

BEAVERCREEK CITY COUNCIL
REGULAR MEETING March 14, 2016 6:00 p.m.

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

ALSO IN ATTENDANCE: Michael Cornell, City Manager; Dennis Evers, Chief of Police; Theresa Hathaway, Fiscal Officer; Dianne Lampton, Clerk of Council; Jeff McGrath, Planning & Zoning Director; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer;

PLEDGE

Council Member Upton led the pledge and a prayer.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Upton MOVED to approve the minutes of the February 16, 2016 Work Session, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to approve the minutes of the February 22, 2016 Work Session, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Council Member Wallace MOVED to approve the minutes of the February 22, 2016 Regular Meeting, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

PRE-SCHEDULED PRESENTERS

CALEA Assessors

Chief Evers introduced the two assessors who were conducting the onsite assessment as Assistant Chief Michael West, Gwinnett County Police Department, Lawrenceville, Georgia and Linda Carlin, Farmington Police

March 14, 2016

Department, Unionville, Connecticut. The inspection would be completed by Wednesday. There was public input scheduled for Tuesday, March 15th at 6:00 p.m. in the Council Chamber. Chief Evers explained the department undergoes on site assessment every three years which would be changing to every four years after this. He said they look at the processes and the outcomes of how they do their business. He said this is the National Accreditation through the Commission on Accredited Law Enforcement Agencies. He said they have been accredited since 1999.

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 16-01 Z-16-1 TCN Behavioral Rezoning, I-1 to RP-1 (Third Reading)

Clerk Lampton read an Ordinance amending the Zoning Map, by rezoning approximately 3.223 acres of land located at 1400 Grange Hall Road, further described as Book 2, Page 13, Parcel 70 from I-1 Light Industrial to RP-1 Research Park District (Z-16-1).

Mr. McGrath explained that TCN asked Council to table the decision until the March 28th meeting. He said TCN had been presented with additional information from the City's legal counsel and staff. He explained TCN wished to discuss this information at their scheduled March 24th board meeting.

Mayor Stone clarified at the March 28th meeting, Council would have only four council members voting due to the scheduled absence of Council Member Upton and the recusal of Council Member Litteral and Vice Mayor Vann from this Ordinance. He said this would require a unanimous vote by the remaining voting body. Mayor Stone verified with the TCN representatives that they understood these circumstances. Mr. Otto replied they understood.

Council Member Jarvis voiced his concern as he would be absent at the April 11th meeting if this were to be pushed out farther.

Mayor Stone said he would be the first to agree not to push it if it were not for the request from the applicant.

Council Member Whilding MOVED to table Ordinance 16-01 to the March 28th meeting, seconded by Council Member Wallace. Motion PASSED by majority voice vote. (Vice Mayor Wallace and Council Member Litteral abstained)

Ordinance 16-02 MX-PUD 93-4 Amend 1/16 Ashton Brook Phase 5 (Second Reading)

March 14, 2016

Clerk Lampton read an Ordinance amending Ordinance #09-34 rezoning and concept plan (PUD 93-4) to construct 32 multi-family residential units on the north side of Lillian Lane, south of I-675. This property is further described as Book 4, Page 2, Parcel 24 and the Greene County Property Tax Atlas. (PUD 93-4, Amendment 1/16)

There being no input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Resolution 16-06 Authorize ODOT to Proceed with Reconstruction of Traffic Signal North Fairfield and I-675

Clerk Lampton read a Resolution to authorize the Ohio Department of Transportation to proceed with the reconstruction of the traffic signal at North Fairfield and I-675.

Mr. Moorman explained the Ohio Department of Transportation was planning on reconstructing the span wire traffic signal at the southbound onramp to I-675 from North Fairfield Road. He said the existing span wire would be replaced with a mast arm signal to match the other signals along that corridor. He said the new signal would have the proper controller compatible with the existing fiber optic network used to control the coordination between signals. He said for the work to move forward it was a requirement of Council to pass this Resolution allowing ODOT to proceed with the work. Mr. Moorman explained that all costs associated with this work would be paid by ODOT at 100%.

Vice Mayor Vann MOVED to approve Resolution 16-06, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

LIQUOR PERMITS

Chipotle Mexican Grill of Colorado LLC DBA Chipotle Mexican Grill 2720 (New)

Chief Evers explained the Ohio Division of Liquor Control sent police notification referencing a new D1 liquor permit for Chipotle Mexican Grill of Colorado LLC, DBA Chipotle Mexican Grill 2720, 2544 Zink Rd, Beavercreek, Ohio 45324. The records checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the business officers/shareholders for this application request. Staff recommended this application request move forward with no comment.

March 14, 2016

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

CITY MANAGER'S REPORT

Mr. Cornell explained that the Street Levy Issue 1 was at the end of the ballot. He said the Street Levy was a 2.6 mill renewal with a .8 mill increase that has been in place since 1986. He said this levy represents approximately 69% of the revenue for Fund 203. He said with the approval of this levy, the city would continue to be the second lowest in the region in terms of local government ranking. He reviewed the details of what services this levy covers.

