

BEAVERCREEK CITY COUNCIL
REGULAR MEETING January 22, 2018 6:00 p.m.

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; Kim Farrell, Recreation Supervisor; Dianne Lampton, Clerk of Council; Pete Landrum, City Manager; Jeff McGrath, Planning and Development Director; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Vice Mayor Garcia led the pledge and a prayer.

APPROVAL OF AGENDA

Council Member Rushing MOVED to amend the agenda by adding Beaver Creek Youth Council as a Pre-Scheduled Presenter, seconded by Council Member Upton Motion PASSED by majority voice vote.

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

PRESCHEMULUED PRESENIER

Beaver Creek Youth Council

Christopher Carezza, Callista Hess, Tayton Hess

Mr. Carezza explained they were a volunteer group in Beaver Creek ranging in ages from middle school through high school. He said they were about giving back to the community. He said the BYC middle school dances are their biggest events. They also have food drives for FISH and Feed the Creek. Any money raised from their events are given back to the community.

Ms. Hess explained they donate to Hope's Closet which serves Greene and surrounding counties by providing foster parents with clothes, toys, diapers, etc. She said they were currently working on a drive for Hope's Closet. A donation box was at the Senior Center for anyone interested in making a contribution. For more information regarding Hope's Closet go to their website at www.hopes-closet.net. They were also working with Soul Center which provides outings for the special needs community for grade nine through age 110. She explained once

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they are out of high school they was not a lot for them to do so Soul Center provides an event at least once per month.

Mr. Hess spoke of the Richardson Foundation which helps kids who would like to participate in sports but not be able to afford it. The Richardson Foundation will assist with personal safety equipment, pay-to-play fees and sports equipment.

Mr. Carezza spoke of the Sweetheart Dance for the residents of the Heartland of Beavercreek held in February/March timeframe. He thanked Council for letting them speak of their events.

Mayor Stone expressed his appreciation for all they do.

ORDINANCES, RESOLUTION AND PUDS

Resolution 18-04 Necessity and Intent to Appropriate Property (William Ayers) for National Road Widening Property

Clerk Lampton read a Resolution to declare the necessity and intent to acquire certain parcels or real estate and other property interests owned by William O. Ayers, with interest by others, for the National Road Widening Project, in the City of Beavercreek, Ohio.

Mr. Moorman said there was a project to improve Grange Hall Road at National Road in the vicinity of Col. Glenn Highway. He said it consisted of the widening of Grange Hall Road and adding a new northbound right turn lane. It also included the widening of National Road by extending the second northbound through lane to the city corporation line. They would also be adding curb and sidewalk to the east side of National Road. He said to build the improvements they had to acquire property rights from nine individual property owners. He said they had reached agreements with eight of the owners. He said they still had open dialogue with the ninth owner whose was located on the southeast corner of the intersection of Grange Hall Road and Col. Glenn Highway. He explained there were two temporary right-of-ways which was only for the duration of the project. It would allow room for the contractor to work on rebuilding the curb and retaining wall. He said there was also a small permanent acquisition of 44 square feet. He explained part of the process included an independent real estate appraiser to determine fair market value which equated to \$2,296. He said this was what Mr. Ayers was offered and they were still working to come to an agreement to avoid going through the appropriations process. He said the passage of this Resolution and Ordinance would allow the city to move forward with the project if the negotiations fall through.

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Council Member Upton questioned if Mr. Ayers had offered a counter proposal. Mr. Moorman replied that he had and was a little more than what the city was willing to pay. He explained Mr. Ayers was requesting the city perform maintenance on his property which was something the city would never do. Council Member Upton asked if this was ongoing maintenance. Mr. Moorman said one of the requests was for the city to cut his grass on his property and pick up trash. He said the city cannot commit city resources for maintenance on private property. Council Member Upton asked what Mr. Ayers counter proposal was. Mr. Moorman said his first counter was in the \$35-36,000 range. Mr. Moorman said he has since dropped the number but added the other conditions.

Vice Mayor Garcia asked if the negotiations started at the same time with the other eight property owners. Mr. Moorman explained once they get the appraisals back, they would do a formal offer letter. He said some of the appraisals come back quicker than others. He said this project has several temporary easements which were very easy appraisals so the offers go out sooner. He said Mr. Ayers took a little longer because of the permanent appraisal so it may have been a month to six weeks later than the others.

Council Member Vann MOVED to approve Resolution 18-04, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote

Ordinance 18-01 Appropriate the Right-of-Way (William Ayers) for the National Road Widening Project

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 Beaver Creek, Ohio.

Mr. Moorman said this was the companion legislation.

Council Member Vann MOVED to approve Ordinance 18-01 and move to the second and third readings, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote

Resolution 18-05 Agreement with Beaver Creek Township Park District

Clerk Lampton read a Resolution authorizing the City Manager to enter into a park maintenance agreement with the Beaver Creek Township Park District.

Ms. Farrell said this was an agreement to operate and maintain two parks that were underneath the Beaver Creek Park District; Victory Park and Community Park. She explained Beaver Creek Township had maintained them in the past but since

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the Township was getting out of the park business, the Park District asked the City to put together a proposal.

Council Member Litteral asked if there was any equipment they would be donating. Mr. Farrell said they did not have any equipment.

