

BEAVERCREEK CITY COUNCIL
REGULAR MEETING June 13, 2016 6:00 p.m.

PROCLAMATIONS

- ◆ Scleroderma Awareness Month, Kelley Hill

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; Matt Funk, Code Enforcement Officer; Dianne Lampton, Clerk of Council; Jeff McGrath, Planning & Zoning Director; Steve McHugh, Legal Counsel; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Council Member Litteral led the pledge and a moment of silence.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Jarvis MOVED to approve the minutes of the May 16, 2016 Work Session, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to approve the minutes of the May 23, 2016 Regular Meeting, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 16-09 Registration of Abandoned Foreclosures and Vacant Properties (Second Reading)

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Clerk Lampton read an Ordinance adopting new Charter 98 "Registration of Abandoned Foreclosures and Vacant Properties" of the City of Beavercreek Code of Ordinances.

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

This Ordinance will move automatically to the Third Reading.

Ordinance 16-11 Charter Amendments – Direct Election of Mayor (Second Reading)

Clerk Lampton read an Ordinance providing for the submission to the electorate amendments of the Charter of the City of Beavercreek, Ohio, and to place the same on the ballot at the general election, November 8, 2016.

Carol Graff, 1442 Devoe Drive, Beavercreek, Ohio

Ms. Graff explained that at one time Beavercreek did have an elected mayor. She said it was in 1979 and because they were a statutory village it was required to have certain elected offices. She said when the council was seated they had the opportunity to decide on a charter and adopt it in 1981. Ms. Graff had a copy of the original charter with her. She said during the charter commission discussions, it was discussed of having a president of council but decided against it because they do not have the same standing as mayors of other communities. She said they chose the name mayor to designate the stature of the position. She said it was also intended to be a member of council who presided at the meetings, perform weddings, and any other statutory things. She said it was never a strong mayor form of government. She said we have a city manager who is supposed to run our community and the mayor leads the meetings. She hoped they were not considering having a strong mayor form of government. She thought against the concept from the early years. She did not see any need to change the charter,

Phil Parker, 667 Brookmeade Court, Beavercreek, Ohio

Mr. Parker said he was not going to debate Ms. Graff's history of the charter. He wanted to talk about modern day Beavercreek going forward. He believes in a city manager form of government. He said this form of government was recommended by John H. Patterson, who founded the Dayton Area of Commerce in 1907. He said it is a good strong leading the staff and direction of policy set by council. He said we are in a position now where we are starting to review this whole concept of how to elect a mayor and how long that person might serve. He said in the best interest of Beavercreek it would be better to have a mayor that was elected by the citizens because they understand what the person's goals, guidelines and visions that person might have for the city. He

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said it is true they would sit on council and have one vote like any other council member but mayors have certain duties where they represent us as the chief elected official. He said when you turn over the mayor position so often it does not give the city the credibility and long term vision and continuity of leadership in that role. He hoped council would consider that this would be something they would change for the better and have an elected mayor for a four year term.

Jerry Petrak, 2038 Avon Drive, Beaver creek Ohio

Mr. Petrak said all the comments he has heard tonight, he has heard before. He said he did not care enough one way or the other regarding the direct election of mayor. He said people don't care how you are elected but the one thing they want to keep in place is the term limits. He thought it important to have them. He said the only drawback he saw to having a direct election of mayor is if you have a contested contest where two people are running, one of them is not going to make it. He said they would be sitting out and it probably would be some good talent that could be used on council. He said it was something to think about.

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

Council Member Litteral thanked Council Member Upton for leading this. She thought it was a very important topic. She said they need the continuity and stature and the position itself turning over every two years does not give us the continuity.

Council Member Upton appreciated the comments and emails. He confirmed with Mr. McHugh there were no changes to the documents since the first reading. Mr. McHugh replied no. Council Member Upton read a letter received from State Representative Rick Perales and was submitted for the record. (Attached to back of minutes) Council Member Upton said we are not changing the term limits or the powers of the mayor.

This Ordinance will move automatically to the Third Reading.