MAYOR'S REPORT

Mayor Stone said this is an important levy for the City and the community. He asked everyone to give it a positive consideration at the ballot. He said he attended an Eagle Scout Award Ceremony and a Girl Scout Gold Award Ceremony. He congratulated all who achieved this top honor. He thanked Todd at TJ Awards who made wood tokens for the Eagle Scouts and plaques for the Gold Award honorees. He said he along with Council Member Wallace and Council Member Whilding met with a kindergarten student from Trebein Elementary along with his sister and two friends. He said the students presented them with a card from his class and chocolates. He said he and Council Member Jarvis attended an open house at the Dayton Islamic School. He thanked Chief Evers and Parks Director Kim Farrell for attending as well. He said the Vietnam War 50th Commemorative Pinning Ceremony would be held Wednesday, March 30th at 10:00 a.m. at the Dayton VA. Mayor Stone held a business card exchange on March 3rd at the Hilton Garden Inn. It was his hope to do this on a regular basis and have a couple Council Members join him.

COUNCIL TIME

Council Member Whilding thanked the Main Elementary PTO and volunteers for a successful Jamboree. He said Greene CATS would be adjusting the Orange Line at Wright State University and in the Beaver Valley Shopping Center near Lowes and Fresh Thyme Market. He said he supported Issue 1 explaining there had been a lot of debate regarding service levels, maintaining the fund balance and the improvements for the next five years.

Council Member Jarvis said many residents he had spoken with appreciate how the City maintains the roads since the last levy was passed and they would like that to continue. He said if this levy does not pass there would be some drastic changes. He said the Islamic School held their open house where they met with the board, parents and students.

March 14, 2016

Council Member Wallace said an Employer Advisory Council would be meeting at Wright State University, Military Center on Tuesday, March 15th at 9:00 a.m. She said the purpose was to connect employers of the Greater Miami Valley to perspective military and veteran employees. She said the Beavercreek Chamber would be holding their Chamber Links on Thursday, March 17th from 5:30 – 7:30 p.m. at the Hope Hotel. She thanked the high school band for holding the Weekend of Jazz. She said it was phenomenal and they did a great job.

Council Member Upton said they had a lot of debate regarding the millage before putting it on the ballot. He believed it was a responsible amount and appropriate for our city. He encouraged everyone to vote in favor of it. He said seventeen year olds who would be eighteen by Election Day were allowed to vote on Tuesday.

Council Member Litteral thanked Chief Evers for bringing the CALEA assessors to the meeting. She said this is a voluntary process with 200 standards they have to follow. She said there is a public hearing tomorrow evening and encouraged people with any comments to come.

Vice Mayor Vann said they received an email stating Beavercreek was named one of the fifty safest cities in Ohio. She said this information was put on by backgroundchecks.org who is devoted to public safety and open government. She attended Mayors and Managers meeting where there was a speaker regarding the Montgomery County Land Bank. She said the Greene County Commissioners were very interested in this program.

CITIZEN COMMENTS

Nate Falu, 3534 Dayton-Xenia Road, Beavercreek, Ohio

Mr. Falu asked if there was a website he could review to get a better understanding of what the taxpayers pay and information regarding Issue 1.

Mayor Stone explained the normally there is no interaction at this portion of the meeting but because it was regarding the level he asked the City Manager to respond. Mr. Cornell said Issue 1 information could be found on the City's website. He directed Mr. Falu to go to the state website for additional resources. Council Member Jarvis said the latest addition of the In Touch also had information regarding the levy.

Nikkala Thomson, 3845 Ashleaf Court, Beavercreek, Ohio

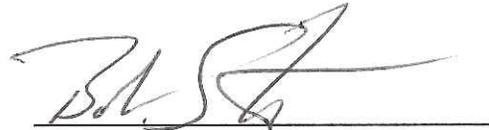
Ms. Thomson questioned the additional amount for the levy. She assumed it was because there were new roads that needed to be maintained which included new dwellings. She asked if there are new dwellings why the city needed to

March 14, 2016

increase the levy. Mayor Stone explained the levy generates a certain amount of revenue and does not go up as you might think with new developments. Council Member Upton explained the levy is a fixed dollar amount and if you add more people to the pot, the city is still receiving the same fixed dollar amount. Mayor State said technically your taxes could go down. She said it is difficult for her and almost double from what she was paying from where she moved from. Mayor Stone said in the region if you add income tax and property tax we are a very low taxed area. Council Member Jarvis said Beaver creek is one of two cities in the State of Ohio that does not have an income tax.

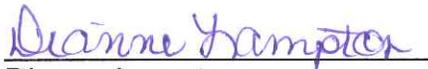
ADJOURNMENT

Council Member Jarvis MOVED to adjourn the meeting at 6:41 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.



Bob Stone, Mayor

ATTEST:



Dianne Lampton
Clerk of Council
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