



CITY COUNCIL
Regular Meeting – February 25, 2019 6:00 p.m.
Council Chambers

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Rushing
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. January 28, 2019 Regular Meeting
 - B. February 11, 2019 Regular Meeting
 - C. February 19, 2019 Work Session
- VI. DECISION ITEMS
 - A. Board and Commission Appointments
 - B. Dayton Development Coalition Community Leader Fly-In
- VII. LIQUOR PERMITS
 - A. Wings Bar and Grille II LLC DBA Wings Bar and Grille (Transfer)
- VIII. COUNCIL TIME
- IX. MAYOR'S REPORT
- X. CITY MANAGER'S REPORT
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
REGULAR MEETING January 28, 2019 6:00 p.m.

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: Dennis Evers, Chief of Police; Kim Farrell, Recreation Supervisor; Theresa Hathaway, Fiscal Officer; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director; Zack Wike, Assistant Supervisor-Parks

PLEDGE

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

APPROVAL OF AGENDA

Council Member Upton MOVED to add an Executive Session after Citizen Comments, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

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

APPROVAL OF MINUTES

Council Member Rushing MOVED to approve the December 10, 2018 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote. Abstain: Litteral and Upton

Council Member Litteral MOVED to approve the January 14, 2019 Regular Meeting Minutes, seconded by Council Member Curran. Motion PASSED by majority voice vote. Abstain: Rushing and Garcia

ORDINANCES, RESOLUTION AND PUDS

Resolution 19-10 Placement of a 2 Mills Renewal Street Levy on the May 7, 2019 Ballot (Continuous)

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(G) as amended, of the Ohio Revised Code, for constructing, reconstructing, resurfacing,

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and repairing streets, roads and bridges as authorized by the Ohio Revised Code, which levy shall be two (2) mills which is a renewal of an existing levy of two (2) 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 special election to be held May 7, 2019.

Mr. Thonnerieux reviewed the current existing capital street levy which was set to expire the end of 2019. He said this levy was dedicated for funding capital improvements only. He said by the end of this first five year cycle of this levy 30% of the roadways would be resurfaced and 7.3 miles of curbing replaced. He reviewed a listing of road construction that was able to be completed because of the levy. He said the engineering department was able to apply and receive grants funds amounting to approximately \$15.5 million because of this levy. He said this levy allows the city to stretch local dollars by continuing to apply for grants that may not be constructed for five years from now. He said stabilizing the revenue stream would allow the city continuity that those dollars were there for maintaining the city's infrastructure. He said the levy also allows the city to address local projects that are not eligible for grant funding. Mr. Thonnerieux said it was staff's recommendation to move forward with a 2 mill renewal for a continuing period of time. He said it would cost residents \$70 per \$100,000 valuation of property which is no increase and would generate \$2.6 million annually for capital street projects.

Council Member Upton said Council has looked at this levy and it has been beneficial. The dollars have gone to work for the citizens. He said this has been discussed at length at prior work sessions.

Mayor Stone said staff does an excellent job in acquiring grant money.

Council Member Litteral MOVED to approve Resolution 19-10, seconded by Council Member Vann. Motion PASSED by a roll call vote of 7-0.

Council Member Rushing MOVED according to Roberts Rules to amend the agenda by removing agenda item VI. A. 2. Resolution 19-11, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Resolution 19-12 Placement of .9 Mills Renewal Plus .3 Mills Increase Park Levy on the May 7, 2019 Ballot (Continuous)

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(H) as amended, of the Ohio Revised Code, for parks and recreational purposes as authorized by the Ohio Revised Code, which levy shall be one and two tenths (1.2)

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mills which is a renewal of an existing levy of nine tenths (0.9) Mills plus an increase of three tenths (0.3) Mills to run for a continuing period of time, and declaring the question of the renewal plus increase tax levy shall be submitted to the electors at the special election to be held May 7, 2019.

