



CITY COUNCIL
Regular Meeting – September 28, 2020 6:00 p.m.
Council Chambers

This meeting will be held in the Council Chamber. Social distancing will be observed and it is asked that anyone wishing to attend the meeting in person to please wear a face mask.

Public Comments:

All persons present shall be given an opportunity to be heard on proposed legislation during a public hearing. Citizen Comments is also an opportunity to be heard regarding any topic. For those not wishing to appear in person but wish to make a public comment, please feel free to send an email to the Clerk of Council at: miscisin@beavercreekohio.gov or call (937) 320-7388. Comments must be received by 4:00 p.m., Monday, September 28, 2020 to be considered for the meeting. Please be very specific on which legislation you are addressing or if your comment is to be heard during the Citizen Comment section of the meeting. Thank you

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Mayor Stone
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. August 24, 2020 Regular Meeting
- VI. PRE-SCHEDULED PRESENTERS
 - A. Melissa Howell, Greene County Health Commissioner
- VII. PUBLIC HEARING – PC 20-9 ASRA Resonant Sciences Addition
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VIII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 20-20 Massage Registration Requirements (Second Reading)
 - B. Ordinance 20-21 Bikeway Regulation Updates (Second Reading)
 - C. Ordinance 20-22 Street Rename (First Reading Public Hearing)
 - D. Ordinance 20-23 Additional Appropriations (Single Reading)
 - E. Resolution 20-26 Accepting Amounts and Rates and Certifying Them to the County
 - F. Resolution 20-28 WPAFB Council of Governments
 - G. Resolution 20-29 Necessity and Intent to Appropriate Property (Joseph and Mollie Nelson) for the County Line Road Widening Project
 - H. Ordinance 20-24 Appropriate the Right-of-Way (Joseph and Mollie Nelson) for the County Line Road Widening Project (First Reading and Public Hearing)
 - I. Resolution 20-30 Necessity and Intent to Appropriate Property (Eric Davis) for the County Line Road Widening Project
 - J. Ordinance 20-25 Appropriate the Right-of-Way (Eric Davis) for the County Line Road Widening Project (First Reading and Public Hearing)
 - K. Resolution 20-31 Necessity and Intent to Appropriate Property (Robert Neff) for the County Line Road Widening Project
 - L. Ordinance 20-26 Appropriate the Right-of-Way (Robert Neff) for the County Line Road Widening Project (First Reading and Public Hearing)
 - M. Resolution 20-32 Submittal of OPWC (Ohio Public Works Commission) Funding Application for Shakertown Road Widening Project
 - N. Resolution 20-33 Submittal of MVRPC (Miami Valley Regional Planning Commission) Funding Application
 - O. Resolution 20-34 Submittal of Land and Water Conservation Funding Grant Application
- IX. DECISION ITEMS
 - A. Motion to Appoint Clerk of Council as designee for Public Records Training
 - B. Acceptance of TIRC (Tax Incentive Review Council) Recommendations
 - C. Golf Advisory Board Council Representative



CITY COUNCIL
Regular Meeting – September 28, 2020 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

- X. COUNCIL TIME
- XI. MAYOR'S REPORT
- XII. CITY MANAGER'S REPORT
- XIII. CITIZEN COMMENTS
- XIV. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
REGULAR MEETING August 24, 2020 6:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call

PRESENT: Council Member Bales, Council Member Curran, Council Member Duerr, Council Member Garcia, Council Member Schwartz, Vice Mayor Adams, Mayor Stone

ALSO IN ATTENDANCE: Jill Bissinger, Human Resources; Dennis Evers, Chief; Jeff Fiorita, Deputy Chief; Sam Hurwitz, Superintendent; 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

PLEDGE

Council Member Garcia led the pledge and a prayer

APPROVAL OF AGENDA

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

PRESCCHEDULED PRESENTERS

Beaver Creek Wetlands Association, Ken Moran, Vice President

Mr. Moran reviewed the Wetland corridor and the preservation efforts. He said much of the wetlands is not enjoyed because they are not accessible. He said they would like to create a regional trail system that's focused on connecting all of the wetlands that would expand access to the space. He said they have a set of goals for the wetlands which include a meaningful experience in a special natural place, a safe space with easy access, a well-maintained trail system that gives people an inspiring place to hike, stroll, walk or run and to continuously improvement the wetland ecosystem. He reviewed the phases of the improvements that are planned. Mr. Moran reviewed the benefits of the trail system to Greene County residents. He requested a resolution of support for the wetlands and the grant they would be applying for.

