



CITY COUNCIL
Regular Meeting – December 12, 2016 6:00 p.m.
Council Chambers

PROCLAMATIONS

- ◆ Retirement of Michael Cornell, City Manager

PRESENTATIONS

- ◆ Presentation from Scott Hadley, Past Mayor, to the City

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Mayor Stone
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. November 21, 2016 Budget Work Session
 - B. November 28, 2016 Regular Meeting
- VI. STATE OF THE CITY/BUDGET MESSAGE (City Manager)
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Resolution 16-37 Accepting the 2017 Budget
 - B. Ordinance 16-36 Annual Appropriations (Single Reading)
 - C. Resolution 16-33 Wage Adjustments
 - D. Resolution 16-34 Clerk of Council Wage Adjustment
 - E. Ordinance 16-34 PUD 06-3 AMENDMENT 9/16 First & Main Beavercreek (Second Reading)
 - F. Ordinance 16-37 Levying Special Assessments for the Purpose of Acquiring, Constructing and Improving Certain Public Improvements (Emergency)
- VIII. LIQUOR PERMITS
 - A. OSR Pizza LLC dba Rapid Fired Pizza (New)
- IX. DECISION ITEMS
 - A. Motion to Dissolve Executive Recruitment Committee
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
BUDGET WORK SESSION, November 21, 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, Vice Mayor Vann, Mayor Stone

ABSENT: None

ABSENT: Council Member Litteral

Council Member Wallace MOVED to excuse Council Member Litteral, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Jill Bissinger, Human Resources; Michael Cornell, City Manager; Theresa Hathaway, Fiscal Officer; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Jeff McGrath, Planning & Zoning Director; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

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

DISCUSSION ITEMS

2017 Budget Item – Street Fund

Mr. Thonnerieux summarized the changes in the budget. He stated salt was \$9.50 per ton cheaper than the prior year and the salt barn was currently full.

Council Member Litteral arrived at 5:06 p.m.

The maintenance facility parking lot was scheduled to be resurfaced. Two dump trucks were scheduled to be replaced along with trailers and movers. Laptops in the maintenance area were being replaced with older police tuff laptops.

2017 Budget Item – Five Year Capital Fund

Mr. Moorman reviewed the capital improvement projects scheduled for 2017 which included \$11.5 million in construction. Part of the improvements included work on Shakertown Road near Bergamo. A Bikeway Warning Signal with flashers was included in the budget based on the input from the Bikeway Advisory Committee. There was discussion regarding the curb replacement program.

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2017 Budget Item – General Fund

Council discussed the replacement of the tablets with iPads. The amount for a Strategic Plan was reduced. There was discussion regarding the Council budget for reimbursable expenditures for public purpose. Council Member Upton requested money for a water study to see if a better price was available with better water quality.

INFORMATIONAL ITEMS

Third Quarter 2015 Financial Summary

Council was asked to review the summary which would need to be approved at the next regular meeting.

ADJOURNMENT

Council Member Whilding MOVED to adjourn the meeting at 6:57 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin112116budgetworksession

BEAVERCREEK CITY COUNCIL
REGULAR MEETING November 28, 2016 6:00 p.m.

PRESENTATIONS

- ◆ State Representative Rick Perales presenting to Beaver Creek Police Department and COPPs
- ◆ Introduction of new K-9
- ◆ Introduction of recently promoted Sergeant Nick Amato and Captain Chad Lindsey

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, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

TARDY: None

ALSO IN ATTENDANCE: 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

Vice Mayor Vann led the pledge and a prayer.

APPROVAL OF AGENDA

Council Member Upton MOVED to amend the agenda by removing agenda items VII. J. and VII. K., seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Council Member Whilding MOVED to approve the agenda as amended, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

APPROVAL OF MINUTES

Council Member Jarvis MOVED to approve the minutes of the November 14, 2016 Regular Meeting, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

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Council Member Litteral MOVED to approve the minutes of the November 16, 2016 Budget Work Session, seconded by Council Member Wallace. Motion PASSED by majority voice vote. (Abstained – Upton, Vann)

PUBLIC HEARING – PUD 06-3 AMENDMENT 9/16 First & Main Beavercreek
Clerk Lampton read an application filed by Granger Group, 2221 Health Drive SW, Suite 2200, Wyoming, Ohio 49519. The applicant requests approval of an amendment to PUD 06-3 to allow the construction of an assisted living facility on 12.27 acres. The property is located on the southeast corner of Park Overlook Drive and Grange Hall Road. The property is further described as Book 1, Page 11, Parcel 67 on the Greene County Property Tax Atlas.

Application Presentation

There was no presentation but applicant was available for questions.

Staff Presentation

Mr. McGrath summarized the staff report dated November 21, 2016 which stated the applicant is requesting approval of an amendment to PUD 06-3 to allow for the construction of an 80 unit, 76,000 square foot assisted living and memory care facility on 12.3 acres. Mr. McGrath explained the specific site was originally approved for 17 duplexes on the south side of Park Overlook Drive and 17 duplexes on the north side of Park Overlook Drive. In 2010, an amendment to the PUD was approved for the construction of a skilled nursing facility on the northern portion of the PUD. He explained this second amendment was for the southern portion of the PUD to allow for an assisted living facility. He reviewed the Land Use Plan, the surrounding zoning and the buffers. He said the facility will be low intensity as far as traffic. He said there were six conditions included in the Ordinance. He noted the access to the facility would be on Park Overlook Drive only. He said staff and Planning Commission recommended approval.

Public Input

Dwight Keller, 3690 Somerset Drive, Beavercreek, Ohio

Mr. Keller said he was not opposed to the proposed amendment and thought it a positive use for the vacant property. He said about six years ago the Council voted to keep Park Overlook Reverse which is to the east of this. He said it is enjoyed by many people. He suggested thought be given to access to the park particularly since this property would be used by senior citizens. He said the park would be an asset for them. He asked parking for access to the park be considered for the general public.

Greg Ali, 3713 Somerset Drive, Beavercreek, Ohio

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Mr. Ali said the senior living facility would be an ideal asset to the community. He said he would like access from the proposed center to the park. He said he would like the fence taken down. He said parking access would be a great asset for everybody involved.

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

Council Input

Council Member Upton questioned if there would any emergency access to the facility other than the one entrance off of Park Overlook Drive. Mr. McGrath said there was a stub street from Lujon Drive that would be looked at during the specific site plan stage for connection for emergency purposes.

Council Member Wallace asked for clarification of the size of the building. Mr. Lisle, from the Lisle Group, replied approximately 76,000 square feet. Council Member Wallace asked how many stories. Mr. Lisle replied a portion would be two-story. Mr. Lisle explained there was a large buffer with mature trees which they were trying to incorporate into the design.

Mayor Stone asked if this would require park fees. Mr. McGrath said they would be looking into that. Mayor Stone suggested there be something worked out in lieu of fees to develop access/parking for the park.

Ordinance 16-34

Council Member Wallace MOVED to approve Ordinance 16-34 and move to the second and third readings, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 16-24 Adopting New Section 76.17 "Parking of Large and Oversize Vehicles on Streets" (Third Reading)

Clerk Lampton read an Ordinance adopting new section 76.17 "Parking of Large and Oversize Vehicles on Streets" of the City of Beaver Creek Code of Ordinances.

