

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING March 26, 2018 6:00 p.m.

**PROCLAMATIONS**

◆ Volunteer Month, Jennifer Hess, Youth Development Committee

**CALL TO ORDER**

Vice Mayor Garcia called the meeting to order followed by roll call

**PRESENT:** Council Member Curran, Council Member Litteral, Council Member Rushing, Council Member Upton, Council Member Vann, Vice Mayor Garcia,

**ABSENT:** Mayor Stone

Council Member Litteral **MOVED** to excuse Mayor Stone, seconded by Council Member Vann. Motion **PASSED** by majority voice vote.

**ALSO IN ATTENDANCE:** Amy Blankenship, Legal Counsel; Erin Harris, Recreation Supervisor; Steve Klick; Golf Course General Manager; Pete Landrum, City Manager; Jeff McGrath, Planning and Development Director; Dianne Miscisin, Clerk of Council; Jeff Moorman, City Engineer

**PLEDGE**

Council Member Vann led the pledge and a prayer.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Council Member Upton **MOVED** to approve the March 12, 2018 Regular Meeting Minutes, seconded by Council Member Curran. Motion **PASSED** by majority voice vote. (Abstain: Litteral, Vann)

**PUBLIC HEARING – A-18-1 Frank Fechek Agricultural District**

Clerk Miscisin read a renewal application for placement of farmland in an agricultural district pursuant to the Ohio Revised Code Section 929.02. The property is located at 4308 Kemp Road further described as Book 1, Page 5, Parcel 13 on the Greene County Property Tax Atlas.

Applicant Presentation

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No presentation

**Staff Presentation**

Mr. McGrath explained the current Agricultural Use Value (CAUV) classification was for commercial farms ten acres or greater or for properties less than ten acres but generates \$2,500 in gross income from sales product from the property for three consistent years. It is required that every five years the owner ask the city to approve the renewal of this classification.

**Public Input**

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

**Council Input**

Council Member Litteral said Mr. Fechek has been a long standing member of the community.

**Resolution 18-11**

Council Member Litteral MOVED to approve Resolution 18-11, seconded by Council Member Vann. Motion PASSED by majority voice vote.

**ORDINANCES, RESOLUTION AND PUDS**

**Ordinance 18-03** PUD 08-1 Amend 1/18 YGIC (Second Reading)

Clerk Miscisin read an Ordinance amending Ordinances 08-12 and 09-32 (C-PUD 08-1, Hindu Temple) and Ordinance 96-33 (R-PUD 96-1, Brookstone) to rezone 3.002 acres further described as Book 4, Page 4, Parcel 29 on the Greene County Property Tax Atlas to C-PUD 08-1 (PUD 08-1, Amendment 1/18)

Ron Kozar, counsel for Youth Group for Indian Culture, was available for questions.

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

This Ordinance will move automatically to the Third Reading.

**Resolution 18-16** Adopt Plan of Operation of Electric Aggregation

Clerk Miscisin read a Resolution to adopt a plan of operation and governance for electric governmental aggregation.

Mr. Landrum explained the required public hearings were held last week. This legislation was required in order to obtain PUCO certification for the aggregation programs.

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Council Member Litteral stated this was already approved by ballot 14 years ago.

Mr. Landrum explained this will bring more solicitation of different companies to sign up for their aggregation program. He said this program would be 60-90 days before it would be available.

Council Member Vann said after the program is implemented, people just need to opt out if they did not want to participate.

Council Member Vann MOVED to approve Resolution 18-16, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

**Resolution 18-17** Adopt Plan of Operation of Gas Aggregation

Clerk Miscisin read a Resolution to adopt a plan of operation and governance for gas governmental aggregation.

Council Member Curran MOVED to approve Resolution 18-17, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

**Resolution 18-12** Authorize Energy Alliances Agreement

Clerk Miscisin read a Resolution authorizing the City Manager to enter into an agreement with Energy Alliances for electric and natural gas aggregation services.

Mr. Landrum explained this was the agreement for Energy Alliances to assist with the PUCO certification and the overall process.