Staff Awards and Recognition, Jill Bissinger

Ms. Bissinger reviewed and highlighted awards and accomplishments of staff members.

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ORDINANCES, RESOLUTIONS AND PUDS

Resolution 20-22 Greene County Auditor to Enter the Cost of Noxious Weeds and Grass Cuttings on the Tax Duplicate

Clerk Miscisin read a Resolution directing the Greene County Auditor to enter the cost of noxious weeds and grass cuttings on the tax duplicate for the properties described in Exhibit "A".

Mr. Kucera reviewed the annual resolution resulting in the elimination of high weeds and its process of the assessments. He said that 20 parcels were being assessed for a total of \$6,642.50.

Council Member Bales asked how the city identifies the foreclosure/vacant parcels. Mr. Kucera said there is an Ordinance that requires notification of foreclosure/vacant properties so there is a record of the contact information regarding the properties.

Council Member Bales MOVED to approve Resolution 20-22, seconded by Vice Mayor Adams. Motion PASSED by majority voice vote.

Resolution 20-23 Beaver Creek Wetlands

Clerk Miscisin read a Resolution of support for the Beaver Creek Wetlands Association Trail Project and grant application.

Council Member Schwartz MOVED to approve Resolution 20-23, seconded by Council Member Bales. Motion PASSED by majority voice vote.

DECISION ITEMS

Appointments to Boards and Commissions – Beaver Creek Development Corporation

Mr. McHugh explained there were two motions for the two different vacancies. Once appointed this would give them a full board of directors.

Council Member Bales MOVED to appoint Tyler Morton to the Beaver Creek Development Corporation Board of Directors as the appointee with commercial real estate or lending experience, seconded by Council Member Garcia. Motion PASSED by majority voice vote.

Vice Mayor Adams MOVED to appoint Bob Doyle to the Beaver Creek Development Corporation Board of Directors as the Beaver Creek resident appointee seconded by Council Member Garcia. Motion PASSED by majority voice vote.

COUNCIL TIME

August 24, 2020

Council Member Bales congratulated the Beavercreek employees for doing a great job. He has received a lot of questions regarding the income tax. He reviewed a PowerPoint presentation regarding the income tax initiative. He said the best place to read information regarding the income is the City's website under the tab "Proposed Income Tax." He reviewed the different tabs on the Proposed Income Tax page of the website.

Council Member Duerr thanked Mr. Thonnerieux and Mr. Kucera on the FEMA reimbursements that have been received.

Council Member Schwartz asked everyone to exercise patience and kindness towards others during these challenging times. She said school is back in session and asked everyone to watch the speed zones. She thanked Council Member Bales for the information regarding the income tax.

Council Member Curran said the lunch at the senior center was set for Thursday pickup. He thanked Council Member Bales on the income tax information.

Vice Mayor Adams said schools started today and to please pray everything else goes well. He welcomed Mr. Hurwitz to his new position. He said to please complete the 2020 Census if you haven't already done so. The deadline for completing the Census is the end of the September.

MAYOR'S REPORT

Mayor Stone said he appreciates the community and the staff that supports them.

CITY MANAGER'S REPORT

Mr. Landrum reviewed some of the parks that have new enhancements. Senior transportation is operating for medical appointments and grocery trips. ODOT is performing bridge rehabilitation and resurfacing on I-675 therefore there will be lane restrictions in effect on overpasses and interchanges. This project should be completed by summer 2022. The Tom Birt Memorial Golf Scramble will be held August 28th which benefits City of Beavercreek and City of Fairborn's Parks & Recreation Departments.

CITIZEN COMMENTS

Al Cummings, 2669 Greeneside Drive, Beavercreek

Mr. Cummings said there is a problem from time to time regarding potholes in the commercial properties. He is a member of the Beavercreek Fairer Funding Committee (BFFC) which was formed to inform the community of the income tax initiative. He said 75% of the people who work in Beavercreek live somewhere else therefore their taxes go to the community from which they are from. He said

August 24, 2020

we are giving away \$10 million per year. He said the levies that consistently are on the ballot would go away if there is an income tax.