Council Member Upton MOVED to approve Ordinance 16-24, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

Ordinance 16-25 Repealing Current Section 70.01 "Definitions" and Adopting New Section 70.01 "Definitions" (Third Reading)

Clerk Lampton read an Ordinance repealing current Section 70.01 "Definitions" of the City of Beaver Creek Code of Ordinances, and adopting new Section 70.01 "Definitions" of the City of Beaver Creek Code of Ordinances.

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Council Member Jarvis MOVED to approve Ordinance 16-25, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Ordinance 16-26 Repealing Current Section 76.99 “Penalty” and Adopting New Section 76.99 “Penalty” (Third Reading)

Clerk Lampton read 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.

Council Member Litteral MOVED to approve Ordinance 16-26, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Resolution 16-27 Approval of Petitions for Ohio Energy Special Improvement District (Tabled from the November 14, 2016 meeting)

Clerk Lampton read a Resolution approving a petition, articles of incorporation and initial plan for the City of Beavercreek (Greene County), Ohio Energy Special Improvement District.

Council Member Upton MOVED to untable Resolution 16-27, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Vice Mayor Vann MOVED to appoint the Planning Director to the City of Beavercreek (Greene County), Ohio Energy Special Improvement District Board, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Vice Mayor Vann MOVED to approve Resolution 16-27, seconded by Council Member Wallace. Motion PASSED by majority voice vote. (Against – Whilding)

Resolution 16-28 Declaring the Necessity of Certain Public Improvements (Tabled from the November 14, 2016 meeting)

Clerk Lampton read a Resolution declaring the necessity of acquiring and constructing certain public improvements in cooperation with the City of Beavercreek (Greene County), Ohio Energy Special Improvement District and the Greene County Port Authority.

Council Member Jarvis MOVED to untable Resolution 16-28, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Vice Mayor Vann MOVED to approve Resolution 16-28, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

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Ordinance 16-27 Determining to Proceed with Acquisition, Construction and Improvement of Certain Public Improvements (Emergency) (Third Reading)

Clerk Lampton read an Ordinance determining to proceed with the acquisition, construction and improvement of certain public improvements in cooperation with the City of Beavercreek (Greene County), Ohio Energy Special Improvement District and the Greene County Port Authority and declaring an emergency.

Vice Mayor Vann MOVED to approve Ordinance 16-27, seconded by Council Member Wallace. Motion PASSED by a roll call vote of 7-0.

Ordinance 16-28 Levying Special Assessments for the Purpose of Acquiring, Constructing and Improving Certain Public Improvements (Emergency) (Third Reading)

Clerk Lampton read an Ordinance levying special assessments for the purpose of acquiring, constructing and improving certain public improvements in cooperation with the City of Beavercreek, (Greene County), Ohio Energy Special Improvement District and the Greene County Port Authority and declaring an emergency.

Council Member Wallace MOVED to approve Ordinance 16-28, seconded by Vice Mayor Vann. Motion PASSED by a roll call vote of 7-0.

Ordinance 16-29 Authorize City's Participation in Financing Special Energy Improvement Projects (Emergency) (Third Reading)

Clerk Lampton read an Ordinance authorizing the City's participation in financing special energy improvement projects in cooperation with the Port Authority; authorizing the execution of documents to effectuate such financing; and declaring an emergency.

Council Member Litteral MOVED to approve Ordinance 16-29, seconded by Council Member Wallace. Motion PASSED by a roll call vote of 7-0.

Ordinance 16-35 Supplemental Appropriations (Single Reading)

Clerk Lampton read an Ordinance to approve supplemental appropriations and certifying additional revenue for the fiscal year beginning January 1, 2016 and ending December 31, 2-16 and to amend Ordinances 15-31, 16-03, 16-08, 16-10, 16-16 and 16-30.

Mr. Kucera explained the main walk-in freezer to store food at the golf course required a compressor. The repair cost of \$2,761 needed to be appropriated. There was refund received from the emergency replacement of the HVAC unit installed at the golf course in the amount of \$3,300 needed to be certified.

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Vice Mayor Vann MOVED to approve Ordinance 16-35, seconded by Council Member Litteral. Motion PASSED by a roll call vote of 7-0.

Resolution 16-35 Park Consolidation Agreement

Clerk Lampton read a Resolution authorizing the City Manager to enter into an agreement to consolidate park activities with Beaver Creek Township and the Beaver Creek Township Park District Board to include the operation, maintenance and improvement of park and recreation facilities.

Mr. Thonnerieux reviewed the presentation from the work session for the public. He explained the consolidation of park services is an effort to create a more efficient and effective service for Parks, Recreation and Senior Services. He said the Park District would place an initiative on the November 2017 ballot for a .9 mil tax levy to cover the costs of operation, improving and maintaining the City, Township and Park District parks. He said upon passage of the levy the city would pause collecting the 0.9 mil Park levy. There would be a minimum of 25% reduction in the Township and City General Fund contribution. He said there would be an advisory board established to help recommend programs, review the annual budget and recommend capital improvement projects to the Park District Board. He explained if the Park District levy is not successful the City Park levy would continue and the agreement would be terminated. He said the Park District and the Township would then need to re-evaluate their future. He said this agreement would combine the three agencies that exist, City of Beaver Creek Parks, Beaver Creek Township Parks and Beaver Creek Township Park District into one, the Beaver Creek Township Park District. He said staff is recommending Council to authorize the City Manager to enter into the Agreement to consolidate with the Beaver Creek Township and the Beaver Creek Township Park District.

Council Member Upton asked if there was an overlap period of one year where the City would continue to collect the .9 mil levy and before the Park District would receive from their .9 collect. Mr. Thonnerieux said the residents would never be taxed by the City and Park District at the same time. He said the City levy would pause and the Park District levy would begin collecting. Council Member Upton said he was concerned about the delay in the Park District receiving funds. Mr. Thonnerieux explained the Park District Commissioners have the opportunity to request an early disbursement. He said in the first year of implementation the City and the Township continue to operate the parks under the direction of the Park District Commissioners. He said they would use their existing funds for that time period until the first collection comes in.

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Vice Mayor Vann said currently the board members are appointed by a judge. She asked what the relationship was between the Park District appointees and representatives that would represent the City's interests. Mr. Thonnerieux said the Park District Commissioners are members of the City or the Township who are appointed by a judge. He explained the advisory board would have the opportunity to review the applications and make a recommendation to the Park District Commissioners and the judge. He said this would allow for more input as to who those folks are. Vice Mayor Vann asked why this would benefit Beaver Creek neighborhoods within the city limits. She said the voters of Beaver Creek voted against this and wanted to know why they would change from us being the advocates to having park board appointed by a judge as the advocate. Mr. Thonnerieux said he had three reasons. The first was it provides one face to the customer. He said there will be three Park District commissioners whose focus is solely on parks and senior services. He said consolidation of skills will occur. They would be sending one person to be certified versus three. Vice Mayor Vann agreed with the shared services and equipment but taking away the role of decision making for parks from the City is something that is hard for her.

