

BEAVERCREEK CITY COUNCIL
REGULAR MEETING July 23, 2018 6:00 p.m.

INTRODUCTION

Captain Fiorita introduced Officer Jordan Turner who recently joined the Beaver Creek Police Department.

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; 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, Mike Thonnerieux, Public Administrative Services Director

PLEDGE

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

APPROVAL OF AGENDA

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

P RE-SCHEDULED PRESENTERS

Melissa Howell, Greene County Health Commissioner

Ms. Howell updated the Council on the changes at the health department. She said over the last four years they have been fighting the same diseases that people see circulating. She said Andy Root was currently the board president and he along with Charlene Montegue were the representatives from Beaver Creek. She said their district is Greene County and they focus on health. She said they report to a 13 member board. The members of the board were appointed by jurisdictions within Greene County. She said they had just built a new facility. She said the building they were currently in was just over 40 years old, built right after the Xenia tornado and was in poor repair. She said in the summer it is 80 degrees in the building and in the winter 55 degrees. She said the first floor of the new building would be where the public would receive many of the services they are used to getting from the health department. Five Rivers Greene County Health Center was also co-located in the building which is a federally qualified health care center. She explained this expands on health care services and primarily services the Medicaid population and those who are uninsured but they can see people who are well or

July 23, 2018

sick. She said they would have an open house and ribbon cutting on August 13th from 3:00 p.m. to 6:00 p.m. at 360 Wilson Drive, Xenia. She said over the next few years they would be focusing on substance abuse, falls in the elderly, first trimester care and physical activity and nutrition.

RESOLUTION AND PUDS

Ordinance 18-12 Bond Issuance for Traditions of Beaver Creek (Third Reading)
Clerk Miscisin read an Ordinance providing for the issuance of not to exceed \$350,000 road improvement special assessment bonds (Traditions at Beaver Creek Project) by the City of Beaver Creek, Ohio.

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

Resolution 18-31 DARE Grant

Clerk Miscisin read a Resolution authorizing the Police Department to accept the Ohio Attorney General's Drug Use Prevention (D.A.R.E.) Grants Program Funding.

Captain Fiorita explained the Resolution would allow the Police Chief to accept state grant monies to be applied to the DARE Officer's salary during the school year. He said the grant was through the Ohio Attorney General's Office and would cover approximately 50% of the salary for the nine months of the school which was approximately \$27,093.15 during the 2018/2019 school year. The DARE Officer teaches approximately 600 students per year.

Council Member Upton said they had received a communication from the State of Ohio that Beaver Creek Schools was one of the original DARE members 25 plus years ago. Captain Fiorita said it was either 1990 or 1991 that they had started the program.

Council Member Upton MOVED to approve Resolution 18-31, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Resolution 18-32 Revised School Resource Officer (SRO) Agreement

Clerk Miscisin read a Resolution authorizing the City Manager to enter into an agreement with the Beaver Creek City School System renewing the school resource officer program.

Captain Fiorita explained this was an agreement between the City of Beaver Creek, Beaver Creek City Schools and the Beaver Creek Police Department to renew the School Resource Officer Program beginning July 1, 2018.

July 23, 2018

Mayor Stone stated one of the major changes to the agreement was it would be an automatic rebill each year unless it was requested the agreement be terminated.

Council Member Litteral MOVED to approve Resolution 18-32, seconded by Council Member Curran. Motion PASSED by majority voice vote.

Resolution 18-33 Authorize Revisions to Zoning Code to Prohibit the Cultivation, Processing, and Dispensing of Medical Marijuana
Clerk Miscisin read a Resolution prohibiting the cultivation, processing and dispensing of Medical marijuana within the City of Beavercreek.

Mayor Stone explained the Resolution was for direction and not the actual zoning code change. He said the zoning code change would take effect because of this Resolution. He said the discussion tonight had nothing to do with anything that was going on with current status. He said it was moving them in the direction to get to where they wanted to be. He said this was a Resolution so there would be no public hearing. He stated people could give input at the end of the meeting during Citizen Comments.

Council Member Litteral MOVED to approve Resolution 18-33, seconded by Council Member Curran. Motion PASSED by majority voice vote.

Mr. McHugh explained under the zoning code, Council can direct the Zoning Department to review the code. The Planning Commission would hold a public hearing on any proposed zoning changes and make a recommendation. This recommendation would come to Council for review. He said this Resolution starts the process.

MAYOR'S REPORT

Mayor Stone attended the Columbus meeting of the Ohio Mayor's Alliance.

