



**CITY COUNCIL**  
**Regular Meeting – February 26, 2018 6:00 p.m.**  
**Council Chambers**

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Rushing
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
  - A. February 12, 2018 Regular Meeting
- VI. PRESCHEDULED PRESENTER
  - A. Avenue of Flags, Greene Optimist Club
  - B. Greene County Fire Ops 101, Todd Lohse, Chris Heaton, Beavercreek Professional Firefighters
- VII. ORDINANCES, RESOLUTIONS AND PUDS
  - A. Ordinance 18-01 Appropriate the Right-of-Way (William Ayers) for the Grange Hall Road Widening Project (Third Reading)
  - B. Resolution 18-09 Greene County Parks Agreement
- VIII. DECISION ITEMS
  - A. Authorize City Manager to Proceed with Public Utilities Commission of Ohio (PUCO) Certification
  - B. Board/Commission Appointments
- IX. CITY MANAGER'S REPORT
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING February 12, 2018 6:00 p.m.

Swearing in of new Council Member Curran by State Representative Rick Perales

**CALL TO ORDER**

Mayor Stone called the meeting to order followed by roll call

PRESENT: Council Member Litteral, Council Member Rushing, Council Member Upton, Council Member Vann, Vice Mayor Garcia Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: Dennis Evers, Chief of Police; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Pete Landrum, City Manager; Jeff McGrath, Planning and Development Director; Mike Thonnerieux, Public Administrative Services Director

**PLEDGE**

Council Member Litteral led the pledge and a prayer.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Council Member Litteral MOVED to approve the January 8, 2018 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote. (Curran abstained)

Council Member Upton MOVED to approve the January 13, 2018 Council Advance Minutes, seconded by Council Member Rushing. Motion PASSED by majority voice vote. (Curran abstained)

Council Member Litteral MOVED to approve the January 22, 2018 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote. (Curran abstained)

Council Member Rushing MOVED to approve the January 29, 2018 Special Meeting Minutes, seconded by Council Member Vann. Motion PASSED by majority voice vote. (Curran abstained)

February 12, 2018

Council Member Litteral MOVED to approve the February 5, 2018 Special Meeting Minutes, seconded by Council Member Vann. Motion PASSED by majority voice vote. (Curran abstained)

**PUBLIC HEARING – PUD 17-3 SSP#1 Cedarbrook Farms  
(Applicant has withdrawn case)**

Council Member Upton MOVED to accept the applicant's withdrawal, seconded by Council Member Litteral Motion PASSED by majority voice vote.

**ORDINANCES, RESOLUTION AND PUDS**

**Ordinance 18-01** Appropriate the Right-of-Way (William Ayers) for the Grange Hall Road Widening Project (Second Reading)

Clerk Lampton read an Ordinance to appropriate certain real property interests owned by William O. Ayers, for the National Road Widening Project, in the City of Beavercreek, Ohio.

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

This Ordinance will move automatically to the Third Reading.

**Ordinance 18-02** Additional Appropriations (Single Reading)

Clerk Lampton read an Ordinance to approve supplemental appropriations and certify additional revenue for the fiscal year beginning January 1, 2018 and ending December 31, 2018 and to amend Ordinance 17-34.

Mr. Kucera reviewed the three items on the Ordinance. Those items included an additional \$6,000 in the general fund for the purchase and fitting of safety features of a pick-up truck for the Planning and Development Department, \$2,600 from the City of Troy to participate in the Ohio Utilities Protection Services (OUPS) training and the revenue and expenditures for the Regional Emergency Response Team Budget. .

Council Member Upton confirmed the only increase was \$6,000 and everything else is a wash. Mr. Kucera said that was correct.

Council Member Upton MOVED to approve Ordinance 18-02, seconded by Council Member Rushing. Motion PASSED by roll call vote of 7-0.

**Resolution 18-09** Acceptance of Communication's Workers of America/AFL – CIO #4322 (CWA) Contract

February 12, 2018

Clerk Lampton read a Resolution authorizing the City Manager to execute a collective bargaining agreement with the Communication Workers of America/ALF-CIO #4322,

Mr. Kucera explained this Resolution was for the contract with the Communication Workers of America. The previous contract and agreement had expired December 31, 2017. He said after four months of negotiating, this agreement would take the city to 2020. He reviewed a few of the key provisions of the agreement. He thanked the CWA and staff for coming to a compromise. The CWA had ratified the proposed contract last Thursday.

Council Member Litteral thanked the employees for thinking towards the common goal.

Council Member Litteral MOVED to approve Resolution 18-09, seconded by Council Member Vann. Motion PASSED by majority voice vote.