Council Member Wallace said the people who are the commissioners are Beaver Creek City or Beaver Creek Township residents. She said the public of the United States has made it clear that less government is better. She said having three government entities to run different parks in the same geographical area versus one entity is streamlining our expenses, taxes go further and better use of the dollars to create better parks. She believed the Park Commissioners would communicate with the City, Township and the Park District to make sure that everybody in the community is happy.

Council Member Jarvis questioned Mr. Thonnerieux's comment regarding should the Park District levy pass the City's levy would pause. He asked what pause meant. Mr. Thonnerieux said he should have used the word stop. He said City Council would stop the collection of that levy as stated in the agreement. He said they would send a note to the County Auditor to stop the collection of the City levy.

Council Member Whilding said the stop would be required at least twice in August when the City conveys to the County Auditor they would not be taking the levy money. He asked if one letter would cover both years or would they need to convey that every year until the levy runs out. Mr. Kucera said they would only need one letter instructing the County Auditor to stop it altogether. Council Member Whilding said once it passes in 2017, we have to say stop collecting in 2018 because in arrears we're receiving what was already collected the previous year. He said the Park District levy doesn't start until 2019 so that one year we are getting the money in arrears that we already collected but there is nothing

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being collected from the Park District Levy until 2019. He said we are continuing to use our monies collected under the original levy which meets the intent of the discussion but technically he sees it as 2018 we're spending what we collected in arrears before they can collect in 2019. He said their letter didn't say they were collecting in 2018 it said 2019. Mr. Thonnerieux said they would start collecting in January 1, 2018. Council Member Whilding thought he read 2019.

Council Member Whilding said in 13. E. on page five of the agreement it says "one resident of either the incorporated or unincorporated area of Beaver Creek Township designated by Beaver Creek Township Park District Board of Commissioners." He said since City of Beaver Creek was referenced in 13. C. it should be referenced as City of Beaver Creek in 13. E. He said a funny thing might happen if there is ever a separation of the Township and the City and there is no longer an incorporated area of Beaver Creek Township.

Council Member Whilding questioned that the City currently transfers \$240,000 from the General Fund to the Park Department and asked if this would continue with the Park District. Mr. Thonnerieux explained there would be a minimum of a 25% reduction in both the Township and City General Fund park expenditures over the life of the levy.

Vice Mayor Vann asked what comes out of the General Fund for Parks. Mr. Thonnerieux replied \$240,000. Vice Mayor Vann questioned if this was in addition to the levy. Mr. Thonnerieux replied yes.

Council Member Whilding said if we have a 0.9 mil levy over the entire district why would the City keep contributing for the next six years. Mr. Thonnerieux explained it was the same thing as it is right now. He said the City has a 0.9 mill Park Levy now which they tried to keep as low as possible but use the General Fund dollars that we still have available after the Local Government fund cuts. Council Member Whilding verified the City would still be transferring money from the General Fund for the next six years. Mr. Thonnerieux said that was correct. It would be a 25% reduction of what is scheduled to be paid now. Council Member Whilding said it would be \$180,000 per year the General Fund would contribute to the Park District to assist the 0.9 mill levy.

Council Member Upton said for six years the City is giving the Park District \$180,000 that we then lose control overseeing of those tax dollars. He said it keeps the mileage at 0.9 for the entire district but the \$180,000 could be used on any park in the District, not just City parks. Mr. Thonnerieux said the Township would be seeing the same thing, a reduction of a minimum of 25% of their contributions to their parks which would also go into the Park District funds along

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with the 0.9 mil upon passage of the levy. Council Member Upton said they would be in the same situation of the Township Trustees losing control of the \$110,000 contribution. Mr. Thonnerieux said the key to this amount is to help keep the capital program going for the Park District to continue to make improvements to all the facilities. He said the Park District is vested in trying to make the Park levy successful and wanted to keep the 0.9 the same across the City.

Vice Mayor Vann asked how many parks were in each of the separate entities. Mr. Thonnerieux said there were 23 in the city, five in the Township and two in the Park District. She said you are going to have one representative on the Board for the City even though we have 23 parks and you're going to have one representative from the Township for five parks and one representative from the Township or City for the Park District who has two parks and you're just hoping they will come and talk with our Planning Department on a regular basis. Council Member Whilding said he had a note suggesting they have two representatives from the City because of population and land usage.

Mayor Stone suggested the legislation be tabled to allow for continued discussion. He questioned what the timeline was. Mr. Thonnerieux said the committee was working towards a January start time to start the education process for a November initiative. Mayor Stone said they should come up with a tentative conceptual agreement to allow for input from a public forum. He asked if there were other park districts in the area that operate rec centers or senior centers. He said most park districts that he was familiar with are parks and not recreation. Sugarcreek was mentioned.

Council Member Jarvis asked if the Park District would also contribute any dollars. Mr. Thonnerieux replied all of the money they currently receive would continue at 100%. The current budget for the Park District is approximately \$30,000.

Mayor Stone suggested this be tabled and ask staff, the Township parks and Park District to work on a conceptual agreement based on what was heard today. The Council could then approve a conceptual agreement and further talk about a public forum.

Council Member Upton MOVED to table Resolution 16-36, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Resolution 16-36 Substitute House Bill 523 Moratorium Extension

Clerk Lampton read a Resolution by the Beaver Creek City Council extending for a period of six months the moratorium on the issuance and processing of any permits

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allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Beavercreek, Ohio.

Mr. McHugh said he was recommending extending the moratorium. He had provided a schedule from the State of Ohio indicating their adoption dates regarding marijuana. He said this would give the City staff an opportunity to review the state documents and make any zoning changes.

Mayor Stone said he has heard the moratorium prevents any investor from even considering your community to make an investment. He said some communities are taking the steps to generally narrow things down.

Council Member Jarvis MOVED to approve Resolution 16-36, seconded by Council Member Upton. Motion PASSED by majority voice vote. (Against – Litteral)

DECISION ITEMS

Acceptance of 3rd Quarter 2016 Financial Summary

Vice Mayor Vann MOVED to accept the 3rd Quarter 2016 Financial Summary, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

CITY MANAGER'S REPORT

Mr. Cornell acknowledged the new city manager, Pete Landrum, was in the audience. He said the meeting location was changed because the City Hall lift was not working. Mr. Thonnerieux gave an update on the lift. He said there had been a couple of companies in to look at it and the issue was locating the parts. The company who made the lift was no longer in business. He said once they secure the parts, they will get it working again.

Mr. Cornell said the Shoup Park improvements should be completed by Friday.

The one meeting in December is scheduled for December 12th at 6:00 p.m.

MAYOR'S REPORT

Mayor Stone thanked Beavercreek Church of the Nazarene for hosting the Thanksgiving gathering dinner. Many of the police and Council Members volunteered for the event.

COUNCIL TIME

Council Member Whilding thanked all the volunteers at Shoup Park.

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Council Member Wallace invited everyone to the Miami Valley Military Affairs dinner Tuesday, at 5:30 p.m. at the Hope Hotel.

