

BEAVERCREEK CITY COUNCIL
REGULAR MEETING June 11, 2018 6:00 p.m.

PROCLAMATIONS

◆ Purple Heart City

CALL TO ORDER

Mayor Stone 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, Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: Randy Burkett, City Planner; Dennis Evers, Chief of Police; Kim Farrell, Recreation Superintendent; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Jeff McGrath, Planning and Development Director; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council, Jeff Moorman; City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Council Member Rushing led the pledge and a prayer.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Litteral MOVED to approve the May 21, 2018 Work Session Minutes, seconded by Council Member Curran. Motion PASSED by majority voice vote.

Council Member Curran MOVED to approve the May 29, 2018 Regular Meeting Minutes, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

INTRODUCTION

Officer Mark Brown, Community Engagement Officer

Chief Evers introduced Officer Brown as the new community engagement officer effective May 27th. Previously, Officer Brown had been serving as the Resource Officer for the last five years at the high school. Chief Evers explained one of the priorities of their mission statement was to work in partnership with the community.

June 11, 2018

He said this position would give the police department an opportunity of a more directed focus on community engagement efforts. He said Officer Brown has excelled in every position he has filled in his 25 years with the department and had no doubt about his ability to excel in this position.

Officer Brown said he was honored and excited to start his new role. He said this new position was building on what they already do as a police department by establishing trust and mutual respect with the citizens in the community. His goal was to be accessible to the community through outreach and programs. He said they were taking applications for the Citizens Police Academy which will be from September 19th through November 8th. He said they would also be facilitating a new program called RAD which is a women's self-defense class.

PRE-SCHEDULED PRESENTERS

Uma Mullapudi, Heartfulness Institute of Beavercreek

Council Member Vann introduced Ms. Mullapudi.

Ms. Mullapudi said she was a trainer from the organization. She explained Heartfulness Institute was a non-profit educational organization for wellness and training. They were affiliated with the U.N. peace program with similar goals to promote peace, harmony and balance in individuals. They offer the members of the community relaxation and meditation techniques. She said it was an all-volunteer organization with all the services offered at free of charge. They offer these classes at Miami Valley Hospital, Kettering Cancer Care, Soin Medical Center, the main building of Kettering Hospital along with many university campuses and churches. She said Harvard Research has proven that three things produce happiness within the brain: exercise, meditation and prayer which means taking care of the body, mind and spirit. She said until you take care of the mind, you can't take care of the body. With all the different religious beliefs, spirit beliefs and belief systems we are not able to tap into the silent and prayerful state in our heart because our mind is disturbed. She said the mind needs maintenance. She said people stay away from meditation because they think it has to do with religion beliefs. She explained you maintain your house, you maintain your car and you maintain your body. She said you have a mind and you need to maintain the mind. She said in looking at the way our society was with the suicides happening, it was important to give the community tools to manage stress through relaxation and meditation. She said Heartfulness Institute was here to serve. She gave Council a book called *The Heartfulness Way* and there would be a book signing event on June 24th. She thanked Council for their continued support.

June 11, 2018

Council Member Vann asked Ms. Mullapudi to discuss the effects of meditation within a classroom at the Beavercreek Schools. Ms. Mullapudi said in schools in India meditation was offered to students and teachers. She had heard the leader of the organization speak to the students who said if one atom blasts, the surrounding atoms blast. If one person meditates in the house, the calmness spreads inside the house. She said if you are sad, it affects the family, if you are happy, it affects the family and if you are peaceful it affects the family. Scientific research proves that if there are 100 people meditating in an area, within a five mile radius there would not be any negativity. She said it was like in a dark room, you light a candle there is light. If you light 1,000 candles, there is illumination. With each one of us meditating, the calmness spreads so you are not only helping yourself, you are helping the community. She said they are offering this to the Beavercreek school teachers who are giving the relaxation techniques to the students in the classroom. She said several teachers have reported that the students will ask for the relaxation prior to exams.