Mr. Thonnerieux reviewed the current park levy which has been very successful and was expiring the end of 2019. He said they were able to impact every park within the city with this levy. He reviewed many of the improvements including replacing 10 playgrounds, skate park pieces and resurfacing Virgallito Park. He discussed the options for Council's consideration. Staff's recommendation was a .9 mill levy plus a .3 mill increase for a continuous period of time. This levy would cost \$42 per \$100,000 valuation of property and is dedicated only for the operation, maintenance and repair of city parks, recreation facilities, neighborhood parks and the Beavercreek Senior Center.

Mr. Landrum reviewed the breakdown of the parks, recreation and culture expenses which was made up of 52% for park maintenance, 21% for the Senior Center, 13% for recreation programs, 9% capital improvements and 5% for debt service for the Lofino Center expansion.

Council Member Litteral reminded everyone this does not include the golf course or any additional recreation facilities. This is for the operation and maintaining of current facilities.

Council Member Litteral MOVED to approve Resolution 19-12, seconded by Council Member Curran. Motion PASSED by a roll call vote of 7-0.

Council Member Rushing MOVED according to Roberts Rules to amend the agenda by removing agenda item VI. B. 2-6, Resolutions 19-14, 19-15, 19-16, 19-17 and 19-18, seconded by Council Member Upton. Motion PASSED by a roll call vote of 7-0.

Resolution 19-20 Authorize Agreement with Enterprise Pipeline for Shakertown Extension

Clerk Miscisin read a Resolution authorizing the City Manager to enter into an agreement with the Enterprise TE Products Pipeline Company, LLC for the city encroachment into an existing pipeline easement necessary for the Shakertown Road Extension Project.

Mr. Moorman said one of the projects approved in capital budget for the 2019 was the extension of Shakertown Road to Factory Road. He said in building this project

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they would have to cross an existing gas pipeline. He said within that pipeline there was an existing easement and the city needs to get permission from the owner of the pipeline to construct the road through that existing easement. He said they had negotiated an agreement which spells out the terms in which would be allowed to construct the road within the existing easement. He said this was very dangerous to mess with and there was a lot of caution necessary when working closely with the pipeline. He said the city assumes liability with this agreement because it's the city's project and contractor. The agreement defines that encroachment that is permitted and requires insurance. He said there were a couple last minutes changes to the agreement.

Mr. McHugh said the version included in the packet was not the correct version that they had sent. He said the final version was given to each council member tonight and a motion would be needed to substitute the agreement.

Council Member Upton MOVED to substitute the encroachment agreement with what was presented on paper this evening versus what was provided in the council packet, seconded by Council Member Vann. Motion PASSED by majority voice vote.

Council Member Vann MOVED to approve Resolution 19-20, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Resolution 19-19 Update City's Purchasing and Credit Card Program Policy
Clerk Miscisin read a Resolution updating the City of Beavercreek's purchasing card and credit card policy and procedures pursuant to House Bill 312 and in compliance with Ohio Revised Code Section 717.13(A).

Ms. Hathaway said the city had implemented a purchasing card program in 2009. She said before the program was implemented detailed policies, procedures and internal controls including extensive training were put into place. Each year, as part of the annual financial audit by the state, our purchasing card program has been audited. In the past ten years the auditor has never issued any exceptions or comments related to our purchasing cards. Recently, the Auditor of State proposed new legislation regarding credit cards that was passed as part of House Bill 312. House Bill 312 contains amendments to the ORC which further regulates the use of credit and debit cards. The current policy was in compliance for the most part except for a few minor items that needed updated. Because of these amendments the purchasing card policy was updated to be in compliance with the Bill. One of the requirements of the Bill was that the city's purchasing card policy be adopted by Council, therefore the city's purchasing card policy was changed from an administrative memo to an actual policy. House Bill 312 also requires a

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listing of all credit card holders and their spending thresholds. The new policy also stipulates that a report shall be filed with Council on an annual basis detailing all rewards received which typically was a rebate based on annual card usage. The Bill also requires that the controls be formally adopted for store issued credit cards.