Council Member Litteral MOVED to approve Resolution 18-12, seconded by Council Member Vann. Motion PASSED by majority voice vote.

**Resolution 18-14** Authorize City Manager to Purchase Golf Carts and Sign Tax Exempt Capital Lease

Clerk Miscisin read a Resolution authorizing the City Manager to award a golf cart bid to Mid Ohio Golf Car, Inc. and to enter into a tax exempt municipal lease financing with Fifth Third Bank to finance the purchase.

Mr. Kucera explained the golf course was starting its fifth year of a five year lease agreement for the golf carts. He explained the warranty for the fleet was four years or 23,500 amp hours. All 72 carts have exceeded the 23,500 amp hours. He explained the cost analysis to replace the fleet versus overhauling the batteries. It

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would be more cost efficient to replace the fleet with a four year lease from Mid Ohio. He said Fifth Third has the best rate for the capital lease for the golf carts.

Mr. Landrum said there were three choices: go new, refurbish or make the fleet last one more season. He said the average golf course is just over five miles of track, the City of Beavercreek's is over eight. The current fleet would not last another season.

Council Member Upton asked to be walked through the current lease. Mr. Kucera reviewed the current lease and the remaining payment.

Council Member Curran questioned the maintenance program. Mr. Kucera said most of the maintenance would be covered under the warranty.

Council Member Upton asked if a delay in deciding on this until the next meeting would hurt anything. Mr. Kucera replied the interest rate may increase and delay the delivery of the new golf carts. Council Member Upton said he would go with these numbers.

Council Member Litteral MOVED to approve Resolution 18-14, seconded by Council Member Vann. Motion PASSED by majority voice vote.

**Ordinance 18-04** Additional Appropriations (Single Reading)

Clerk Miscisin read an Ordinance to approve supplemental appropriations and certify additional revenue for the fiscal year beginning January 1, 2018 and ending December 31, 2018 and to amend Ordinances 17-34 and 18-02.

Mr. Kucera explained the entries for the golf cart lease. He explained there was a purchase for a new server for the golf course that needed to be appropriated. He said ODOT completed their final cost and reconciliation for the construction of the Pedestrian Bridge which had not been budgeted and needed to be appropriated out of the street fund. He said these additional appropriations would not affect the 20% minimum fund balance.

Council Member Litteral MOVED to approve Ordinance 18-07, seconded by Council Member Curran. Motion PASSED by a roll call vote of 6-0.

**Resolution 18-15** Authorize an Agreement with the City of Kettering for County Line Road Improvements

Clerk Miscisin read a Resolution authorizing the City Manager to enter into an agreement with the City of Kettering for the project known as the County Line Road Widening Project, PID No. 103418.

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Mr. Moorman explained the County Line/Stroop corridor was primarily a five lane pavement section with the exception of the portion between Vale and Dorothy Lane where it was only three lanes. He said it was a bottle neck in the roadway and backs up during peak times. He said the line between Kettering and Beaver creek is the middle of County Line Road. He said the City of Kettering and Beaver creek had agreed to apply for grant money and both cities were successful in securing over \$2.4 million in federal funds to defray the costs. He said this legislation was an agreement between the two cities to split the remaining 40% of the cost for the project. He said Kettering was doing the plans in-house with the exception of a couple of items which is a cost savings. He said there would be a public involvement meeting in July, purchase the right-of-way in 2019 with construction in 2021.

Council Member Litteral thanked staff for all the work they do. She loves seeing collaboration in sharing the costs and thought it a wonderful project.

Council Member Upton questioned the right-of-way acquisition as there was not much on the Kettering side. Mr. Moorman said there was very little acquisition because of existing right-of-way. He explained on the Kettering side the right-of-way is by their walk, on the Beaver creek side it goes back quite a way off of the road. He said there was enough land to have space left over. He said on the Beaver creek side there would be temporary easement acquisitions.

Council Member Upton asked if there was any concern of the grade of the land. Mr. Moorman said some of the houses sit low and they would work to make the grades better and soften them up.

Council Member Curran asked if the neighbors were conscious of the right-of-way. Mr. Moorman said people were probably going to be surprised because they don't understand the right-of-way. He said they were preparing for public meetings at the Kettering Senior Center.