Mayor Stone said indirectly this was the process of the Township getting out of the park business. The Township had always maintained the Park District's parks.

Council Member Litteral asked if the Township had any equipment they wanted to donate. Ms. Farrell said they could ask but thought they would be using their equipment for maintaining their facilities.

Council Member Upton confirmed the City would be receiving two payments of \$13,000 throughout the course of the year. Ms. Farrell said that was correct. Council Member Upton asked if this was what the District was paying the Township. Mr. Farrell said no, this was more.

Council Member Vann said in the past years Rotary Park was plowed immediately and it wasn't plowed immediately this year. Ms. Farrell said the parks are one of the last things they do. Council Member Vann said the Township had a smaller work load and could get to it pretty fast.

Mayor Stone said the amount seemed low. Ms. Farrell said this was for one year and would give the City an opportunity this summer to readjust if needed.

Council Member Litteral MOVED to approve Resolution 18-05, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Resolution 18-06 Substitute House Bill 523 (Medical Marijuana) Moratorium
Clerk Lampton read a Resolution by the Beaver Creek City Council imposing a moratorium of six months on the issuance and processing of any permits allowing dispensaries, cultivators or processors of medical marijuana within the City of Beaver Creek, Ohio and excluding any pending applications for cultivators, processors or dispensaries.

Mr. McHugh explained Council had requested a six month moratorium on any new permits excluding the three pending permits for dispensaries. This would allow Council to further determine how to control the medical marijuana business.

Council Member Upton said Council had talked about this issue time and time again The Council has issued moratoriums, held special informational meetings,

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and had received good feedback. He said there was no discussion tonight because they've had a lot of discussion already.

Mayor Stone said this was something they had considered a month ago and thought they had a safety net with the state not issuing any new permits. He said with further discussion it was realized there needed to be a safeguard and this was the best way to go.

Council Member Vann MOVED to approve Resolution 18-06, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

DECISION ITEMS

Council Member Appointment Committee

Mayor Stone said they would like to setup a three member committee to review the applications for those who applied to fill the vacancy on Council. He recommended Council Members Rushing, Upton and Vann for the committee.

Vice Mayor Garcia MOVED to appoint Council Member Rushing, Council Member Upton and Council Member Vann to the Council Member Appointment Committee, seconded by Council Member Upton. Motion PASSED by majority voice vote. (Against – Litteral)

CITY MANAGER'S REPORT

Mr. Landrum reviewed the recent snow events. He said there was a video tour on the website to view. The InTouch would be arriving in mailboxes the week of February 5th. He reminded everyone City information could be found on the City website, Facebook, Twitter and YouTube. The Lofino Plaza Palooza would be held on Thursday, February 8th at the Senior Center. The seasonal job fair would be held on Saturday, February 10th at the golf course.

MAYOR'S REPORT

Mayor Stone thanked the Beaver Creek Youth Council and the Boy Scouts for their attendance at tonight's meeting.

COUNCIL TIME

Council Member Litteral thanked the wonderful road department and police during the snow event.

Council Member Rushing thanked the road crew and staff for keep everyone safe. He said Ed Zink coached his one-thousandth game as the Beaver Creek's girls' varsity basketball coach. He has the most overall all-time state wins in terms of

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coaching. He has been coaching since 1975. He thanked the Beavercreek Youth Council for attending the meeting.

Council Member Vann requested the minutes not reflect tardiness. It was agreed to remove tardiness but still reflect when a Council Member arrived if late.

Council Member Vann said there was a video for Council to review from My Civic Apps for people to use smart phones to communicate with the city. She said she spoke with a group of citizens regarding working towards being a City of Peace.

Council Member Upton reviewed the employee anniversaries. Congratulations to everyone. He said the City was looking for volunteers to serve on the Boards and Commissions. Anyone interested to please visit the city website to complete an application.

Vice Mayor Garcia thanked the Beavercreek Youth Council and Boy Scouts for attending. She said this showed tremendous character of all them for giving of their time and volunteering in the community. She thanked staff for their help with the Council Advance.

CITIZEN COMMENTS

Pat Barton, 2109 Wedgewood, Beavercreek, Ohio

Ms. Barton thanked Council. She said if there were issues that could be shared with a citizen team that could help answer any questions or concerns that may have been raised during the retreat, one of the team members would help get the information. She proposed a board to help with this.

Citizen comments was closed.

EXECUTIVE SESSION

Council Member Upton MOVED to enter into Executive Session at 6:45 p.m. pursuant to Section 121.22 of the Ohio Revised Code, for the purpose of the purchase of property for public purposes, the sale of property at competitive bidding and preparing for, conducting or reviewing negotiations or bargaining sessions with public employee, seconded by Council Member Vann. Motion PASSED by roll call vote of 6-0.

Council Member Vann MOVED to adjourn executive session at 7:35 p.m., seconded by Council Member Rushing. Motion PASSED by roll call vote of 6-0.

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

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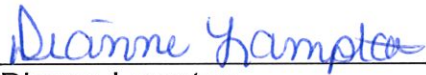
ADJOURNMENT

Council Member Upton MOVED to adjourn the meeting at 7:37 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.

A handwritten signature in black ink, appearing to read 'Bob Stone', written over a horizontal line.

Bob Stone, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read 'Dianne Lampton', written over a horizontal line.

Dianne Lampton
Clerk of Council
Cmin010818