Council Member Vann asked how long the city been using credit cards. Ms. Hathaway said about ten years.

Council Member Rushing MOVED to approve Resolution 19-19, seconded by Council Member Vann. Motion PASSED by majority voice vote.

Ordinance 19-01 Amending the 2019 Annual Appropriations

Clerk Miscisin read an Ordinance to amend the Annual Appropriations for the City of Beavercreek, State of Ohio, for the fiscal year beginning January 1, 2019 and ending December 31, 2019 and to amend Ordinance 18-28.

Ms. Hathaway explained while finalizing the annual appropriations to be submitted to the County Auditor, a formula error was noted with the 2019 beginning fund balance for the street maintenance fund (204). Because of this error the beginning fund balance for 2019 was overstated by \$650,000. Appropriations for the current year need to be amended. A detailed analysis was completed on all the street funds and it was determined that to balance the fund two projects needed to be re-appropriated for the street levy fund (203). It was also determined that the Kemp Road widening project in the street levy fund could be easily delayed to 2020. To correct this error staff recommended adoption of the Ordinance.

Council Member Vann MOVED to approve Ordinance 19-01, seconded by Council Member Litteral. Motion PASSED by a roll call vote of 7-0...

LIQUOR PERMITS

Flyby LLC DBA Flyby BBQ (New)

Chief Evers said the Ohio Division of Liquor Control sent notification of a request regarding a new D5 liquor permit for Flyby LLC DBA Flyby BBQ, 2733 Fairfield Commons, Ste. 3A, Beavercreek, Ohio 45431. 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 Council Member Rushing. Motion PASSED by majority voice vote.

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COUNCIL TIME

Council Member Curran said he, Council Litteral and Council Member Vann attended the Voice of Democracy dinner at the VFW.

Council Member Upton thanked the road crews during the winter storms. Please check on your pets and you neighbors.

Council Member Vann attended the Greene CATS meeting. She said they have increased the fleet to help people with disabilities to get to their work opportunities.

Council Member Rushing was contacted by the Dayton Airport TCA Release Effort which is for those affected by the federal shutdown. The group receives donations or if you need support please contact Rebecca Karason at rkarason@yahoo.com.

Council Member Litteral congratulated the staff for being nominated for the 2019 Civils Rights Transportation Symposium Award. She congratulated the winners of the Voice of Democracy and Patriots Pen.

MAYOR'S REPORT

Mayor Stone said Beaver creek Community Night at Wright State University would be Thursday, February 7th. He said while he was on vacation there was some discussion regarding the Dayton Business Journal's article highlighting Beaver creek. He said he received a call from a county commissioner regarding a CIC. He said this council has not taken official action on a CIC but it was something that had been discussed on numerous occasions and was approved in the budget. He said council would have future discussions as to whether or not a CIC is necessary. He said it was a tool that was given to communities if they wish to exercise it. He said there would be discussions amongst themselves and with the county.

CITY MANAGERS REPORT

Mr. Landrum said the Lofino Plaza Palooza would be held on Tuesday, January 29 from 6-7:30 at the Senior Center and Community Theatre. The Seasonal Job Fair will be held on February 9th at the Beaver creek Golf Club from 9-11:30 a.m. Do You Want to Build a Snowman? Contest was being held now through February 11th. Please submit photos to parks@beavercreekohio.gov between December 3rd – February 11th. Photos will be posted on the city's Facebook page February 15-22nd for voting.

CITIZEN COMMENTS

There being no comments, Citizen Comments was closed.

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EXECUTIVE SESSION

Council Member Upton MOVED to enter into Executive Session at 7:29 p.m. pursuant to Section 121.22 of the Ohio Revised Code, for the purpose of conference with city attorney concerning disputes involving the city that are subject to pending or imminent court action, seconded by Council Member Litteral. Motion PASSED by roll call vote of 5-0.