COUNCIL TIME

Council Member Litteral reminded the public that Council meets with other boards and other entities. She said this gives Council to have the opportunity to find out what's going on with the other entities.

Council Member Rushing said he had the opportunity to ride with Greene CATS on the Orange Flex Line. Without Greene CATS Webster

July 23, 2018

Council Member Vann congratulated staff on Dayton-Xenia Road getting close to being completed.

Vice Mayor Garcia congratulated Officer Turner who was a great new addition to the department. She thanked the residents who had reached out her regarding medical marijuana.

Council Member Curran appreciated the comments on the medical marijuana that he had been receiving.

CITY MANAGER'S REPORT

Mr. Landrum invited residents to complete a survey for the Parks, Recreation and Parks Department. This would assist with an update for the master plan. Party on the Patio on August 3rd from 6:00 p.m. – 9:00 p.m. at the golf course. The Summer Concert Series would be held at Dominick Lofino Park on July 29th at 7:00 p.m. Movie Night at the same park would be August 10th showing Peter Rabbit dusk.

CITIZEN COMMENTS

Mayor Stone said the public hearing on the marijuana dispensary issue would be held at the Planning Commission on August 1st at 6:00 p.m. He said this would deal with the site itself.

Susan Rawlins, 405 Tanglewood Drive, Beavercreek, Ohio

Denise Shirk, 3020 Thames Lane, Beavercreek, Ohio gave her three minutes to Susan Rawlins.

Ms. Rawlins had pictures of her father-in-law's home. She said he had completed many upgrades to his home. She said the concern was the property value going down. His house was three doors down from the proposed dispensary. She provided photos of the house, the intersection and the condition of the building. She was not concerned about the medical marijuana but property value and parking. She said the nursing home parking at 3:00 p.m. that day was full and people were parking in the street. She said the parking for the dispensary was very small. She did not want a foot hold to be given to Beavercreek for additional drug type situations. Beavercreek has a reputation and she was concerned about the next step after medical marijuana. She has seen personally the effects of drugs to her family members. She has been to funerals for the last five years of some of her past kindergarten students who died because of drugs. She said it was heartbreaking.

July 23, 2018

Charles Miller, 4301 Tonawanda Trail, Beaver creek, Ohio

Mr. Miller said he was a military veteran and purchased his house after a divorce. He was concerned with possible loss of property values. He spoke with many of his neighbors concerning this issue and 100% of them have an issue with location of this store. He said the main reason was because of the lack of an exit from the neighborhood. When they pull in from the highway, they can't make a left to get back out onto Indian Ripple. They would have to drive through the neighborhood and this was already a thoroughfare for people trying to miss the lights at the Greene. He said they drive 40-50 miles per hour every day. He said these were the issues they were having. He said this what not a referendum on medical marijuana, he would be speaking if it was a bible store. He said they don't need retail in their neighborhood. He said they had enough traffic there without adding to it. He said they don't want the traffic up and down their street. He said everybody he spoke to on his street signed his form including the well-known weed smokers. He said they don't want retail in their neighborhood. He said locate it at the Greene, buy your green at the Greene but don't locate it in a neighborhood.

Charles Stump, 2849 Ellen Lane, Beaver creek, Ohio

Mr. Stump said his property was about 130 yards from where the dispensary was going to be. He said when Reynolds and Reynolds gets out or people coming from the highway in mornings makes Tonawanda Trail a raceway. He had a ten year old daughter and when voting on the medical marijuana issue, he thought that if she became an addict it would partially be his fault. He said his daughter was already questioning why they were putting in a store to sell that type of stuff. He did not want the dispensary in his neighborhood and thought it would most definitely hurt his property value.

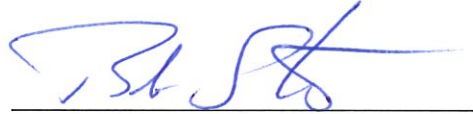
Sidney Goehring, 1275 Oakleaf Drive, Beaver creek, Ohio

Ms. Goehring thanked Council for time they had given regarding this topic. She said the willingness for Council to meet and take emails was greatly appreciated. She had spoken during the cultivation and processing that was a possibility in her backyard and she hears the heartfelt concerns of the individuals who just came before Council. She asked the legal counsel to continue to look for every opportunity the way Huber Heights was able to reverse the issue. She said it looked like there was ample accessibility and supply that would be within easy access for the residents in the surrounding communities where dispensaries have already been determined. She said the better of those were in commercial entities and not in residential.

ADJOURNMENT

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

July 23, 2018



Bob Stone, Mayor

ATTEST:



Dianne Miscisin
Dianne Miscisin
Clerk of Council
Cmin072318