Dr. Mark Walsh, 434 Ramsgate Drive, Beavercreek, Ohio

Dr. Walsh is a member of the BFFC and their goal is to educate the public and feel this is one of the reasons the income tax has not passed in the past. He said people do not understand it. He said if they work in a city that already has an income tax that money does not come back to Beavercreek. The people from those cities who work here are taxed by those same cities and the money goes back there. He said we are losing \$10 million or more per year. He said 70% of the people who live in this city would not pay this tax but would get a reduction in their city property tax and see an improvement in their city services. He said the remaining 30% would not be paying the full 1% because they would see a reduction in their property tax at the same time. He said as a committee they have been holding virtual informational meetings every two week. He said if you email Brian Jarvis at bjjarvis@yahoo.com he will put you on the list to join a meeting. He said if you would like to help with the committee please let Mr. Jarvis know as well.

Sundar Bhatla, 2353 Spicer Drive, Beavercreek, Ohio

Mr. Bhatla said he really likes the parks and encouraged the city to spend money on the beautiful parks. He said he was a member of the BFFC and was excited about the income tax initiative and felt that it would pass.

Walter Chen 328 Cottonwood Place, Beavercreek, Ohio

Mr. Chen thanked Council Member Bales for his presentation regarding the income tax. He said this would be a win win for the city and its residents. He said the elected officials have done an outstanding job in leading this initiative by passing the Ordinance and the Resolution. He said there are four key facts that the citizens of Beavercreek need to adhere to instead of listening to some of the hogwash that's out there. He said people need to educate themselves by going to the website and ask questions. He said the four key facts are the reduction of property taxes for all property owners, all persons working in our city will pay their fair share of the income tax while they utilize our services and retirement income will not be targeted, residents paying income taxes get a 1% credit and this would generate \$10 million to address infrastructure.

Denise Chen, 383 Cottonwood Place, Beavercreek, Ohio

Ms. Chen yielded her three minutes to Walter Chen

August 24, 2020

Mr. Chen urged citizens to attend city council meetings to see firsthand what is going on. He said the BFFC was putting together an HOA contact list to pass out trifolds with income tax information. He said they are drafting signs to be placed throughout the city.

Mary Brailey, 1399 Townhall Road, Beavercreek, Ohio

Ms. Brailey said the word peace has its derivation in the term balance. She said we want a peaceful community and thought there were a couple of areas getting left out of the discussion. She said part of the intent of creating a system combining income tax with the property tax is to bring balance to our revenue sources. She said just like you don't put all of your money in one investment. She said we shouldn't depend on all of our sources for our city on one major piece of revenue which is what this addresses. She said the other balance is we are a community and we need a balance of demographics. She said there are those in our area, especially the old timers, who feel like they are being pushed out because they are being taxed out of their properties. She felt the older citizens are very important to the balance of a community. She said they bring something that the younger wage earners don't bring. They give what the older citizens can't and the older citizens give what the younger citizens can't.

Carol Graff, 1442 Devoe Drive, Beavercreek, Ohio

Ms. Graff is a member of the BFFC and second what all the others before her said. She said she is also a member of the Beaver Creek Wetlands Association Committee since its inception in 1988. She said the committee has been trying to get rid of alien species in the wetlands. She said one of the worst ones is purple loosestrife. She said if you drive along Kemp Road opposite Station 63 there is purple loosestrife that is beautiful in the ditch. She asked city of help eliminate it.

ADJOURNMENT

Council Member Curran **MOVED** to adjourn the meeting at 7:22 p.m., seconded by Vice Mayor Adams. Motion **PASSED** by majority voice vote.

Bob Stone, Mayor

ATTEST:

August 24, 2020

Dianne Miscisin
Clerk of Council
Cmin08242020



CITY COUNCIL
Regular Meeting – October 12, 2020 6:00 p.m.
Council Chambers

This meeting will be held in the Council Chamber. Social distancing will be observed and it is asked that anyone wishing to attend the meeting in person to please wear a face mask.