Council Member Vann MOVED to adjourn executive session at 7:12 p.m., seconded by Council Member Litteral. Motion was PASSED by roll call vote of 7-0

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

ADJOURNMENT

Council Member Litteral MOVED to adjourn the meeting at 7:13 p.m., seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin
Clerk of Council
Cmin012819

BEAVERCREEK CITY COUNCIL
REGULAR MEETING February 11, 2019 6:00 p.m.

PRESENTATION

- ◆ Beavercreek High School Girls' Cross Country and Girls' Soccer Teams

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: Bill Kucera, Financial Administrative Services Director; Jeff McGrath, Planning & Development Director; Pete Landrum, City Manager; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Council Member Litteral 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.

APPROVAL OF MINUTES

Council Member Litteral MOVED to approve the January 14, 2019 Regular Meeting Minutes, seconded by Council Member Rushing. Motion PASSED by majority voice vote. Abstain: Abstain: Vice Mayor Garcia, Mayor Stone

Council Member Upton MOVED to approve the January 28, 2019 Work Session Minutes, seconded by Council Member Curran. Motion PASSED by majority voice vote. Abstain: Vice Mayor Garcia

ORDINANCES, RESOLUTION AND PUDS

Resolution 19-21 Community Entertainment District

Clerk Miscisin read a Resolution approving the application to create a Community Entertainment district for the Mall at Fairfield Commons.

Mr. McGrath said the city was considering establishing a Community Entertainment District (CED) which was adopted by the State of Ohio in 2005. He said this encourages entertainment districts to have a positive impact on the community. He said over the years the Mall at Fairfield Commons has met all the

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thresholds and has a significant investment in the community along with having social, arts and community entertainment area.

Council Member Litteral thought this would be a great asset and would enhance and move the city forward.

Council Member Upton said they had discussions in the past regarding an open container district and it was limited to one in so many miles and asked if this district was under the same restriction. Mr. McGrath so it was not and there was a set criteria in terms of continuous acreage and an investment requirement to be considered for a Community Entertainment District.

Mr. McHugh said there was no limit to Community Entertainment Districts but this was not open container which was completely separate. He said this was strictly to allow easier access to liquor licenses so restaurants could be developed.

Council Member Curran asked if the process to acquire a D5 liquor permit in a CED was easier. Mr. McGrath said it was the same process but should be expedited because of the CED.

Council Member Upton MOVED to approve Resolution 19-21, seconded by Council Member Vann. Motion PASSED by majority voice vote.

DECISION ITEMS

Acceptance of Fourth Quarter Financial Summary

Mr. Kucera highlighted a few items within the summary.

Council Member Litteral MOVED to accept the Fourth Quarter Financial Summary, seconded by Council Member Upton. Motion PASSED by majority voice vote.

COUNCIL TIME

Council Member Litteral commended the staff at the golf club for a job well done at a recent event she attended.

Council Member Rushing attended the First Lego Event, Beaver Creek Community Night at Wright State University and the Rotary Pancake Breakfast.

Council Member Vann said she interviewed many of the youth at the First Lego Event regarding team efforts and helping each other. She said it is nice that Wright State University reaches out to the communities. She said she was very proud of the soccer and cross country teams.

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Council Member Upton enjoyed attending Beaver Creek Night and Rotary Pancake Breakfast. He gave a shout out to the road crews for a great job.

Council Member Curran also enjoyed attending all of the events previously mentioned.

Vice Mayor Garcia congratulated the girls cross country and soccer teams. She enjoyed the student entertainment at the Rotary Breakfast.

MAYOR'S REPORT

Mayor Stone said next month another Lego event would be held at the Nutter Center that would include robots.

Mayor Stone asked Clerk Miscisin to discuss the upcoming Weekend of Jazz. Clerk Miscisin explained it would be held February 28th through March 2nd. Tickets to the professional performances were available at www.weekendofjazz.org.