#### **LIQUOR PERMITS**

##### **Ace Asian Café & Sushi LLC DBA Ace Asian Café (Transfer)**

Chief Evers said the Ohio Division of Liquor Control sent police notification of a request regarding transfer of a D1, D2, D3 and D6 liquor permit from Yang's Asian Gourmet LLC, DBA Choes Asian Gourmet, 4394 Juniper Way Mezz & Patio, Beavercreek, OH 45440 to Ace Asian Café & Sushi LLC, DBA Ace Asian Café, 4394 Juniper Way Mezz & Patio, Beavercreek, Ohio 45440. The background check required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the corporate shareholders for this application request. Staff recommended this application request move forward without comment.

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

#### **DECISION ITEMS**

##### **Accepting of Fourth Quarter 2017 Financial Summary**

Mr. Kucera reviewed the end of the year the year-end summary. He said the local government fun keeps decreasing but the expenditures were lower than expected.

Council Member Vann MOVED to accept the 4<sup>th</sup> Quarter 2017 Financial Summary, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

#### **CITY MANAGER'S REPORT**

February 12, 2018

Mr. Landrum said the resurfacing program was available on the website, Facebook and Twitter. The seasonal job fair was held last Saturday. Positions are still available, please visit the website to apply. City offices would be closed, Monday, February 19<sup>th</sup> in observance of President's Day.

### **MAYOR'S REPORT**

Mayor Stone attended the Lego contest at the Nutter Center where students built robots out of Legos. He said there would be another contest for older students next month. He welcomed Council Member Curran and thanked him for filling the vacancy.

### **COUNCIL TIME**

Council Member Litteral attended Lego championships which was a wonderful event. The InTouch had been delivered in the mail.

Council Member Rushing enjoyed the Lego competition. He thanked staff for showing the fiscal prudence the City of Beavercreek has.

Council Member Vann attended the Greene CATS meeting. She brought back schedules. She said the city needed to be doing everything they could to keep internet speeds up to par. She said the services are lowering in Beavercreek and businesses and residents rely on good quality internet.

Council Member Upton thanked Wright State University and Beavercreek Chamber for hosting Beavercreek Night. He attended the MVRPC meeting and said the one priority project was the Super Street. They also reviewed long term planning out to the year 2050. He said they had Greene County marked as a growth county.

Council Member Curran appreciated the department heads talking with him.

Vice Mayor Garcia welcomed Council Member Curran. She attended the Lofino Center opening and met many businesses and groups within the city. She attended Greene County Family and Children First. She reviewed the presentations by TCN and United Way of Greater Dayton. She said February is Teen Dating Violence Awareness Month. She reviewed the employee anniversaries. Congratulations to everyone.

### **CITIZEN COMMENTS**

There being no citizen comments, citizen comments was closed.

### **ADJOURNMENT**

February 12, 2018

Council Member Litteral MOVED to adjourn the meeting at 6:48 p.m., seconded by Council Member Rushing. Motion PASSED by majority voice vote.

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Bob Stone, Mayor

ATTEST:

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Dianne Lampton  
Clerk of Council  
Cmin021218

**CITY OF BEAVERCREEK, OHIO**

**ORDINANCE NO. 18-01**

SPONSORED BY COUNCIL MEMBER VANN ON THE 22<sup>ND</sup> DAY OF JANUARY, 2018.

**TO APPROPRIATE CERTAIN REAL PROPERTY INTERESTS OWNED  
BY WILLIAM O. AYERS, FOR THE NATIONAL ROAD WIDENING  
PROJECT, IN THE CITY OF BEAVERCREEK, OHIO.**

WHEREAS, this Council, by Resolution Number 18-04, declared its intention and the necessity of appropriating certain real property, parcel of land, or real property interests described in said Resolution; and

WHEREAS, it is necessary to appropriate the said certain property, parcel of land or real property interests for the purpose of the roadway construction and improvement in connection with the National Road Widening Project;

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

SECTION I.

The real property, parcels of land or real property interests described in Exhibit 'A', and Exhibit 'B' attached hereto and incorporated herein, for public right-of-way and street and highway purposes for the National Road Widening Project shall be and the same are hereby appropriated for the construction of said project.

SECTION II.

The names of those either having, claiming, or that may have any estate, title or interest in the above-described real property, parcels of land or real property interest to be appropriated by this Ordinance are: William O. Ayers, and any other lien holders, persons or entities declaring an interest pursuant to law, the Treasurer of Greene County, Ohio and the Auditor of Greene County, Ohio.

SECTION III.

The above-described real property, parcels, land, and/or real property interests have a fair market value of \$2,296, as determined by an independent, certified appraiser.

SECTION IV.

This Council finds that the appropriation is necessary for the stated public purposes and that the City intends to obtain immediate possession of the real property, parcel of land or real property interests described in Exhibit 'A', and Exhibit 'B', which immediate possession is necessary for the stated public purposes.

SECTION V.