Public Comments:

All persons present shall be given an opportunity to be heard on proposed legislation during a public hearing. Citizen Comments is also an opportunity to be heard regarding any topic. For those not wishing to appear in person but wish to make a public comment, please feel free to send an email to the Clerk of Council at: miscisin@beavercreekohio.gov or call (937) 320-7388. Comments must be received by 4:00 p.m., Monday, September 28, 2020 to be considered for the meeting. Please be very specific on which legislation you are addressing or if your comment is to be heard during the Citizen Comment section of the meeting. Thank you

INTRODUCTIONS

- ◆ **New Officers – Sean Powers and Dyllan Saintignon**

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE AND PRAYER/MOMENT OF SILENCE – Vice Mayor Adams**
- IV. **APPROVAL OF AGENDA**
- V. **APPROVAL OF MINUTES**
- VI. **ORDINANCES, RESOLUTIONS AND PUDS**
- VII. **COUNCIL TIME**
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- X. **CITIZEN COMMENTS**
- XI. **ADJOURNMENT**

CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT

pc

Meeting Date: September 28, 2020 Agenda Reference No.: VII. A-E.	Reference Topic: PC 20-9 ASRA Resonant Sciences Addition Motion
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ACTION REQUESTED		
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Disapproval	<input type="checkbox"/> Table
<input type="checkbox"/> Review and Comment	<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Other _____

REQUEST BY APPLICANT:

The applicant is requesting Administrative Site Plan Review and Approval (ASRA) to allow for the construction of an approximately 12,000 square foot addition to the existing office and laboratory at 4085 Executive Drive.

STAFF RECOMMENDATION:

Planning Commission and Staff are recommending approval of this ASRA as outlined in the attached Motion.

PROCEDURAL OPTIONS FOLLOWING ACTION:

City Council may choose to approve, approve with conditions, disapprove, or table this application.

CITY OF BEAVERCREEK STAFF REPORT

September 24, 2020

PROJECT: Resonant Sciences Addition

CASE NO.: PC 20-9 ASRA

APPLICANT: James Connell
3650 Somerset Drive
Beavercreek OH 45431



REQUEST

The applicant is requesting Administrative Site Plan Review Approval (ASRA) to allow for the construction of an approximately 12,000 square foot addition to the existing office and laboratory at 4085 Executive Drive.

ANALYSIS

This property was included within a PDA (Planned Development Area) overlay district with a recent update of the City's Land Use Plan. The original building was constructed prior to the update, and did not require ASRA approval. Because the area is now a PDA, this addition is subject to the ASRA process. This involves two public hearings, with Planning Commission making a recommendation to City Council, and City Council making a decision for or against approval.

Existing Conditions

The property at 4085 Executive Drive is an approximately 2 acre lot on the south side of Executive Drive within the Apple Valley Business Park. It currently contains a 12,000 square foot office and research lab as well as an adequately sized parking lot that was constructed in 2007.



Zoning and Surrounding Uses

The property is currently zoned RP-1, Research Park, and will remain as such. An office and laboratory are permitted uses within the RP-1 zoning district. The surrounding uses are as follows:

Direction	Surrounding Zoning	Surrounding Use
North	ORP-1	Office building
South	I-1	Vacant
East	RP-1	Office/Research
West	ORP-1	Office

Building Setbacks and Buffers

In RP-1 zoning districts, the minimum yard requirements are as follows:

Yard Requirements	
Front Yard	50 feet from property line
Rear Yard	40 feet from rear property line.
Side Yard	20 feet on each side.

As shown in the attached plans, the proposed addition extends directly off the back of the existing building, maintaining all required setbacks.

Building Design

As shown in the attached color elevations, the addition will double the size of the existing building and is proposed to be constructed entirely of a brick that matches the existing red brick on the building. The addition will be approximately 20 feet tall, about 1.3 feet taller than the existing building at its highest point.

Transportation Improvements and Parking

As noted on the proposed site plan, the applicant is proposing to expand the existing parking lot in order to accommodate an additional 25 parking spaces. The zoning code does not specify a parking requirement for research labs with offices but the building will have 16 offices and a 25 employees total once the addition is completed. The provided 44 parking spaces are more than sufficient to accommodate this building expansion.

Screening, Landscaping and Open Space

The applicant plans to install trees in the proposed landscape islands as well as trees along the rear of the new addition. Shrubs shall be located around the base of the building and a condition of approval will require that any mechanical equipment be screened with additional landscaping.