LIQUOR PERMITS

WOB Dayton LLC (New)

Chief Evers said the Ohio Division of Liquor Control sent police notification referencing a new D5J liquor permit for WOB Dayton LLC DBA World of Beer, 12 Greene Blvd., Beaver creek, Ohio 45440. 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.

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

CITY MANAGER'S REPORT

Mr. Cornell said the improvements on Grange Hall Road north of Kemp Road should be completed by the end of the month. He said the project on Grange Hall Road at Shakertown Road intersection is underway. This project will not be completed until early October. He said Public Service is maximizing new capital equipment with a new more efficient caterpillar and new Ford 250 extended cabs which allow workers to travel together to sites using only one vehicle. He said the merger between Time Warner Cable and Charter Communications became effective May 18, 2016. He said changes are in the works but will continue current services for now.

MAYOR'S REPORT

Mayor Stone congratulated the Parks Department for a successful Memorial Day event along with the summer concert series. He said they crowned Miss Beaver creek and Miss Junior Beaver creek last weekend.

COUNCIL TIME

Council Member Upton gave his condolences to Flo Thompson who was a long time citizen and helped make Beaver creek what it is today.

Council Member Litteral reviewed the employee anniversaries. Congratulations to everyone.

Council Member Upton attended the Ace Mitchell All Star Challenge at BeaverVu Bowling. He expressed his condolences in the passing of Flo Thompson.

Council Member Wallace asked Chief Evers to comment on the increase of theft within the city. Chief Evers said warmer weather brings up the crime rate and theft is up and related to the heroin epidemic. He said people are stealing to feed their heroin addiction. He hoped the additional jail space at the county would be opened to allow those individuals get the necessary help through the system to address the addiction so they are not out stealing. He reminded everyone to secure your valuables. Lock your vehicles and do not leave items visible. Council Member Wallace commended the visuals in the Police Annual Report and like the new look. Chief Evers commended his staff for their work in making the report easier to read. Council Member Wallace said on June 15th Buffalo Wild Wings will donate 15% to the Dayton V.A. for veterans activities.

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Vice Mayor Vann said she liked the police report as well and happy to see many areas were down. She said the deadline to submit a 4th of July parade application was June 16 and to contact the Parks Department for more information. She said she was looking for nominations for the Walk of Fame.

Mayor Stone expressed his condolences to the family of Flo Thompson.

CITIZEN COMMENTS

Jerry Petrak, 2038 Avon Drive, Beaver creek, Ohio

Mr. Petrak said Flo Thompson had been a part of this community for a long time and has been an influence on a lot of things. He said she was instrumental on term limits and very anti-income tax, worked diligently on the council recall when they tried to recall five council members, worked diligently on the referendum for the mall and had input on the original charter. She never received any recognition but was a major influence on this city.

Nate Falu, 3534 Dayton-Xenia Rd, Beaver creek, Ohio

Mr. Falu asked if he could have a copy of the 2015 Annual Police report. He received a copy.

Citizen comments was closed.

EXECUTIVE SESSION

Council Member Jarvis MOVED to enter into Executive Session at 6:55 p.m. pursuant to Section 121.22 of the Ohio Revised Code, for the purpose of consideration of conference with city attorney concerning disputes involving the City that are subject to pending or imminent court action, seconded by Council Member Wallace . Motion PASSED by a roll call vote of 7-0.

Council Member Litteral MOVED to adjourn executive session at 7:10 p.m., seconded by Council Member Whilding . Motion was PASSED by roll call vote of 7-0.

Council Member Whilding MOVED to reconvene the meeting, seconded by Council Member Litteral . Motion PASSED by majority voice vote.

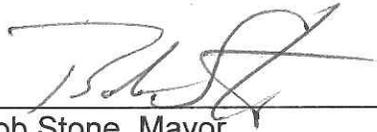
ADJOURNMENT

Vice Mayor Vann MOVED to adjourn the meeting at 7:11p.m., seconded by Council Member Whilding. Motion PASSED by majority voice vote.

BEAVERCREEK CITY COUNCIL

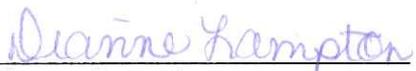
REGULAR

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Bob Stone, Mayor

ATTEST:



Dianne Lampton
Clerk of Council
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