The City Attorney is hereby authorized and directed to deposit the aforesaid valued amount with the Clerk of Court of Greene County, Ohio, or other depository, take possession of the afore described real property, parcel of land or real property interest, file, as necessary, a petition for appropriation, apply to a court of competent jurisdiction to make inquiry into and assess the compensation to be paid for the real property, parcel of land or real property interests to be appropriated, and to do all things necessary or proper in connection therewith.

SECTION VI.

All actions taken by or in behalf of the City of Beavercreek in connection with the appropriation of the afore described real property, parcel of land or real property interests and prior to the time of adoption of this Ordinance are hereby ratified.

SECTION VII.

That is it found and determined that all of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberation of this Council and of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

ADOPTED by the Council of the City of Beavercreek, Ohio this 26<sup>th</sup> day of February, 2018.

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Bob Stone, Mayor

ATTEST:

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Dianne Lampton, Clerk of Council



TO THE CLERK:

If this ordinance is adopted, please post it in full in the office of this City within ten days after its adoption and within the same ten days publish the summary of the ordinance one time in any newspaper or other printed publication of the type referred to above, together with a notice of adoption of the Ordinance.

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City Attorney

SUMMARY

This Ordinance appropriates certain real property, parcels of land, or real property interests owned by William O. Ayers, with interest by others, for the National Road Widening Project in the City of Beavercreek, Ohio.

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

*PEC*

<b>Meeting Date:</b> February 26, 2018	<b>Reference Topic:</b> Resolution 18-09
<b>Agenda Reference No.:</b> VII. B.	Memorandum of Understanding – Trail Mgmt.

<b>ACTION REQUESTED</b>		
<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 _____

<b>RESPONSIBLE DEPARTMENT OR AGENCY</b>		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input checked="" 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 type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

**BACKGROUND AND STAFF SUMMARY:**

The Greene County Trail Management Committee is made up of 7 area Parks Departments (City of Beavercreek, Fairborn and Xenia, Villages of Yellow Springs and Cedarville and Beavercreek Township). This group was formed to coordinate the long term care and funding of Creekside Trail. Greene County Parks & Trails (GCP&T) have taken the responsibility and lead in the construction and management of the trails as an agent of the Greene County Commissioners. GCP&T passed a levy in 2015, a portion of that levy was promised to go towards trail maintenance. This agreement states Greene County Park District is releasing \$1,000,000 per year for five years. Each local entity is not being asked to contribute any funds. Legal counsel has reviewed this agreement.

**STAFF RECOMMENDATION:**

Staff is recommending City Council to authorize the City Manager to enter into this agreement.

**CITY OF BEAVERCREEK, OHIO  
RESOLUTION NO. 18-09**

SPONSORED BY COUNCIL MEMBER \_\_\_\_\_ ON THE 26<sup>th</sup> DAY OF  
FEBRUARY, 2018.

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A MEMORANDUM OF UNDERSTANDING  
WITH THE GREENE COUNTY PARK DISTRICT  
COMMISSIONERS AND TRAIL MANAGEMENT  
COMMITTEE.**

WHEREAS, the City of Beavercreek, Greene County Park District Commissioners and Trail Management Committee desire to enter into an agreement which will allow all parties to work together to provide for the long term care of the interstate paved trail system in Greene County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

**SECTION I.**

The Council further authorizes the City Manager to sign on behalf of the City of Beavercreek the Memorandum of Understanding in substantially the same form as attached.

**SECTION II.**

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 meeting 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 resolution shall become effective immediately upon passage.

Passed this 26<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Bob Stone, Mayor

Attest:

\_\_\_\_\_  
Dianne Lampton, Clerk of Council

**interoffice**  
**MEMORANDUM**

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**To:** Beavercreek City Council  
**From:** Dianne Lampton, Clerk of Council  
**Subject:** Appointments - Boards, Commissions, and Committees  
**Date:** February 22, 2018

Attached is the spreadsheet of applicants received for the current open vacancies.

The appointments you will be making will be for the open vacant terms of March 1, 2018 through February 28, 2021 unless otherwise noted.

**Board of Zoning Appeals**

If Alex Hight is appointed to the Planning Commission, his current BZA seat will need to be filled. His current term on the BZA is through February 28, 2019.