Stormwater Management

The City Engineer has no concerns with the application at this time. All stormwater detention calculations and detention plans shall be reviewed and approved by the Engineering Department prior to the release of a zoning permit for this site.

Lighting

The applicant plans to continue the use of LED wall-pack lighting for the proposed addition. A condition of approval will require that the lights be full cut off fixtures to avoid light spill over into adjacent properties.

Recommendation

Based on the analysis, Planning Commission and staff are recommending approval of this request as outlined in the attached Motion.

**MOTION TO APPROVE
RESONANT SCIENCES ADDITION
ASRA DETAILED SITE PLAN PC 20-9**

"I move, for the purpose of taking administrative action, approval of an ASRA Detailed Site Plan for Resonant Sciences, on the basis that City Council finds the facts submitted with the application and accompanying materials, and modifications, amendments and supplementary conditions satisfy the standards and criteria for an ASRA Detailed Site Plan as per §158.083 of the Zoning Code. Supplementary conditions required of this approval shall be as follows. I further move that this motion with all conditions be fully recorded in the minutes of this Council meeting."

1. The approved plans for this development shall be the plans stamped "Received August 26, 2020", except as modified herein.
2. The approved building elevations shall be those plans stamped "Received August 5, 2020" except where modified herein.
3. A detailed landscape plan shall be reviewed and approved by the Planning Department prior to the execution of the required Development Agreement and the release of a zoning permit.
4. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes as originally planted, within three months, weather permitting.
5. A Development Agreement must be signed by the owner and a bond or letter of credit for the required site landscaping must be submitted prior to issuance of a zoning permit for any portion of the project for the purpose, but not for the sole purpose, of insuring the installation of landscaping. Said bond or letter of credit must meet the requirements of the City's landscaping and screening regulations.
6. All trash collection containers shall be screened from view and enclosed within a permanent dumpster enclosure or completely kept within the building. Any dumpster enclosures shall be constructed of materials to match the building, and fitted with a closeable, lockable gate.
7. Debris and trash shall be routinely collected by the owner from the parking lot and grounds of all areas of the project including the storm drainage facilities. The City reserves the right to require more frequent collection, as necessary.
8. The façade shall not be painted or altered without the expressed approval of the

Planning Department and/or Planning Commission.

9. Prior to the issuance of a zoning permit, final cut sheet details and photometric plans for lighting of the site shall be reviewed and approved by the Planning Department. All light fixtures shall be full cut off fixtures.
10. All concerns of the City Engineer, Fire Department, Sanitary Engineer and the Planning Department shall be addressed and approved prior to the release of a zoning permit for the building.
11. All roof top or ground mounted mechanical units shall be completely screened from view from all directions with architectural features (roof forms or parapets) or landscaping.

RESOLUTION

CITY OF BEAVERCREEK
PLANNING COMMISSION
September 2, 2020

RE: PC 20-9 Resonant Sciences
Addition ASRA

WHEREAS, James Connell, Agent for the Owner, 3650 Somerset Drive, Beavercreek, Ohio, 45431, has filed an application requesting approval of an ASRA Detailed Site Plan for the Resonant Sciences Addition to be located at 4085 Executive Drive; and

WHEREAS, public hearing was held on September 2, 2020 by the Beavercreek Planning Commission at which time all people who wished to testify gave their comments at the public hearing; and

WHEREAS, the Planning Commission finds that the facts submitted with this ASRA Detailed Site Plan application and presented at the public hearing and any modifications, amendments, or supplementary conditions satisfy the standards and criteria for an ASRA Detailed Site Plan as per §158.083 of the Zoning Code; and

WHEREAS, the Beavercreek Planning Commission is taking administrative action in approving this ASRA Detailed Site Plan.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission recommends to the Beavercreek City Council:

SECTION I

The Beavercreek Planning Commission recommends to Beavercreek City Council approval of this ASRA Detailed Site Plan for the Resonant Sciences addition with the following conditions and requirements.

SECTION II

1. The approved plans for this development shall be the plans stamped "Received August 26, 2020", except as modified herein.
2. The approved building elevations shall be those plans stamped "Received August 5, 2020" except where modified herein.