Council Member Upton attended the Beavercreek Women's Club where Mr. Cornell gave a presentation reviewing his ten years as Beavercreek's City Manager.

CITIZEN COMMENTS

There being no citizen comments, citizen comments was closed.

ADJOURNMENT

Council Member Upton MOVED to adjourn the meeting at 7:33 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin112816

Agenda Item VII. A.

CITY OF BEAVERCREEK

RESOLUTION NO. 16-37

SPONSORED BY COUNCIL MEMBER _____ ON THE 12th
DAY OF DECEMBER, 2015.

**A RESOLUTION ACCEPTING THE 2017 CITY BUDGET AS PRESENTED
BY THE CITY MANAGER.**

WHEREAS, this Council in accordance with the provisions of the Code of Ordinances is adopting a Budget for the next succeeding fiscal year commencing January 1, 2017; and

WHEREAS, the City Manager has presented a proposed budget to Council for calendar year 2017 as required by the City Charter Section 6.02(4), and

WHEREAS, the City Council of the City of Beavercreek, Ohio, has certified its action thereon to the citizens; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beavercreek, Greene County, Ohio;

SECTION I

That the amounts in the 2017 Budget are hereby accepted and adopted, and are incorporated herein by reference.

SECTION I

This Resolution shall become effective immediately upon passage.

ADOPTED by the City Council of the City of Beavercreek, Ohio this 12th day of December, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

Agenda Item VII. B.
Single Reading

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 16-36

SPONSORED BY COUNCIL MEMBER _____ ON THE 12th
DAY OF DECEMBER, 2016.

APPROVING THE ANNUAL APPROPRIATIONS FOR THE CITY OF
BEAVERCREEK, STATE OF OHIO, FOR THE FISCAL YEAR
BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017
AND AUTHORIZING THE TRANSFER OF MONIES.

WHEREAS, pursuant to law the City must annually pass an appropriation
ordinance and budget for the next ensuing year, and

WHEREAS, the City Manager has presented this to Council for calendar year
2016 a proposed budget and related appropriations, and

WHEREAS, transfers of monies from one fund to another are authorized under
Ohio Revised Code Section 5705.14 upon a two-thirds affirmative vote of City Council
or by a simple majority of City Council when transferring from the General Fund.

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

The proposed 2017 annual appropriations, which are based on the proposed
budget as reviewed and adopted by City Council, are attached to this
ordinance.

SECTION II.

The amounts stated in Exhibit A: Schedule of 2017 Annual Appropriations are
hereby appropriated for the designated funds to provide for personal services
and other expenses of the City of Beavercreek during said fiscal year ending
December 31, 2017.

SECTION III.

The Financial Administrative Services Director is hereby authorized to make
payments from any of the foregoing appropriations upon receiving the proper
documentation approved by officers authorized by law to approve the same.

SECTION IV.

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 V.

That the transfers stated in Exhibit B: 2017 Budget Transfer Summary are hereby approved for the 2017 Budget pursuant to the Ohio Revised Code.

SECTION VI.

This Annual Appropriation Ordinance shall take effect upon adoption, in accordance with Section 10.10 of the Beavercreek City Charter.

PASSED this 12th day of December, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

THIS ORDINANCE IS TO AUTHORIZE ANNUAL APPROPRIATIONS AND TRANSFERS BETWEEN FUNDS FOR THE CITY OF BEAVERCREEK, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017.

THIS IS THE "ANNUAL APPROPRIATION ORDINANCE" AND SO IN ACCORDANCE WITH SECTION 10.10 OF THE BEAVERCREEK CITY CHARTER WILL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

**CITY OF BEAVERCREEK
SCHEDULE OF 2017 ANNUAL APPROPRIATIONS
ORDINANCE 16-36**

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
101	General Fund			
	<u>City Council</u>			
	Personnel	\$ 48,489		
	Other Expenditures	\$ 141,562	\$ 190,051	
	<u>Clerk of Council</u>			
	Personnel	\$ 71,579		
	Other Expenditures	\$ 19,495	\$ 91,074	
	<u>Planning & Zoning Boards</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 6,465	\$ 6,465	
	<u>City Manager</u>			
	Personnel	\$ 267,484		
	Other Expenditures	\$ 28,490	\$ 295,974	
	<u>Human Resources</u>			
	Personnel	\$ 88,913		
	Other Expenditures	\$ 6,740	\$ 95,653	
	<u>Finance</u>			
	Personnel	\$ 397,868		
	Other Expenditures	\$ 18,430	\$ 416,298	
	<u>Information Services</u>			
	Personnel	\$ 88,116		
	Other Expenditures	\$ 73,543	\$ 161,659	
	<u>Planning & Zoning</u>			
	Personnel	\$ 598,680		
	Other Expenditures	\$ 22,429	\$ 621,109	
	<u>Contractual Services</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 386,634	\$ 386,634	
	<u>Building Facilities</u>			
	Personnel	\$ 79,538		
	Other Expenditures	\$ 95,836	\$ 175,374	
	<u>District Lighting</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 99,000	\$ 99,000	
	<u>Cemetery</u>			
	Personnel	\$ 120,268		
	Other Expenditures	\$ 70,234	\$ 190,502	
	Capital		\$ -	
	Transfers Out		<u>\$ 1,659,374</u>	
	General Fund (101) Total			<u>\$ 4,389,167</u>

**CITY OF BEAVERCREEK
SCHEDULE OF 2017 ANNUAL APPROPRIATIONS
ORDINANCE 16-36**

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
202	Police			
	<u>Administration</u>			
	Personnel	\$ 223,558		
	Other Expenditures	\$ 4,387	\$ 227,945	
	<u>Support Services</u>			
	Personnel	\$ 558,726		
	Other Expenditures	\$ 7,500	\$ 566,226	
	<u>Community Relations</u>			
	Personnel	\$ 118,228		
	Other Expenditures	\$ 2,500	\$ 120,728	
	<u>Communications</u>			
	Personnel	\$ 939,037		
	Other Expenditures	\$ 53,093	\$ 992,130	
	<u>Emergency/Dispatch - 911</u>			
	Other Expenditures	\$ 59,800	\$ 59,800	
	<u>Corrections</u>			
	Other Expenditures	\$ 245,207	\$ 245,207	
	<u>Other Police Expenditures</u>			
	Other Expenditures	\$ 1,837,937	\$ 1,837,937	
	<u>Investigations</u>			
	Personnel	\$ 837,768		
	Other Expenditures	\$ -	\$ 837,768	
	<u>Operations</u>			
	Personnel	\$ 4,663,383		
	Other Expenditures	\$ 538,212	\$ 5,201,595	
	<u>Special Duty Trust Account</u>			
	Personnel	\$ 79,496	\$ 79,496	
	<u>COPP</u>			
	Other Expenditures	\$ 3,000	\$ 3,000	
	<u>Facilities Maintenance</u>			
	Personnel	\$ 26,396		
	Other Expenditures	\$ 127,050	\$ 153,446	
	<u>Transfers Out</u>		\$ -	
	Police Fund (202) Total			<u>\$ 10,325,278</u>