CITY MANAGERS REPORT

Mr. Landrum reviewed the Beaver Creek Police Department Annual Awards. There are seasonal positions available, for more information visit www.beavercreekohio.gov. Board and Commission positions are available, applications are available on the website and due by February 15, 2019 at 4:00 p.m. City offices would be closed on Monday, February 18th in observance of President's Day.

CITIZEN COMMENTS

There being no comments, Citizen Comments was closed.

ADJOURNMENT

Council Member Curran MOVED to adjourn the meeting at 6:46 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

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Dianne Miscisin
Clerk of Council
Cmin021119

BEAVERCREEK CITY COUNCIL
COUNCIL WORK SESSION, February 19, 2019, 5:00 p.m.

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

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

APPROVAL OF AGENDA

Council Member Litteral MOVED to the agenda by adding Agenda Item IV. F. Fourth of July, seconded by Council Member Vann. Motion PASSED by majority voice vote.

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

ALSO IN ATTENDANCE: 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; Dianne Miscisin, Clerk of Council; Mike Thonnerieux, Public Administrative Services Director

DISCUSSION ITEMS

Cemetery Master Plan

Jose Castrejon, McGill, Smith, Punshon, Inc.

Mr. Castrejon is a landscape architect who has been working on a master plan for Mt. Zion Cemetery. The project goal was to develop cemetery enhancement recommendations that diversify the product offerings and establish a sustainable income stream.

Council Member Upton arrived at 5:04 p.m.

Mr. Castrejon said burials have evolved towards cremation. He reviewed the existing conditions of the cemetery. He explained multiple options for enhancing the property to make it more efficient and ethically pleasing. He showed examples of columbariums, memory walks and benches. He reviewed the recommendations for the cemetery.

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There was discussion regarding the property to the north adjacent to the cemetery. Council directed staff to reach out to the owners as an option. Costs for the construction is still being worked out.

Council Compensation

Mayor Stone said it had been 20 years since Council had an increase. There was discussion of meeting the state minimum to receive credit for a full year for OPERS. Any increase would only affect future elected council members and not the current council. There was discussion of different options and rate increases. Legislation would be coming forward with the first meeting in March.

Miss Beavercreek

Mr. Thonnerieux explained the participants for this event has been steadily dropping through the years. Staff had reached out to the schools and are not able to take over the program. Participants are also not as interested in the program and this may be the life cycle of the program. There was discussion of finding a private source to take over and possibly making it a scholarship program.

Greene County Grant

Mr. Landrum asked Council to give him ideas regarding to utilize the grant money. There was discussion regarding some of the money for a Research Park matching PDAC grant, Rotary Park and Mt. Zion Cemetery land.

Correspondence

Mr. Landrum discussed with Council regarding the Dayton Development Coalition Fly-In and thoughts of who would participate. Council discussed putting golf cart discussion on a future work session.

Fourth of July

There was discussion regarding combining the celebration with the Mall at Fairfield Commons. Council asked staff to discuss with those involved to get thoughts of combining.

INFORMATIONAL ITEMS

2018-19 Council/Manager Information

Mr. Landrum asked Council if there were any questions or concerns to direct them to him.

COUNCIL COMMITTEE/EVENT UPDATES

Council discussed events they had attended and anything they scheduled in the near future.

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ADJOURNMENT

Council Member Litteral MOVED to adjourn the meeting at 6:30 p.m., seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin
Clerk of Council
Cmin021919WorkSession

interoffice
MEMORANDUM

To: Beavercreek City Council
From: Dianne Miscisin, Clerk of Council
Subject: Appointments - Boards, Commissions, and Committees
Date: February 21, 2019

Attached is the spreadsheet of applications received for the current open vacancies.

The appointments you will be making will be for the open vacant terms of March 1, 2019 through February 28, 2022 unless otherwise noted.