3. A detailed landscape plan shall be reviewed and approved by the Planning Department prior to the execution of the required Development Agreement and the release of a zoning permit.
4. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes as originally planted, within three months, weather permitting.
5. A Development Agreement must be signed by the owner and a bond or letter of credit for the required site landscaping must be submitted prior to issuance of a zoning permit for any portion of the project for the purpose, but not for the sole purpose, of insuring the installation of landscaping. Said bond or letter of credit must meet the requirements of the City's landscaping and screening regulations.
6. All trash collection containers shall be screened from view and enclosed within a permanent dumpster enclosure or completely kept within the building. Any dumpster enclosures shall be constructed of materials to match the building, and fitted with a closeable, lockable gate.
7. Debris and trash shall be routinely collected by the owner from the parking lot and grounds of all areas of the project including the storm drainage facilities. The City reserves the right to require more frequent collection, as necessary.
8. The façade shall not be painted or altered without the expressed approval of the Planning Department and/or Planning Commission.
9. Prior to the issuance of a zoning permit, final cut sheet details and photometric plans for lighting of the site shall be reviewed and approved by the Planning Department. All light fixtures shall be full cut off fixtures.
10. All concerns of the City Engineer, Fire Department, Sanitary Engineer and the Planning Department shall be addressed and approved prior to the release of a zoning permit for the building.
11. All roof top or ground mounted mechanical units shall be completely screened from view from all directions with architectural features (roof forms or parapets) or landscaping.

SECTION III

These plans and all papers relating to the approved plan shall be submitted with this Resolution to City Council.

The Clerk is directed to transmit this case to City Council for further determination as required by law.

ADOPTED: September 2, 2020

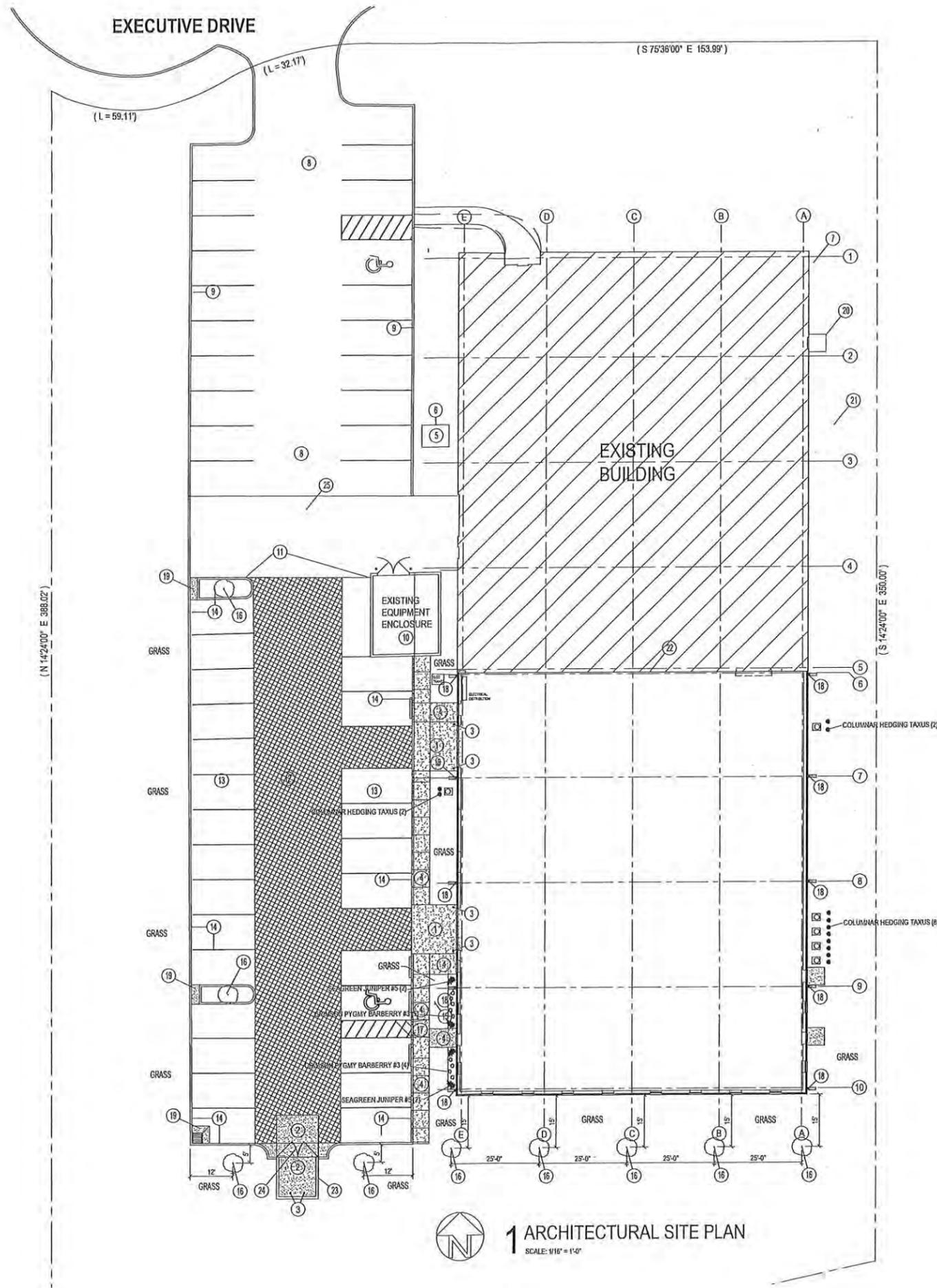
VOTING FOR ADOPTION: Keith Ayers,
Alex Hight
Nicholas Loftis
Jonathon Meyer
Michael Self