ORDINANCES, RESOLUTION AND PUDS

Ordinance 18-09 Charter Amendments to Sections 4.07 and 44.03 (First Reading)

Clerk Miscisin 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 6, 2018.

Mr. McHugh stated there were two changes. The first was the elimination of the requirement of dual elections except in those situations where the person was appointed to a term for more than two years. The second amendment was to reduce the required number of petition signatures from 75 to 50. He said due the filing time requirement with the Board of Elections, he requested Council to amend the Ordinance at the second reading to pass as an emergency on the third reading. He said this would allow for three readings but waive the 30 day waiting period.

Council Member Vann said she would vote against it. She said this was not initiated by citizens, it was initiated by Council. She thought it was important for citizens to choose who their council members are. She thought that anybody who wants to be on Council can get 75 signatures to get their endorsement. It forces them to go out and share their ideas with people to get the signatures and endorsement to be on the ballot. When the population was 30,000, 75 signatures was not too many. With a population of nearly 50,000, 75 signatures was still fine. She said the way the Charter was currently written, if city council appoints a council member, the appointee is supposed to run at the earliest election. She did not see any reason why the voters shouldn't continue to have that. She said maybe in the future it may be a problem, but at this point she did not see it to be a problem.

June 11, 2018

Council Member Upton MOVED to approve Ordinance 18-09 and move to the second and third readings, seconded by Council Member Litteral. Motion PASSED by majority voice vote. (Vann voted against)

Ordinance 18-10 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, 18-02 and 18-04.

Mr. Kucera reviewed the four items for appropriations and additional revenue. This included an emergency repair for the cemetery, purchase of a software shared license with Greene County, Xenia and Fairborn for the police department, damage and sewage backup and some vandalism at C.I. Beaver Hall, and additional monies needed for the new senior center van purchase.

Council Member Upton questioned the police software and the funding. Chief Evers clarified if all four agencies participate the cost for the city would be lower.

Council Member Upton MOVED to approve Ordinance 18-10, seconded by Council Member Rushing. Motion PASSED by a roll call vote of 7-0.

Resolution 18-23 Placement of a 4.5 Mills Renewal Police Levy on November 6th, 2018 Ballot

Clerk Miscisin read a Resolution to proceed to levy a renewal tax in excess of the ten-mill limitation, as stated in section 5705.19 and subsection 5705.19(J) as amended, of the Ohio Revised Code, for proving and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code as authorized by the Ohio Revised code, which levy shall be four and five tenths (4.5) mills to run for a continuing period of time, and declaring the question of the renewal tax levy shall be submitted to the electors at the general election to be held November 6, 2018.

Mr. Kucera said after discussions at a prior work session it was decided to go for a continuing renewal of 4.5 mills. He said this would represent \$5.895 million or 61% of the total police budget. He said staff was recommending the placement of this on the November 6th ballot for a continuing period of time. He said there were three other permanent police levys which were passed in 1981, 1983 and 1985

June 11, 2018

which he explained the effective rate goes down as the years go by. He said the ballot language would need to be filed with the Board of Elections by August 8th.

Council Member Litteral thanked the chief and staff for the great management and being fiscally responsible.

Council Member Litteral MOVED to approve Resolution 18-23, seconded by Council Member Vann. Motion PASSED by a roll call vote of 7-0.

Resolution 18-24 Authorize ODOT to proceed with construction of U.S. 35 Superstreet Project within the City of Beavercreek.

Clerk Miscisin read a Resolution giving consent to the Director of the Ohio Department of Transportation to proceed with the U.S. Route 35 Superstreet Project; PID No. 102421.

Mr. Moorman explained ODOT was close to finalizing the preliminary plans for the design/build package for the U.S. 35 Superstreet project between Factory Road and Orchard Lane. To finalize the package, this Resolution needed to be passed to give ODOT the city's consent to construct the portion of the project within the City of Beavercreek. He said ODOT was looking to have a contract awarded for the design/build by this fall with construction beginning in the spring of 2019.