Please note, many of the boards/commissions will continue to have vacancies due to the lack of applications received. The application is available on the city's website at www.beavercreekohio.gov and will continue to be accepted for those vacancies.

2019 Board Commission Applicants

	Last Name	First Name	Incumbent		Planning Commission	Board of Zoning Appeals	Charter Review Commission	Community Reinvestment Area Housing Council	Parks, Recreation & Culture	Bikeway Advisory	Tree Advisory Board	Youth Development Committee	Environmental Advisory	Personnel	Impact Fee Appeals	Tax Incentive Review Council	Greene Metro Housing Authority	Greene County Board of Health
VACANCIES					2	2	7	7	1	2	1	2	5	1	5	0		
1	Adams	Don			2		1											
2	Anderson	Matthew	X							1*								
3	Archibald	Daniel	X		1	2								*				
4	Ayers	Keith			1	2			5	4							3	
5	Barlow	Cassie					1											
6	Barton	Pat						1										
7	Buerschen	Jeff	X								1							
8	Canida	Mike			3		1		2									
9	Compton	John			1			3		4			2					
10	Graham	Shannon					1		2			3						
11	Hadley	Chris			2				3			1		4				
12	Hollen	Jennifer	X									1*						
14	Hutchison	Keith	X							1*								
15	Jarvis	Brian					1											
16	Meyer	Candi	X						1*									

* Incumbent

2019 Board Commission Applicants

	Last Name	First Name	Incumbent		Board of Zoning Appeals Planning Commission	Charter Review Commission	Community Reinvestment Area Housing Council	Parks, Recreation & Culture	Bikeway Advisory	Tree Advisory Board	Youth Development Committee	Environmental Advisory Personnel	Impact Fee Appeals	Tax Incentive Review Council	Greene Metro Housing Authority	Greene County Board of Health
17	Pochet	Veronica			1 3							2				4
18	Porter	Richard	X		2 1*											
19	Raney	Douglas			4 5			2				1		3		
20	Self	Michael	X		1*											
21	Shrider	Nathaniel	X		1*											
22	Smith	Brian				3	1					2				
23	Stein	Christopher					1 2	5			4		3			
24	Sundar	Bhatla			2 1		4								3	

* Incumbent

PRC

CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT

Meeting Date: February 25, 2019	Reference Topic: Transfer Liquor Permit Wings Bar and Grille II LLC DBA Wings Bar and Grille
Agenda Reference No: VII. A.	
Motion to Accept Without Comment	

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input checked="" type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other

BACKGROUND AND STAFF SUMMARY:

Ohio Division of Liquor Control sent police notification of a request to transfer a D5I and D6 liquor permit from Beefs Two LLC DBA Beef O Bradys Family Sports Pub, 3347 Sea Jay Dr., Beavercreek, OH 45430 to Wings Bar and Grille II LLC., DBA Wings Bar and Grille, 3347 Sea Jay Dr. The background checks required by the Department of Commerce -Division of Liquor Control were conducted on the business officer(s)/shareholder(s) for this application request.

STAFF RECOMMENDATION:

Staff is recommending this application request move forward without comment.

NOTICE TO LEGISLATIVE
AUTHORITY

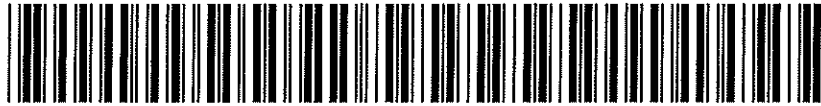
OHIO DIVISION OF LIQUOR CONTROL
8606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

9694473		TRFO		WINGS BAR AND GRILLE II LLC	
PERMIT NUMBER		TYPE		DBA WINGS BAR AND GRILLE	
06	01	2018		3347 SEA JAY DR	
ISSUE DATE				BEAVERCREEK OHIO 45430	
02	12	2019			
FILING DATE					
D5I D6					
PERMIT CLASSES					
29	005	A	F21860		
TAX DISTRICT		RECEIPT NO.			