AGAINST: None

ABSENT: None

Chairman

Attest:



DRAWING NOTES:

- 1 NEW 6" 4000 PSI CONCRETE APRON
- 2 NEW 6" 4000 PSI CONCRETE DUMPSTER PAD
- 3 NEW 6" DIA. CONCRETE FILLED STEEL BOLLARD; 3' BURY, 4' EXPOSED; YELLOW PLASTIC COVER
- 4 NEW 4" 4000 PSI CONCRETE WALK
- 5 EXISTING TRANSFORMER TO REMAIN
- 6 EXISTING TRANSFORMER ENCLOSURE TO REMAIN
- 7 EXISTING GAS SERVICE AND METER TO REMAIN
- 8 EXISTING ASPHALT DRIVEWAY TO REMAIN
- 9 EXISTING CONCRETE CURB TO REMAIN
- 10 EXISTING EQUIPMENT ENCLOSURE TO REMAIN
- 11 REMOVE EXISTING CURB; JOIN NEW PAVING TO EXISTING PAVING
- 12 HEAVY DUTY PAVING: 2" ASPHALT TOPPING, 2" ASPHALT BASE, 10" COMPACTED 304 STONE BASE; GEOTECH FABRIC BELOW GRAVEL ON COMPACTED DIRT SUB-BASE
- 13 STANDARD DUTY PAVING: 1 1/2" ASPHALT TOPPING, 1 1/2" ASPHALT BASE, 8" COMPACTED 304 STONE BASE; GEOTECH FABRIC BELOW GRAVEL ON COMPACTED DIRT SUB-BASE
- 14 NEW 6" X 18" CONCRETE BARRIER CURB
- 15 HANDICAP PARKING SIGN
- 16 CLEVELAND SELECT PEAR TREE TO MATCH EXISTING PLANTINGS
- 17 HANDICAP SIDEWALK ACCESS
- 18 6" DOWNSPOUT DISCHARGE TO SPLASH-BLOCK AT GRADE
- 19 4" 4000 PSI CONCRETE DRAINWAY
- 20 EXISTING 5' X 5' X 4" CONCRETE PAD AT DOOR TO REMAIN
- 21 NEW UNDERGROUND GAS LINE TO ADDITION
- 22 EXISTING 2 HR RATED CMU WALL TO REMAIN
- 23 DUMPSTER ENCLOSURE; BRICK EXTERIOR TO MATCH BUILDING, BRICK INTERIOR
- 24 DUMPSTER ENCLOSURE GATES; CEDAR WOOD PAINTED TO MATCH BRICK ON STEEL FRAME
- 25 EXISTING CONCRETE SLAB TO REMAIN

J.D. CONNELL
 General Contractor
 3650 Sandusky Drive
 Dayton, Ohio 45424
 937-673-6554
 8-19-20 REVISED TITLEBLOCK

