



AGENDA
CITY COUNCIL
Work Session – May 21, 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. DISCUSSION ITEMS
 - A. Policy Levy
 - B. Proposed Charter Amendments
 - C. Rotary Park Update
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

MEMORANDUM

TO: Mayor and City Council
CC: Pete E. Landrum, City Manager
FROM: Stephen M. McHugh, Law Director *SM*
DATE: May 17, 2018
RE: Proposed Charter Amendments

You asked me to draft potential Charter amendments on two topics:

1. Revising the timing when an appointee to a vacant seat on City Council runs for re-election
2. Revising the number of signatures required on a nominating petition

The requested language is provided below with deletions marked with strike-through and additions in italics and bold font.

SECTION 4.07. VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES.

(A) *Vacancies.* The office of a Mayor, Council member or Council member-elect shall become vacant upon death, resignation, forfeiture, or removal from office in any manner authorized by this Charter.

(B) *Forfeiture of Office.* The Mayor or Council member shall forfeit office if he/she: (1) lacks at any time during the term of office any qualifications for the office prescribed by this Charter; (2) violates any express prohibition of this Charter to such an extent as to warrant forfeiture of office; (3) is convicted of a felony; (4) fails to attend three (3) consecutive regular meetings of the Council without being excused by the Council.

(C) *Filling of Vacancies.* Vacancies in the office of Mayor or Council member shall be filled within sixty (60) days following the occurrence of the vacancy by a vote of the majority of the remaining members of the Council. If the Council fails to fill any vacancy within sixty (60) days following the occurrence of the vacancy, the power of the Council to fill the vacancy shall lapse; and the Clerk of Council, by authority of this Charter, shall request the Board of Elections of Greene County to hold an election to fill the vacancy. Such election shall be held at the next general election or special election already scheduled, and such general or special election shall occur at least ninety (90) days after the date of the request to the Greene County Board of Elections by the Clerk of Council. The individual elected in such election shall take office immediately following election certification by the Board of Elections and shall serve for the balance of the unexpired term.

~~Any appointee under this section shall qualify under the provisions of this Charter, and shall serve until a successor for the term is certified at the next November general election whether in~~

~~an odd or even year, which occurs at least one hundred (100) days after his or her appointment (so as to allow nominating petitions to be filed by the ninety (90) day deadline before such an election). That election shall be held to determine what person is elected to serve for the balance of the unexpired term.~~

An appointee under this section shall qualify under the provisions of this Charter, and if more than two (2) years remain of the expired term at the time of appointment, the appointee shall serve until a successor for the term is certified at the next November general election whether in an odd or even year, which occurs at least one hundred (100) days after his or her appointment (so as to allow nominating petitions to be filed by the ninety (90) day deadline before such an election). That election shall be held to determine what person is elected to serve for the balance of the unexpired term. If at the time of appointment less than two (2) years remain of the unexpired term, the appointee shall serve the remaining term without election.

In the event of a vacancy occurring between the time of election of the Mayor or Council member-elect in a November general election and the time of taking office for the Mayor or that Council member-elect, the vacancy shall be filled in the manner provided for in this Charter by the newly elected Council and at or following the first meeting of Council on or subsequent to the first day of January after such November general election.

(Amended 11-6-90; Amendment passed by electorate 11-4-97; Amended 11-4-14; Amendment passed by electorate 11-8-16)

SECTION 11.03. NOMINATIONS.

No primary election shall be held for the nomination of candidates for the Council. Candidates for the Council to be elected at large shall be nominated by petitions signed by ~~seventy-five (75)~~ *fifty (50)* qualified electors of the City. Petitions shall be the standard forms provided by the Greene County Board of Elections for the nomination of individual nonpartisan candidates for such offices. Group petitions shall not be used for individual offices. Each circulator of a nominating petition shall be a qualified elector of the City. The signatures to a nominating petition need not be all affixed to one paper, but to each separate paper of a petition there shall be attached an affidavit executed by its circulator stating the number of signers of the paper, that each signature on it was affixed in circulator's presence and that circulator believes each signature to be the genuine signature of the person whose name it purports to be. The signatures shall be executed in ink. Each signer shall indicate next to signer's signature the date of signing and the place of residence. Petitions shall be filed with the Greene County Board of Elections by 4 p.m. at least ninety (90) days before the election.

(Amended 11-6-90; Amended 11-4-14)

Memo

PEL

To: Pete Landrum, City Manager
City Council

From: Kim Farrell, CPRP, Parks Superintendent

Date: May 17, 2018

Re: Rotary Park

Rotary Park has historically been financed equally (50/50) between our Parks Department and Beavercreek Township. The Township has given up ownership of all their parks to Greene County except for Rotary Park, which will be given to the City; dependent on the passing of the 2019 Park Levy. The current contract we have with the Township has been extended through December 2018. Our staff has been in discussions with Township staff to make the transition for 2020. We will be bringing forth an agreement to enter into with the Township. This agreement will maintain current operation and maintenance conditions, with the following changes:

- Lease agreement will be January 1, 2019 – December 31, 2019
- If the Park levy is successful, ownership of Rotary Park will turn over to the City of Beavercreek. If the levy is unsuccessful, ownership will remain with the Township and a new contract may be renegotiated
- Township has agreed to donate what is left in their Land Acquisition and Improvement Fund to the City to help with future capital improvements, should ownership turn over to the City in 2020
- When the Park is deeded to the City, all fixed assets will become the sole property of the City

PROCLAMATIONS

- ◆ Creek Classic, John Ankeney

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Litteral
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. April 23, 2018 Regular Meeting
 - B. May 14, 2018 Regular Meeting
- VI. PUBLIC HEARING – PC 17-4 (ASRA) Roddy Dentistry
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VII. PUBLIC HEARING – PC 18-6 (ASRA) Piano Preparatory School
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VIII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 18-06 PUD 18-1 Lehmann Rezoning (Third Reading)
 - B. Ordinance 18-07 PUD 18-2 Holiday Inn Express (Third Reading)
 - C. Ordinance 18-08 Repealing Current Section 94.07 and Adopting New Section 94.07 (Third Reading)
 - D. Resolution 18-21 Declaring Necessity of Levying a 4.5 Mills Renewal and Requesting County Auditor to Certify
 - E. Resolution 18-22 Authorize Master Supply Agreement for Electric Governmental Aggregation Program
- IX. CITY MANAGER'S REPORT
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT



CITY COUNCIL
Regular Meeting – June 11, 2018 6:00 p.m.
Council Chambers

PROCLAMATIONS

- ◆ Purple Heart City

- 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
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Resolution 18-___ Placement of a 4.5 Mills Renewal Police Levy on November 6th, 2018 Ballot
- VII. CITY MANAGER'S REPORT
- VIII. MAYOR'S REPORT
- IX. COUNCIL TIME
- X. CITIZEN COMMENTS
- XI. ADJOURNMENT

DRAFT