FROM 02/14/2019

0572508				BEEFS TWO LLC	
PERMIT NUMBER		TYPE		DBA BEEF O BRADYS FAMILY SPORTS PUB	
06	01	2018		3347 SEA JAY DR	
ISSUE DATE				BEAVERCREEK OHIO 45430	
02	12	2019			
FILING DATE					
D5I D6					
PERMIT CLASSES					
29	005				
TAX DISTRICT		RECEIPT NO.			



MAILED 02/14/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN. 03/18/2019

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TRFO 9694473

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF BEAVERCREEK CITY COUNCIL
1368 RESEARCH PARK DR
BEAVERCREEK OHIO 45432**

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	<u>ORC 4303.141</u> (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

>Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.)(This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall

Permit Class	Permit Fee	Description
D5B	\$2,344	<u>ORC 4303.181</u> (Same as D5) for enclosed shopping mall.

River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	<u>ORC 4303.181</u> (Same as D5). Historical river boat owned by charitable organization only.

Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> (Same as D5). Marina restaurant only.

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> (Same as D5). National sports museum only.
D5H	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Non-Profit organization exempt from federal income taxation, that owns a fine arts museum, community arts center or community theater.

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> (Same as D5). Community Entertainment District.
D5L	\$2,344	<u>ORC 4303.181</u> (Same as D5). Revitalization District.

Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

Other

Permit Class	Permit Fee	Description
D5K	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Certain non profit organizations that own and operate a botanical garden.
D5M	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant affiliated with center for the preservation of wild animals.
D5N	\$20,000.00	<u>ORC 4303.181(N)</u> (Same as D5). Casino Operator or Casino Management Company.
D5O	\$2344.00	<u>ORC 4303.181(O)</u> (Same as D5). Restaurant located in a casino.
E	\$500	<u>ORC 4303.19</u> Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.
G	\$100	<u>ORC 4303.21</u> Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes).
H	\$300	<u>ORC 4303.22</u> Carrier by rail or for hire motor carrier who also holds a license issued by the public utilities commission to transport beer, intoxicating liquor, and alcohol, or any of these, in this state or delivery or use in this state.
I	\$200	<u>ORC 4303.23</u> Wholesale druggist (purchase - import alcohol for sale at wholesale and retail).

Temporary Permits

PROCLAMATIONS

- ◆ National Girl Scout Week, Susan Grinkemeyer

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Upton
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING – 06-6 SSP #3 Noah's Event Venue
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VII. ORDINANCES, RESOLUTIONS AND PUDS
- VIII. COUNCIL TIME
- IX. MAYOR'S REPORT
- X. CITY MANAGER'S REPORT
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT



**AGENDA
CITY COUNCIL
Work Session – March 18, 2019 5:00 p.m.
Council Chambers**

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. Regional Emergency Response Team (RERT)
 - B. Dog Ordinance
 - C. Invisible Fence
 - D. Greene County Grant
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT

PLANNING DEPARTMENT STATUS REPORT
February 21, 2019

CITY COUNCIL

February 25, 2019

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March 11, 2019

- PUD 06-6 SSP #3, NOAH'S Event Venue, public hearing

Tabled / Delayed / Pending

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PLANNING COMMISSION

March 6, 2019

- PUD 06-5 SSP #3, Beaver Creek Business Park, public hearing
- PC 19-1 CU, Zip's Car Wash, public hearing
- PC 19-2 ASRA, Zip's Car Wash, public hearing
- PUD 18-2 SSP #1, Holiday Inn Express, public hearing
- PUD 18-4 SSP #1, Indian Ripple Retail, public hearing
- PC 19-3, Thoroughfare Plan, public hearing

Commercial Permits Submitted and Under Review

- Dollar General
- Harvest

BOARD OF ZONING APPEALS

February 13, 2019

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Currently Tabled or Delayed

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