Council Member Vann MOVED to approve Resolution 18-15, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

## **DECISION ITEMS**

### **Board Appointments**

*Board of Zoning Appeals (1 Vacancy for term ending 02/28/19)*

Council Member Litteral MOVED to open nominations for Board of Zoning Appeals, seconded by Council Member Upton Motion PASSED by majority voice vote.

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Vann nominated Richard Porter.

Council Member Litteral MOVED to close nominations for the Board of Zoning Appeals, seconded by Council Member Vann Motion PASSED by majority voice vote.

Council Member Curran MOVED to appoint Richard Porter to the Board of Zoning Appeals for the term March 26, 2018 through February 28, 2019, seconded by Council Member Vann. Motion PASSED by majority voice vote.

*Tree Advisory Board (1 Vacancy for term ending 02/28/20)*

Council Member Upton MOVED to open nominations for the Tree Advisory Board, seconded by Council Member Vann Motion PASSED by majority voice vote.

Vann nominated Matthew Hempstead.

Council Member Litteral MOVED to close nominations for the Tree Advisory Board, seconded by Council Member Curran Motion PASSED by majority voice vote.

Council Member Vann MOVED to appoint Matthew Hempstead to the Tree Advisory Board for the term March 26, 2018 through February 28, 2020, seconded by Council Member Litteral. Motion PASSED by majority voice vote

*Youth Development Committee*

Council Member Vann MOVED to open nominations for the Impact Fee Appeals Board, seconded by Council Member Upton Motion PASSED by majority voice vote.

Vann nominated Jennifer Hollen.

Council Member Litteral MOVED to close nominations for the Impact Fee Appeals Board, seconded by Council Member Vann Motion PASSED by majority voice vote.

Council Member Litteral MOVED to appoint Jennifer Hollen to the Youth Development Committee for the term March 26, 2018 through February 28, 2020, seconded by Council Member Vann. Motion PASSED by majority voice vote.

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

Mr. Landrum gave an update on the Dayton-Xenia Road Widening Project. He said there would be a Playground Open Forum on April 3<sup>rd</sup> at the Lofino Plaza Meeting Room from 5:30 – 7:00 p.m. regarding Gerspacher and Rotary Parks.

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Kite Flying was scheduled for Saturday, April 21<sup>st</sup> at Dominick Lofino Park from 11:00 a.m. to 2:00 p.m.

#### **VICE MAYOR'S REPORT**

Vice Mayor Garcia wished Mayor Stone well. She thanked staff for a great St. Patrick's Day party at the Senior Lofino Center. She asked Mr. Moorman to speak of the Pedestrian Bridge. Mr. Moorman said there was a ton of work and time invested in the bridge along with the Bikeway Committee in helping secure the bridge. He said the bridge was designed to support vehicles and is a standard built bridge.

#### **COUNCIL TIME**

Council Member Litteral attended the WSU Gala. It was a wonderful event.

Council Member Rushing was invited by the Governor's Commission on Hispanic and Latino Affairs to attend their annual Legislative Day on April 11<sup>th</sup>.

Council Member Vann attended the National League of Cities conference. She reviewed her notes from the sessions that she participated in. She focused on marijuana, drones and gun violence and prevention.

Council Member Upton thanked the Miami Valley Cable Counsel (MVCC) for inviting him to speak on a panel to newly elected council members and trustees.

Council Member Curran expressed his appreciation for the improvement to the floor at the Lofino center.

#### **CITIZEN COMMENTS**

Kim McCarthy, 2525 Stewart Road, Sugarcreek Township  
Ms. McCarthy was running for state representative in District 73 and was attending all of the council meetings in the area.

Citizen comments was closed

#### **ADJOURNMENT**

Council Member Rushing MOVED to adjourn the meeting at 7:14 p.m., seconded by Council Member Upton. Motion PASSED by majority voice vote.

BEAVERCREEK CITY COUNCIL

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Bob Stone, Mayor

ATTEST:



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Dianne Miscisin  
Clerk of Council  
Cmin032618