**CITY OF BEAVERCREEK
SCHEDULE OF 2017 ANNUAL APPROPRIATIONS
ORDINANCE 16-36**

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
203	Street Levy			
	<u>Engineering</u>			
	Personnel	\$ 155,301		
	Other Expenditures	\$ 14,656	\$ 169,957	
	<u>Street Inspection</u>			
	Personnel	\$ 495,011		
	Other Expenditures	\$ 6,781	\$ 501,792	
	<u>Public Adm. Services Administration</u>			
	Personnel	\$ 359,674		
	Other Expenditures	\$ 216,324	\$ 575,998	
	<u>Building Facilities Maintenance</u>			
	Personnel	\$ 118,370		
	Other Expenditures	\$ 237,950	\$ 356,320	
	<u>Street Maintenance</u>			
	Personnel	\$ 974,198		
	Other Expenditures	\$ 641,433	\$ 1,615,631	
	<u>Snow & Ice</u>			
	Personnel	\$ 233,186		
	Other Expenditures	\$ 98,495	\$ 331,681	
	<u>Weed & Grass Maintenance</u>			
	Personnel	\$ 243,846		
	Other Expenditures	\$ 125,188	\$ 369,034	
	<u>Vehicle Maintenance</u>			
	Personnel	\$ 227,720		
	Other Expenditures	\$ 42,280	\$ 270,000	
	<u>Traffic Safety</u>			
	Personnel	\$ 375,791		
	Other Expenditures	\$ 304,353	\$ 680,144	
	<u>Storm Water</u>			
	Personnel	\$ 214,840		
	Other Expenditures	\$ 84,913	\$ 299,753	
	<u>Capital Improvements</u>		\$ 4,677,000	
	<u>Transfers Out</u>		\$ -	
	Street Levy (203) Total			<u>\$ 9,847,310</u>

**CITY OF BEAVERCREEK
SCHEDULE OF 2017 ANNUAL APPROPRIATIONS
ORDINANCE 16-36**

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
204	Street Maintenance Fund			
	<u>Street Maintenance</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 298,934	\$ 298,934	
	<u>Paving</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 1,030,900	\$ 1,030,900	
	<u>Snow & Ice</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 348,148	\$ 348,148	
	<u>Capital Improvements</u>		<u>\$ 1,671,000</u>	
	Street Maintenance (204) Total			<u>\$ 3,348,982</u>
205	State Highway			
	Personnel	\$ 92,497		
	Other Expenditures	\$ 69,510	\$ 162,007	
	<u>Capital Improvements</u>		<u>\$ 50,000</u>	
	State Highway (205) Total			<u>\$ 212,007</u>
211	CDBG-ARRA Grant Fund			\$ -
223	Law Enforcement			\$ 27,665
224	Drug Enforcement			\$ -
226	DUI Enforcement			\$ 15,195
227	Drug Offenses			\$ 12,500
229	Federal Forfeitures			\$ -
234	Youth Activities			\$ 2,070
242	Crime Prevention			\$ -
245	JAG Grant ARRA			\$ -
260	Street Improvement Levy Fund			
	Personnel	\$ -		
	Other Expenditures	\$ 1,339,456	\$ 1,339,456	
	<u>Capital Improvements</u>		<u>\$ 2,079,472</u>	
	Street Improvement Levy Fund (260) Total			<u>\$ 3,418,928</u>

**CITY OF BEAVERCREEK
SCHEDULE OF 2017 ANNUAL APPROPRIATIONS
ORDINANCE 16-36**

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
279	Parks Levy Fund			
	<u>Park Maintenance</u>			
	Personnel	\$ 665,187		
	Other Expenditures	\$ 262,944	\$ 928,131	
	<u>Rotary Park</u>			
	Personnel	\$ 172,165		
	Other Expenditures	\$ 148,630	\$ 320,795	
	<u>Recreational Programs</u>			
	Personnel	\$ 20,127		
	Other Expenditures	\$ 133,382	\$ 153,509	
	<u>Senior Center</u>			
	Personnel	\$ 249,070		
	Other Expenditures	\$ 188,373	\$ 437,443	
	<u>Capital Improvements</u>		\$ 1,901,850	
	<u>Debt Service</u>		\$ 1,534,231	
	Park Levy Fund (279) Total			<u>\$ 5,275,959</u>
300	Debt Service			\$ 460,498
310	Voted Debt Service			\$ 424,100
320	Greene Towne Ctr Assessments			\$ 1,082,450
408	Street Improvement			\$ 513,110
449	Minor Special Assessment District			\$ 786,974
572	Golf Course			
	<u>Operations</u>			
	Personnel	\$ 316,862		
	Other Expenditures	\$ 347,980	\$ 664,842	
	<u>Food & Beverage</u>			
	Personnel	\$ 336,876		
	Other Expenditures	\$ 237,480	\$ 574,356	
	<u>Maintenance</u>			
	Personnel	\$ 323,135		
	Other Expenditures	\$ 176,994	\$ 500,129	
	<u>Capital</u>		\$ 175,000	
	<u>Bonds</u>		<u>\$ 919,362</u>	
	Golf Course (572) Total			<u>\$ 2,833,689</u>
601	Greene TIF			\$ 300,000
712	Committed Park Monies			\$ 400
750	Misc. Trust			\$ 13,624
771	Impact Fee			\$ -
816	Cemetery Bequest Fund			\$ -
917	Cash Bond Fund			<u>\$ 248,470</u>
	Total 2017 Annual Appropriations			<u>\$ 43,538,376</u>

Format Required per ORC 5705.38(c)

**CITY OF BEAVERCREEK
2017 BUDGET TRANSFER SUMMARY
ORDINANCE 16-36**

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
GENERAL FUND (101)	DEBT SERVICE FUND (300)	\$ 43,423
GENERAL FUND (101)	PARK LEVY FUND (279)	\$ 240,000
GENERAL FUND (101)	GOLF COURSE FUND (572)	\$ 1,372,951
GENERAL FUND (101)	MISCELLANEOUS TRUST FUND (750)	\$ 3,000
STREET CAPITAL IMPROVEMENT (408)	DEBT SERVICE FUND (300)	\$ 29,825
Total 2017 Transfers		\$ 1,689,199

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

MR 12/16

Meeting Date: December 12, 2016	Reference Topic: Resolution 16-33 Pay Schedules for Non-Union Full Time Positions and Part Time, Seasonal and Intermittent Positions
Agenda Reference No.: VII-C	

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" 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 _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input checked="" type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

The resolution provides for Council to set and approve the Pay Schedules for Non-Union Full Time positions (Exhibit "A" & "B") and Part Time, Seasonal and Intermittent positions (Exhibit "C").

The Pay Schedule (Exhibit "C") represents the changes for Part Time, Seasonal and Intermittent employees as a result of the increase in Ohio's minimum wage effective January 1, 2017, which reflects an increase in the Consumer Price Index. The minimum wage increased from \$8.10 to \$8.15, an increase of \$.05 an hour for non-tipped employees, and from \$4.05 to \$4.08, and increase of \$.03 an hour for tipped employees. Minor adjustments have been made to Grades 607 through 611 on the Seasonal and Intermittent schedule to reduce compression between grades.

