

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING March 13, 2017 6:00 p.m.

**PROCLAMATIONS**

◆ National Girl Scout Week

**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

TARDY: None

ALSO IN ATTENDANCE: Dennis Evers, Chief of Police; Jennifer Grewe, Legal Counsel; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Pete Landrum, City Manager; Jeff McGrath, Planning & Zoning Director; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

**PLEDGE**

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

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Council Member Litteral MOVED to approve the February 13, 2017 Regular Meeting Minutes, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Council Member Wallace MOVED to approve the February 21, 2017 Work Session Minutes, seconded by Council Member Jarvis. Motion PASSED by majority voice vote. (Litteral, Whilding abstained)

Council Member Upton MOVED to approve the February 27, 2017 Regular Meeting Minutes, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

**ORDINANCES, RESOLUTIONS AND PUDS**

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**Ordinance 17-02 Appropriate the Right-of-Way (Michael Hammermeister) for the Shakertown Road Widening Project (Third Reading)**

Clerk Lampton read an Ordinance to appropriate certain real property interests owned by Michael K. Hammermeister, for the Shakertown Road Widening Project in the City of Beavercreek, Ohio.

Council Member Whilding MOVED to approve Ordinance 17-02, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

**Ordinance 17-04 Approval of Employee Manual Revisions (Second Reading)**

Clerk Lampton read an Ordinance repealing current personnel rules and regulations for the City of Beavercreek.

There being no input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

**Resolution 17-05 Authorize City Manager to Enter Into Agreement with Tara Falls Home Owners Association**

Clerk Lampton read a Resolution authorizing the City Manager to enter into an agreement with the Tara Estates Homeowners Association for the reconstruction of sidewalk along Shakertown Road.

Mr. Moorman explained he had been approached by the homeowners association for the Tara Falls subdivision asking for the replacement of a section of sidewalk. He said the sidewalk in question was along the south side of Shakertown Road between Southern Belle Blvd. and Graystone Drive. He said the concerns of the existing walk include the varying widths and poor condition of the existing path along with a drainage structure against the path which is a trip/fall hazard. He had discussions with the HOA informing them the city did not have a sidewalk program and this was not something the city would undertake at 100% city funds. He said after negotiations they were agreeable to fund half of the cost to replace the sidewalk. Mr. Moorman explained the work would involve removing the existing asphalt path and installing a six foot wide concrete walk which is the current standard. He said this project is along a major route and recommended proceeding.

Vice Mayor Vann asked what the current width was. Mr. Moorman said it is as narrow as 4 ½-5 feet and as wide as 8-9 feet. Vice Mayor Vann asked what the width would be of the finished product. Mr. Moorman replied it would be a six foot wide concrete sidewalk. Vice Mayor Vann commented it would be a sidewalk instead of a bikeway. Mr. Moorman said it would be a consistent width which

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currently was not. He said they would make it wider but there were some constrictions with the right-of-way in this area. He explained if they installed an eight foot sidepath they would be outside the right-of-way and they need to keep it within the public right-of-way. Vice Mayor Vann asked if it would be possible to do this. Mr. Moorman said they would have to acquire additional property. Vice Mayor Vann asked if there was a bikeway proposed in this area in the bikeway plan. Mr. Moorman said farther down there is the start of the sidepath system where there is eight foot wide sidepaths near the Grange Hall and Shakertown area but it was on the north side of Shakertown. He said there were plans to bring that sidepath down to Autumn Springs either this year or early next year. Vice Mayor Vann said it would behoove the city to have a bikeway and sidewalk plan. She said they have a bikeway plan that was incorporated with the roadway plan years ago but they don't have a sidewalk plan.

Council Member Litteral said her concern was having other associations request assistance. Mr. Moorman said it was very rare that we would do work like this. He said it is along a major route and it isn't unprecedented. He said they have matched money with grant money to build walks and also paid 100% for walks. He said this situation is a first of its kind. Council Member Litteral said it was great that they were partnering but it was something they need to look at for the future. Mayor Stone stated this is why they need to develop a policy. Vice Mayor Vann said if it's a bikeway then it's the city's responsibility and if it's a sidewalk it's the homeowner's association's responsibility. When you're switching the width of it, it puts it in that in between space. She said it's not in front of somebody's house so she was glad we were partnering but didn't want this to be setting the precedence for our sidewalk plan before they have the discussion of what the choices are. Council Member Litteral agreed.

Council Member Jarvis asked how many feet this project was. Mr. Moorman did not have the linear feet. He said the entire path was along the subdivision and there was part of it the goes beyond Greystone and Southern Belle but the work would be just between the two streets. Council Member Jarvis asked when they realign Shakertown Road at U.S. 35 if there would be a bike path included. Mr. Moorman replied no. He explained that extension was setup with shoulders because of the commercial property and future development.

Council Member Upton questioned the cost. Mr. Moorman said it would be 50-50 and the cost was estimated at \$50,000. Council Member Upton asked which fund the money was coming out of. Mr. Moorman replied it would be coming out of 260. He further explained the bids for the Col. Glenn Highway resurfacing project came in substantially under what was budgeted allowing the excess funds to pay for the sidewalk.

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Vice Mayor Vann asked if there was any urgency to do this right now or could Council define the sidewalk policy and then answer this question. She asked if they could do this in six months. Mr. Moorman explained they were currently advertising for the curb and sidewalk program. He said it was a natural fit to include this with the overall package with a concrete contractor that would be working in the area. He said this would give them a better price for the work. He said if they delay it and bid it out separately it may cost more because it was a smaller project.