Council Member Curran inquired about the special items Beavercreek was requiring. Mr. Moorman explained that was standard language if the city were to request something above and beyond what was needed for the transportation purchase the city would have to pay for it. He said there was nothing the city asked for.

Mayor Stone asked Mr. Moorman to give an update on the Shakertown realignment. Mr. Moorman said they were getting ready to appropriate the property to build the project. He said the goal was to have the two projects, the Superstreet and the city Shakertown projects occur at the same time. He said the importance of this was they would be closing Shakertown off from 35.

Council Member Curran MOVED to approve Resolution 18-24, seconded by Council Member Vann. Motion PASSED by majority voice vote.

Resolution 18-25 Rotary Park Agreement.

Clerk Miscisin read a Resolution authorizing the City Manager to enter into a new Rotary Park Lease Agreement with Beavercreek Township.

June 11, 2018

Ms. Farrell explained the Rotary Park Agreement was from January 1, 2019 through December 31, 2019. She said the current contract extension ends this year. She said this would enable the Parks Department to continue to maintain Rotary Park as they have been. As they approach 2019 and should Council decide to put a levy on the ballot for Parks and passes, the city could request the Township deed Rotary Park to the city. If the levy is not successful, then they would renegotiate terms of the contract. If Council passes the Resolution and agreement, the city would ask for a title search of the property and work with the County regarding the back half of the park.

Mr. Landrum said Rotary Park has multiple entities within the park. The city currently does not own Rotary Park. He reviewed the entities within the park.

Council Member Litteral MOVED to approve Resolution 18-25, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

LIQUOR PERMITS

Viking Group Inc. DBA Donato's Pizza (New)

Chief Evers said the Ohio Division of Liquor Control sent police notification referencing a new D1 liquor permit for Viking Group Inc. DBA Donato's Pizza, 3197 Rodenbeck Dr., Beavercreek, Ohio 45432. 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.

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

MAYOR'S REPORT

Mayor Stone said the Parks Department did a fantastic job with the Memorial Event. The first Music in the Park was well attended on Sunday. The Creek Classic was a huge success. The Baptist Church would be having their annual car show Saturday, June 16th.

COUNCIL TIME

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

Council Member Vann reviewed the information she received from MVRPC meeting last week.

June 11, 2018

Council Member Rushing participated in the judging of the Miss and Jr. Miss Beaver Creek Pageant over the past weekend. He congratulated all the participants along with the winners of the pageant.

Council Member Litteral reminded everyone of the Fourth of July events. They were still accepting applications and permits.

Vice Mayor Garcia thanked the Order of the Purple Heart participants. She thanked Ms. Mullapudi for the Heartfulness presentation.

CITY MANAGER'S REPORT

Mr. Landrum reviewed the electric aggregation process stating letters would be going out in the mail next week with contact information and frequently asked questions. He attend the Ohio Municipal League one day meeting last Friday. He reviewed the upcoming Parks and Recreation events.

CITIZEN COMMENTS

Ms. Denise Shirk, 3020 Thames Lane, Beaver Creek, Ohio

Ms. Shirk spoke about the medical marijuana dispensary going in on Tonawanda Trail. She was not opposed to the facility itself but did not believe they should be located in any residential areas. She said there were many empty shopping centers in Beaver Creek where they could be located instead of a neighborhood. She said the traffic on Tonawanda Trail was already bad due to cars cutting through from Indian Ripple to County Line Road. She asked if there had been a study completed with traffic being added to this street. She said many of her neighbors had lived in this area for many years including herself who resides in her childhood home. The neighbors that she had spoken with were not in favor of any business that would increase the traffic flow in their area. She said they were also concerned about future property values with this type of business in the area. She asked Council to consider the effect this would have on their quiet neighborhood.

Citizen comments was closed.

ADJOURNMENT

Council Member Vann MOVED to adjourn the meeting at 7:09 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.

June 11, 2018



Bob Stone, Mayor

ATTEST:



Dianne Miscisin
Clerk of Council
Cmin061118