Pay Schedules are proposed to become effective with adoption of a resolution by Council establishing the Pay Schedules effective January 1, 2017.

STAFF RECOMMENDATION:

It is staff's recommendation that the proposed Pay Schedules covering Non-Union Full Time positions and Part Time, Seasonal and Intermittent positions be approved.

**CITY OF BEAVERCREEK
RESOLUTION NO. 16-33**

SPONSORED BY COUNCIL MEMBER _____ ON THE 12th DAY OF DECEMBER, 2016.

RESOLUTION ADOPTING PAY SCHEDULES FOR NON-UNION FULL TIME CLASSIFIED AND NON-CLASSIFIED POSITIONS AND PART TIME, SEASONAL AND INTERMITTENT POSITIONS.

WHEREAS, the City desires to update the schedule of pay to retain and recruit employees to serve the City residents.

NOW, THEREFORE, be it resolved by the City Council of Beavercreek, Greene County, Ohio, that:

SECTION I.

The Council hereby adopts the Pay Schedules for Non-Union Full Time Non-Classified Positions (Exhibit "A"), Non-Union Full Time Classified Positions (Exhibit "B") and Part Time, Seasonal and Intermittent Positions (Exhibit "C") attached and incorporated by reference herein.

SECTION II.

These Schedules approved and adopted by this Resolution shall have an effective date of January 1, 2017 and shall be effective for all of calendar year 2017 or until such time as amended or changed by legislative action of this Council.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution shall be in full force and go into effect from and immediately after the earliest period allowed by law.

ADOPTED by the Council of the City of Beavercreek, Ohio this 12th day of December, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

**CITY OF BEAVERCREEK
PAY SCHEDULE
NON-UNION FULL TIME NON-CLASSIFIED POSITIONS - ANNUAL SALARY
Effective 01/01/2017**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
201	\$23,992	\$26,512	\$29,030
202	\$28,226	\$31,191	\$34,154
203	\$33,207	\$36,694	\$40,180
204	\$37,746	\$41,901	\$47,437
205	\$42,973	\$47,485	\$51,997
206	\$44,467	\$49,135	\$53,804
207	\$45,960	\$50,786	\$55,611
208	\$50,557	\$55,866	\$61,174
209	\$54,072	\$59,749	\$65,427
210	\$56,546	\$62,468	\$68,389
220	\$60,759	\$66,070	\$71,382
225	\$63,615	\$69,553	\$75,491
230	\$65,304	\$71,014	\$76,724
240	\$70,202	\$76,341	\$82,479
250	\$75,455	\$82,066	\$88,675
260	\$81,120	\$88,218	\$95,315
270	\$84,534	\$92,181	\$99,829
275	\$85,133	\$94,072	\$103,011
280	\$88,046	\$100,312	\$112,577
285	\$96,464	\$106,114	\$115,765
290	\$105,172	\$113,218	\$121,265

**CITY OF BEAVERCREEK
PAY SCHEDULE
NON-UNION FULL TIME CLASSIFIED POSITIONS - HOURLY PAY RATES
Effective 01/01/2017**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
310	\$9.46	\$10.44	\$11.43
320	\$10.40	\$11.52	\$12.63
330	\$11.43	\$12.64	\$13.84
340	\$12.63	\$13.93	\$15.22
350	\$13.84	\$15.29	\$16.75
360	\$15.22	\$16.82	\$18.42
400	\$16.14	\$17.57	\$18.98
401	\$16.75	\$18.51	\$20.26
402	\$17.06	\$18.72	\$20.37
403	\$17.35	\$18.88	\$20.41
404	\$18.67	\$20.31	\$21.94
405	\$20.07	\$22.09	\$24.10
406	\$20.26	\$22.26	\$24.25
407	\$21.27	\$23.29	\$25.31
408	\$23.18	\$25.22	\$27.24
409	\$24.92	\$27.10	\$29.27
410	\$26.78	\$29.12	\$31.46
411	\$28.81	\$31.32	\$33.83
412	\$30.97	\$33.01	\$35.04

**CITY OF BEAVERCREEK
PAY SCHEDULE - HOURLY RATES
Effective 01/01/2017**

PART TIME

<u>Grade</u>	<u>Minimum</u>	<u>Maximum</u>
900	\$ 4.08 *	\$ 7.44
901	\$ 8.15 *	\$ 9.28
902	\$ 8.68	\$ 12.95
903	\$ 9.88	\$ 14.10
904	\$ 10.19	\$ 15.79
905	\$ 10.85	\$ 18.08
906	\$ 14.65	\$ 19.56
907	\$ 15.39	\$ 29.25

SEASONAL AND INTERMITTENT

<u>Grade</u>	<u>Minimum</u>	<u>Maximum</u>
600	\$ 4.08 *	\$ 7.44
601	\$ 5.30	\$ 8.15
602	\$ 7.15	\$ 8.15
603	\$ 8.15 *	\$ 9.10
604	\$ 8.15 *	\$ 9.51
605	\$ 8.15 *	\$ 9.72
606	\$ 8.15 *	\$ 9.45
607	\$ 8.32	\$ 10.03
609	\$ 8.53	\$ 10.20
610	\$ 8.70	\$ 10.41
611	\$ 8.84	\$ 10.49
613	\$ 9.27	\$ 10.71
615	\$ 9.36	\$ 10.80
617	\$ 9.58	\$ 11.75
619	\$ 10.19	\$ 11.77
620	\$ 10.50	\$ 12.00
621	\$ 10.66	\$ 12.13
623	\$ 11.84	\$ 13.13
625	\$ 13.68	\$ 15.81
630	\$ 15.00	\$ 20.00

* Ohio Minimum Wage

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

MAC 12/16

Meeting Date: December 12, 2016	Reference Topic: Resolution 16-34 Clerk of Council Wage Adjustment
Agenda Reference No.: VII-D	

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" 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 _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input checked="" type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

This resolution provides for Council to set and approve the 2017 wage for the Clerk of Council.

STAFF RECOMMENDATION:

It is Council's recommendation to approve the resolution.

**CITY OF BEAVERCREEK
RESOLUTION NO. 16-34**

SPONSORED BY COUNCIL MEMBER _____ ON THE 12th DAY OF
DECEMBER, 2016.

**A RESOLUTION TO SET AND APPROVE THE 2017 WAGE FOR CLERK
OF COUNCIL.**

WHEREAS, this Council, by custom, has set the wage and compensation of Clerk of Council on an annual basis; and

WHEREAS, this Council desires to now set the wage and compensation of Clerk of Council;

NOW, THEREFORE, the City Council of the City of Beavercreek hereby ordains that:

SECTION I.

The 2017 calendar year wage for the Clerk of Council shall be increased by three (3) percent, pending a satisfactory evaluation.

SECTION II.

This wage shall have an effective date of January 1, 2017 for the City Clerk. The wage approved and adopted by this Resolution shall be effective for all of calendar year 2017 or until such time as amended or changed by legislative action of this Council.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution shall be in full force and go into effect from and immediately after the earliest period allowed by law.