Mayor Stone said the difference, in his opinion is this was along a main thoroughfare versus somebody's front yard. He was willing to let this one move forward at this point but they would still need to have a discussion.

Vice Mayor Vann said then it acts like a community bikeway which typically the city pays for. Mayor Stone said they were lucky the association is willing to pay for half of it. Vice Mayor Vann said she wasn't sure of the six foot versus eight foot.

Mr. Landrum said part of what they will be doing is defining all the different sidewalks and paths. They will then come to Council with a policy with a replacement schedule.

Vice Mayor Vann asked when the work would be completed. Mr. Moorman replied it would go through as part of the curb and sidewalk program and would start around May or June.

Council Member Wallace liked the idea of a partnership with the homeowners association and since this was on a major thoroughfare it was a good way to go for the city.

Council Member Upton MOVED to approve Resolution 17-06, seconded by Council Member Litteral. Motion PASSED by majority voice vote. (Against – Vann)

## **LIQUOR PERMITS**

### **Melt Bar and Grilled Inc. (New)**

Chief Evers explained the Ohio Department of Commerce, Division of Liquor Control sent notification of a request referencing a new D5I liquor permit for Melt Bar and Grilled, Inc., 2733 Fairfield Commons Beaver creek, Ohio 45431.. The record 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 Upton. Motion PASSED by majority voice vote.

### **DECISION ITEMS**

#### **Approval of Attendance of 33<sup>rd</sup> Dayton Development Coalition Community Leader Fly-In**

Mayor Stone said he had asked this to be placed on the agenda. He said at budget time Council created a line item for this and Council needed to take action. He said Council Member Jarvis has participated in this out of his own pocket twice and it was his desire to go again. He recommended that Council appoint Council Member Jarvis as their representative at the Fly-In.

Council Member Jarvis said for the past 32 years our region has had a Fly-In to Washington D.C. He said it is a chance to meet with our congressional delegation, economic development experts and other senior federal government leaders to discuss topics relative to resources in Beavercreek and our region. He said this would be his seventh trip.

Council Member Wallace said it was a good suggestion to make this transparent for the community.

Vice Mayor Vann MOVED to appoint Council Member Jarvis as representative for the Dayton Development Coalition Community Leader Fly-In, seconded by Council Member Wallace. Motion PASSED by majority voice vote

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

Mr. Landrum reviewed the Grange Hall Road Widening project and State Route 835. New reconstructed traffic signals were scheduled to be activated at N. Fairfield Road and Shakertown Road and Grange Hall Road and Indian Ripple Road next week. The City had five grants approved by the Miami Valley Regional Planning Commission totaling in excess of \$4.5 million. He said the Lofino Senior Center expansion is continuing according to plan.

### **MAYOR'S REPORT**

Mayor Stone said there would be an Honor Flight leaving Dayton in the near future and applications were being accepted from WWII, Korean and Vietnam War veterans.

### **COUNCIL TIME**

Council Member Whilding congratulated Council Member Upon on the birth of his daughter.

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Council Member Jarvis said there would be an open house and ribbon cutting for the newly renovated library on March 22<sup>nd</sup> at 3:00 p.m. He had attended the Spicer Heights meeting regarding the playground renovations which was well attended.

Council Member Wallace said the Dayton V.A will be 100 years old this year and they will be having a Dayton V.A. Medical Center USO Hanger Dance for all WWI, Korean and Vietnam veterans on March 25<sup>th</sup> at 5:00 p.m.

Council Member Upton announced the birth of his first child, Ainsley Annette Upton born on March 7<sup>th</sup>.

### **CITIZEN COMMENTS**

Anna Thamba, 5010 Woodbine Ave, Dayton, OH 45432

Ms. Thamba spoke about women coming from India who get caught up in a rough situation in the United States. She said she has a friend who currently lives in Indianapolis and does not know what to do. She asked what types of resources can we provide or make arrangements for people in this situation so they can have a living. She said also asked to create an organization who will listen to issues or problems and make arrangements to go back to India. Her friend does not want to live in the United States anymore because her children are in foster care, she doesn't have a job and is not able to sustain on her own. She has no family members in the United States and once she goes back to India she will have no one to support her. She would appreciate Council to please speak about this with India organizations so they could do some type of fundraising for people like her friend so they can go back to India for good.

Mayor Stone suggested the Dayton India Club.

Ms. Thamba said she wanted to speak with Council because sometimes women are rejected by India organizations. She said when women become single they lose their status and are told to go away. She said this is something American women will not go through.

Mayor Stone said the information was appreciated.

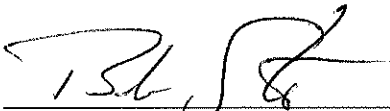
Ms. Thamba said she would like to speak with one or all after the meeting.

There being no more citizen comments, citizen comments was closed.

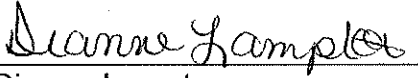
### **ADJOURNMENT**

Vice Mayor Vann MOVED to adjourn the meeting at 6:41 p.m., seconded by Council Member Whilding. Motion PASSED by majority voice vote.

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Bob Stone, Mayor

ATTEST:

  
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Dianne Lampton  
Clerk of Council  
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