**Tree Advisory Board**

Since this is a new board, the terms will need to be staggered. The appointments will need to be made with the following terms in minds:

- 2 appointments for March 1, 2018 – February 28, 2021
- 2 appointments for March 1, 2018 – February 29, 2020
- 1 appointment for March 1, 2018 – February 28, 2019

## 2018 Board Commission Applicants

	Last Name	First Name	Incumbent	Planning Commission	Board of Zoning Appeals	Parks, Recreation & Culture	Bikeway Advisory	Tax Incentive Review Council	Tree Advisory Board	Environmental Advisory	Personnel	Youth Development Committee	Impact Fee Appeals	Greene Metro Housing Authority	Greene County Board of Health
<b>VACANCIES</b>				1	1	3	2	1	5	4	1	5	5		
1	Berrios-Matos	Samuel				2				4		1			
2	Brown	Timothy		5	2	3	1						4		
3	Buerschen	Jeff				2			1						
4	Corbit	Eric	X			1*									
5	Duerr	Glen			1	3			2						
6	Farkas	Ronald				5		1		3		4			2
7	Focht	Sandy	X			1*									
8	Fulcher	Sharon	X			1*									
9	Gravitt	Kristen										1			
10	Heaton	Kristina		2		1	3								
11	Hight**	Alex		1											
12	Howard	Ashley	X									1*			
14	Kunay	Jeanne							1						
15	Martin	Kerry	X	1	3			2*				5	4		
16	McKinney	Amy		1	2						3		4		
17	McLane	Steve							1						
18	Moats	Stuart							1						
19	Porter	Richard		2	1										

\* Incumbent

\*\* Currently Serving on BZA, if appointed to Planning Commission it will be necessary to appoint an applicant to the BZA for the unexpired term ending 02/28/19

## 2018 Board Commission Applicants

	Last Name	First Name	Incumbent	Planning Commission	Board of Zoning Appeals	Parks, Recreation & Culture	Bikeway Advisory	Tax Incentive Review Council	Tree Advisory Board	Environmental Advisory	Personnel	Youth Development Committee	Impact Fee Appeals	Greene Metro Housing Authority	Greene County Board of Health
20	Rea	Laura	X				1*								
21	Ruck	William							1						
22	Vallance	Paula		2		4				5	3	1			
23	Wade	Laura		1	2										
24	Wrzesinski	Katrina										1			

\* Incumbent

\*\* Currently Serving on BZA, if appointed to Planning Commission it will be necessary to appoint an applicant to the BZA for the unexpired term ending 02/28/19

**CITY COUNCIL**  
**Regular Meeting – March 12, 2018 6:00 p.m.**  
**Council Chambers**

**PROCLAMATIONS**

- ◆ National Girl Scout Week, Susan Grinkemeyer

**PRESENTATION**

- ◆ UES Fourth of July Donation, Ruth Carpenter and Lisa Porter

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Upton
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING – PUD 08-1 Amend 1/18 YGIC
  - A. Applicant Presentation
  - B. Staff Presentation
  - C. Public Input
  - D. Council Input
  - E. Ordinance 18-03 (First Reading)
- VII. PUBLIC HEARING – PUD 91-2 MOD 12/17 (Major) BSM Development
  - A. Applicant Presentation
  - B. Staff Presentation
  - C. Public Input
  - D. Council Input
  - E. Motion
- VIII. ORDINANCES, RESOLUTIONS AND PUDS
- IX. CITY MANAGER'S REPORT
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT





**AGENDA  
CITY COUNCIL  
Work Session – March 19, 2018, 5:00 p.m.  
Council Chambers**

1368 Research Park Dr  
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. BOARD/COMMISSION UPDATE
- V. DISCUSSION ITEMS
  - A. Infrastructure Draft Policy
  - B. Charter Changes
- VI. COUNCIL COMMITTEE/EVENT UPDATES
- VII. ADJOURNMENT

DRAFT

# PLANNING DEPARTMENT STATUS REPORT

## *February 22, 2018*

### CITY COUNCIL

February 26, 2018

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March 12, 2018

- PUD 08-1, Amendment 1/18, YGIC, public hearing, first reading
- PUD 92-1, MOD 12/17, BSM Outparcel, public hearing, motion

March 26, 2018

- PUD 08-1, Amendment 1/18, YGIC, public hearing, second reading
- 

April 9, 2018

- PUD 08-1, Amendment 1/18, YGIC, third reading
- 

Tabled / Delayed / Pending

-

## PLANNING COMMISSION

### March 7, 2018

- PUD 97-3 MOD 2/18, Soin Medical Center Surgery Expansion, public hearing
- PUD 541m NID 2.18, Raising Cane's Chicken Fingers, public hearing
- PC 18-4, A. S. Properties, public hearing
- PUD 4-80, McDonald's Remodel

### Currently Tabled / Delayed

- PC 17-4, ASRA, 4090 Indian Ripple (Roddy), public hearing (tabled and continued 9/6/17)
- PC 18-1 Ohio Craft Cultivators conditional use, public hearing
- PC 18-2 Midwest Integrated Natural Therapies, public hearing
- 

### Commercial Permits Submitted and Under Review

- Clover Senior Apartments
- Trinity residential units
- Matrix Research
- BSM Properties (formerly Logan's)
- Home 2 Suites by Hilton

**BOARD OF ZONING APPEALS**

March 14, 2018

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