ADOPTED by the Council of the City of Beavercreek this 12th day of December, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

ORDINANCE NO. 16-34

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER WALLACE ON THE 28TH DAY OF NOVEMBER, 2016.

AN ORDINANCE AMENDING ORDINANCES #06-25 and #10-16 REZONING AND CONCEPT PLAN (PUD 06-3) TO MODIFY THE PERMITTED USES TO INCLUDE "ASSISTED LIVING FACILITIES, INDEPENDENT LIVING FACILITIES, MEMORY CARE FACILITIES, ADULT DAY CARE AND/OR RETIREMENT COMMUNITIES" FOR THE PUD PORTION SOUTH OF PARK OVERLOOK DRIVE. THIS PROPERTY IS FURTHER DESCRIBED AS BOOK 1, PAGE 11, PARCEL 67 ON THE GREENE COUNTY PROPERTY TAX ATLAS. (PUD 06-3, AMENDMENT 9/16)

Whereas, the Granger Group, 2221 Health Drive SW, Suite 2200, Wyoming, Ohio 49519, (Agent for the owner) has filed an application requesting approval of an amendment to PUD 06-3 rezoning and concept plan; and

Whereas, the City of Beavercreek Planning Commission has recommended approval of the zoning amendment with conditions and requirements; and

WHEREAS, Beavercreek City Council finds that the facts submitted with the application and presented at the public hearing and any modifications, amendments, or supplementary conditions satisfy the standards and criteria for Planned Unit Development approval as per in §158.068 of the Zoning Code; and

WHEREAS, Beavercreek City Council finds that, pursuant to §158.071 of the Zoning Code, each and all of the included uses are appropriate for this specific Planned Unit Development; and

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

NOW THEREFORE THE MUNICIPALITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I

That the permitted uses for the southern portion of PUD 06-3 are hereby amended.

SECTION II

1. All conditions of R-PUD 06-3 and Ordinance 06-25 and Ordinance 10-16 shall remain in full force and effect except where modified herein.
2. The plan stamped "Received September 12, 2016" highlights the area subject to this zoning amendment and shall be incorporated as part of this zoning amendment approval, except as further modified by the following conditions.
3. The principal and accessory uses permitted in this residential Planned Unit Development shall be amended as follows:
 - A. For the portion of the PUD, south of Park Overlook Dr., the following uses shall be permitted.
 - i. Assisted living facilities, independent living facilities, memory care facilities, adult day care and/or retirement communities.
 - ii. Two-Family Dwelling (no more than 2 units per building), so long as density within the area associated with Two-Family Dwellings does not exceed density permitted in original Ordinance (2.47 du/ac).
4. There shall be a 50-foot buffer from the southern property line of the PUD and a 50-foot buffer along Grange Hall Road.
5. Building plans, designs, and elevations for an assisted living facility, memory care facility, adult day care and/or retirement community, south of Park Overlook Drive shall be subject to review and approval by the Planning Commission and City Council at the specific site plan stage. The majority of the exterior construction materials must consist of wood, stone, hardy plank and/or brick or other material acceptable to the Planning Commission and City Council at specific site plan stage.
6. The applicant shall be required to pay all applicable park fees and impact fees as determined by the City Engineer, City Manager, Planning Department, Parks Department, and/or City Attorney prior to releasing the record plan for recording.

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

PASSED this _____ day of _____, 2017.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

This Ordinance adopts a recommendation to amend Ordinances #06-25 and #10-16 to modify the principal and accessory uses for the southern portion of PUD 06-3.

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

PUD 06-3 Amend 9-16 First & Main Ord

MEMORANDUM

TO: Mayor and City Council

CC: Michael Cornell, City Manager
Pete Landrum
Bill Kucera

FROM: Stephen M. McHugh, Law Director

DATE: December 8, 2016

RE: Amending Ordinance Levying Special Assessments for Fairfield Commons Energy Special Improvement District

Council passed Ordinance No. 16-28 levying special assessments for public improvements for the Fairfield Commons Energy Special Improvement District on November 28, 2016. Ordinance No. 16-28 needs to be amended to account for the bond rate increase which impacts the amount of the special assessments.

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 16-37

SPONSORED BY COUNCIL MEMBER _____ ON THE 12th DAY OF DECEMBER, 2016.

AN ORDINANCE AMENDING THE ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN COOPERATION WITH THE CITY OF BEAVERCREEK (GREENE COUNTY), OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT AND THE GREENE COUNTY PORT AUTHORITY AND DECLARING AN EMERGENCY.

WHEREAS, this City Council (the "Council") of the City of Beavercreek, Greene County, Ohio (the "City") duly adopted Resolution No. 16-28 on November 28, 2016 (the "Resolution of Necessity") and declared the necessity of acquiring, constructing, and improving certain public improvements consisting of energy efficiency improvements, including, without limitation, the replacement of approximately 400,000 square feet of roofing, installation of approximately 21 energy efficient rooftop HVAC units and related improvements (the "Project") as described in the Resolution of Necessity and accepted the Petition, as that term is defined in the Resolution of Necessity, by the owners as of the date of this Ordinance of real property designated as Greene County Auditor Parcel Number B42000400030000400 and being located at the commonly used mailing address 2727 Fairfield Commons Drive, Beavercreek, Ohio 45431 (as further described in Exhibit B to the Petition, the "Assessed Properties") requesting the Project; and

WHEREAS, the Council duly adopted Ordinance No. 16-27 on November 28, 2016 (the "Ordinance to Proceed") and determined to proceed with the Project and adopted the estimated Special Assessments (as defined in the Resolution of Necessity) filed with the Clerk of Council pursuant to the Resolution of Necessity; and

WHEREAS, the Council duly adopted Ordinance No. 16-28 on November 28, 2016 (the "Original Levying Ordinance") levying the Special Assessments to be levied and assessed on the Assessed Properties in an amount sufficient to pay the Costs of the Project and other real costs of financing the Project, which will include, without limitation, the payment of principal of and interest on bonds issued by the Authority to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and Authority administrative fees and expenses, which costs were set forth in the Petition; and

WHEREAS, the costs of financing the Project have increased subsequent to the passage of the Original Levying Ordinance and the Council desires to revise the amount of the Special Assessments to be levied and assessed on the Assessed Properties in order to finance the Project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEAVERCREEK, GREENE COUNTY, OHIO, that:

SECTION I.

Exhibit A to the Original Levying Ordinance is hereby deleted in its entirety and replaced with Exhibit A to this Ordinance.

SECTION II.

In compliance with Ohio Revised Code Section 319.61, the Clerk of Council is hereby directed to deliver a certified copy of the Original Levying Ordinance, as modified by this Ordinance, to the County Auditor of Greene County, Ohio within twenty (20) days after its passage.

SECTION III.

It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council and that, except as otherwise provided by Ohio Revised Code Section 121.22, all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION IV.

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this City, and for the further reason that this Ordinance is required to be immediately effective to provide for the acquisition, construction, and improvement of the Project to enhance energy efficiency and to better provide for the health of the residents of the City.

