-16-1, 1400 Grange Hall, public hearing
- PUD 91-2 Minor Mod 12/15, BSM Development
- S-16-1, Shoppes at Fairfield Commons
- S-16-2, AAA Sumerel Beaver creek Subdivision

February 3, 2016

- PUD 93-4, Amendment 1/16, Ashton Brook Phase 5, public hearing
- PUD 15-3, SSP #1, AAA-Bob Sumerel Tire, public hearing
- Z-16-2, 4230 Dayton-Xenia, public hearing (tabled to March mtg.)

March 2, 2016

- PUD 541, Major MOD Flying Ace Express/Starbucks, public hearing
- Z-16-2, 4230 Dayton-Xenia, public hearing (tabled 2/3/16)
- S-16-3, The Village at Stone Falls II

April 6, 2016

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May 4, 2016

- PC 16-1, Zoning Code Updates, public hearing
- PUD 16-1, The Cottages of Beaver creek, public hearing
- PUD 93-4, SSP #6, Ashton Brooke Phase Five, public hearing
- S-16-4, Flying Ace Car Wash

June 1, 2016

- PUD 98-9, MOD 5/16, The Lux at Beaver creek, public hearing
- PUD 15-3, SSP #2, Beaver creek Retail, public hearing
- PC 16-1, Zoning Code Updates (tabled 5/4/16)
- PUD 16-1, The Cottages of Beaver creek (tabled 5/4/16)