WHEREFORE, this Ordinance shall take effect and be in force from and immediately upon its adoption.

ADOPTED by the Council of the City of Beavercreek, Ohio this 12th day of December, 2016.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

EXHIBIT A

LIST OF SPECIAL ASSESSMENTS AND SCHEDULE OF SPECIAL ASSESSMENTS

LIST OF SPECIAL ASSESSMENTS

<u>Name</u>	<u>Assessed Properties Description</u>	<u>Portion of Benefit and Special Assessment</u>	<u>Amount of Special Assessment</u>
MFC Beaver creek, LLC	Greene County Parcel Number: B42000400030000400	100%	\$5,283,768.00

SCHEDULE OF SPECIAL ASSESSMENTS
FOR GREENE COUNTY PARCEL NO. B42000400030000400

The following schedule of Special Assessment charges shall be certified for collection in twenty-eight (28) semi-annual installments to be collected with first-half and second-half real property taxes in calendar years 2018 through 2031:

<u>Parcel Number**</u>	<u>Semi-Annual Payment*</u>
<u>B42000400030000400</u>	\$188,706.00

* The County Auditor of Greene County, Ohio may impose a special assessment collection fee with respect to each semi-annual Special Assessment payment. If imposed, this special assessment collection fee will be added by the County Auditor of Greene County, Ohio to each semi-annual Special Assessment payment.

** As identified in the records of the County Auditor of Greene County, Ohio as of December 12, 2016.

CITY OF BEAVERCREEK
 CITY COUNCIL
 AGENDA ITEM REPORT

MAC 3/2/6

Meeting Date: December 12, 2016	Reference Topic: Request for New Liquor Permit QSR Pizza LLC DBA Rapid Fired Pizza
Agenda Reference No: VIII. A.	
	Accept without Comment

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input checked="" type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

Ohio Division of Liquor Control sent police notification reference a new D5 liquor permit for QSR Pizza LLC DBA Rapid Fired Pizza, 3301 Dayton-Xenia Rd. STE 110 Beaver creek, Ohio 45432. 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 RECOMMENDATION:

Staff is recommending this application request move forward with no comment.

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

7128906 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	OSR PIZZA LLC DBA RAPID FIRED PIZZA 3301 DAYTON XENIA RD STE 110 BEAVERCREEK OH 45432
ISSUE DATE			
11 21 2016 <small>FILING DATE</small>			
D5 <small>PERMIT CLASSES</small>			
29 <small>TAX DISTRICT</small>	005 <small>PERMIT CLASSES</small>	A <small>PERMIT CLASSES</small>	

FROM 11/30/2016

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	PERMIT CLASSES	RECEIPT NO.



MAILED 11/30/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/03/2017

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 7128906**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

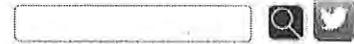
(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF BEAVERCREEK CITY COUNCIL
1368 RESEARCH PARK DR
BEAVERCREEK OHIO 45432



Manufacturer

Permit Class	Permit Fee	Description
A1	\$3,906	ORC 4303.02 Manufacturer of Beer – producing more than 31 million gallons per year, wherever produced, and sell beer products to wholesale permit holders.
A1A	\$3,906	ORC 4303.021 Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A1c	\$1,000	ORC 4303.022 Manufacturer of Beer - producing up to 31 million gallons per year wherever produced, for sale on premises at retail for on premises consumption, and sell beer products to retail and wholesale permit holders.
A2	\$76	ORC 4303.03 Manufacturer of wine.
A-2f	\$76	ORC 4303.031 Ohio farm winery that grows and manufactures wine, from grapes, fruits, or other agricultural products on land it owns and uses only for agriculture.
A3	\$2 to \$3,906	ORC 4303.04 Manufacture, import and sell alcohol and spirituous liquor
A3A	\$2 to \$400	ORC 4303.041 Manufacturer of less than 10,000 gallons of spirituous liquor and sale to a personal consumer.
A4	\$3,906	ORC 4303.05 Manufacture and sell certain prepared and bottled drinks, import for blended purposes
B2A	\$25	ORC 4303.07 Sale of wine to retail permit holder.
S	\$25	ORC 4303.232 Sale of wine to personal consumer via mail order.
W	\$1,563	ORC 4303.231 To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to Import on file or to other customers outside this state.

Distributor

Permit Class	Permit Fee	Description
B1	\$3,125	ORC 4303.06 Distributor of beer, ale, stout, other malt liquor.
B2	\$500	ORC 4303.07 Distributor of bottled wine.
B3	\$124	ORC 4303.08 Distributor of sacramental wine.
B4	\$500	ORC 4303.09 Distributor of mixed beverages.
B5	\$1,563	ORC 4303.10 Distributor and importer and bottler of wine.

Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	ORC 4303.11 Beer only in original sealed container for carry out only.
C2	\$376	ORC 4303.12 Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	ORC 4303.121 Beer in original sealed containers for carry out.
D8	\$500	ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	ORC 4303.13 Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	ORC 4303.14 Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	ORC 4303.141 (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	ORC 4303.15 Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	ORC 4303.151 (Grandfathered Permit) Wine only for on premises consumption until 1:00am.
D3A	\$938	ORC 4303.16 Extend issued permit privileges until 2:30am.
D5	\$2,344	ORC 4303.18 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.



CITY COUNCIL
Regular Meeting – January 9, 2017 6:00 p.m.
Council Chambers

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Mayor Stone
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 16-34 PUD 06-3 AMENDMENT 9/16 First & Main Beavercreek (Third Reading)
 - B. Resolution 17-01 Authorizing Finance Director to request the Auditor of Greene County for advance of real estate and public utility taxes
- VII. CITY MANAGER'S REPORT
- VIII. MAYOR'S REPORT
- IX. COUNCIL TIME
- X. CITIZEN COMMENTS
- XI. ADJOURNMENT

DRAFT



AGENDA
CITY COUNCIL
City Council/Manager Advance
Saturday, January 14, 2017, 8:30 a.m.
Council Chamber

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION
- V. ADJOURNMENT

DRAFT

PLANNING DEPARTMENT STATUS REPORT
December 8, 2016

CITY COUNCIL

December 12, 2016

- PUD 06-3 Amendment 9/16, First & Main, public hearing, second reading
-

January 9, 2017

- PUD 06-3 Amendment 9/16, First & Main, third reading
-

Tabled / Delayed / Pending

-

PLANNING COMMISSION

December 8, 2016 (THURSDAY)

- PC 16-5, ASRA and CU, HarborChase of Beavercreek, public hearing
- PC 16-6, ASRA, Raising Canes, public hearing
- S-16-6, Cottages of Beavercreek

January 4, 2017

- PUD 06-3, SSP #3, First & Main, public hearing
- PUD 91-2, SSP #7, Clover Senior Residential Community, public hearing
- PUD 95-5, Minor MOD 12/16, Harris Periodontics

Currently Tabled / Delayed

-

Commercial Permits Submitted and Under Review

-
-

BOARD OF ZONING APPEALS

December 14, 2016

- BZA 16-1 Appeal
- V-16-5, 1820 Maple Lane
-

Currently Tabled or Delayed

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