- LABORATORY AND OFFICES ADDITION TO -
RESONANT SCIENCES LLC
 4085 EXECUTIVE DRIVE
 BEAVERCREEK, GREENE COUNTY, OHIO 45430

3959 Rexford Road
 Dayton, Ohio 45430
 937-558-2850
 WWW.SNIDERARCHITECTURE.COM

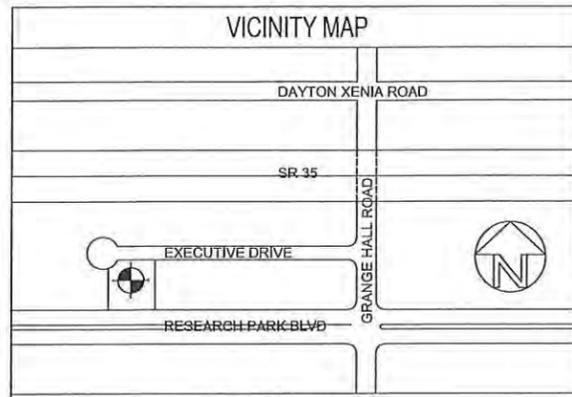
SNIDER
 ARCHITECTURE

7-21-20

L1

RECEIVED
 AUG 26 2020
 CITY OF BEAVERCREEK
 PLANNING DEPARTMENT

1 ARCHITECTURAL SITE PLAN
 SCALE: 1/16" = 1'-0"



- ### GENERAL NOTES
- WORK SHALL CONFORM TO THE GOVERNING RULES, REGULATIONS AND CODE REQUIREMENTS SET FORTH BY GREENE COUNTY AND THE STATE OF OHIO.
 - ALL DIMENSIONS ARE FROM EDGE OF STUD TO EDGE OF STUD UNLESS NOTED OTHERWISE. NOTED.
 - THE CONTRACTOR SHALL REVIEW ALL DOCUMENTS AND VERIFY ALL DIMENSIONS AND FIELD CONDITIONS, AND SHALL CONFIRM ALL WORK SHOWN AS VISIBLE. ANY CONFLICTS, OMISSIONS, ETC. SHALL BE IMMEDIATELY REPORTED TO THE ARCHITECT FOR CLARIFICATIONS PRIOR TO PERFORMANCE OF ANY WORK IN QUESTION.
 - WHEN CONTRACTOR ACCEPTS DELIVERY OF ALL ITEMS NOTED WITHIN DOCUMENTS, WHETHER IN CONTRACT OR NOT, HE SHALL BE RESPONSIBLE FOR LOSS AND/OR DAMAGE TO THESE ITEMS.
 - THE CONTRACTOR SHALL MAINTAIN FOR THE DURATION OF THE PROJECT ALL EXITS, EIT LIGHTS AND FIRE PROTECTION IN CONFORMANCE WITH APPLICABLE CODES AND ORDINANCES.
 - THE CONTRACTOR SHALL PROVIDE PORTABLE FIRE EXTINGUISHERS AS REQUIRED BY FIRE MARSHALL AND/OR LOCAL AUTHORITIES.
 - DO NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS SHALL GOVERN ALL DRAWINGS. IN CASE OF CONFLICT NOTIFY THE ARCHITECT IMMEDIATELY.
 - CONTRACTOR SHALL FIELD VERIFY ALL CRITICAL DIMENSIONS.
 - DESIGN, FIXTURES, & MOUNTING HEIGHTS COMPLY WITH ACCESSIBILITY STANDARDS ESTABLISHED IN OBC CHAPTER 11

CODE NOTES

PROJECT DESCRIPTION: ADDITION OF LABORATORY TO EXISTING OFFICE AND LABORATORY BUILDING. COMPANY DESIGNS AND TESTS ANTENNAS, RADOMES, AND COMPOSITE STRUCTURES FOR THE AERONAUTICS INDUSTRY. NO HAZARDOUS CHEMICALS USED IN NEW LABORATORY. ADDITION TO INCLUDE NEW MEN AND WOMEN'S TOILET INSIDE FUTURE OFFICE AREA. EXISTING BUILDING AND NEW BUILDING ARE NOT SPRINKLERED.

CONSTRUCTION TYPE: IIB, NON-SPRINKLERED
 NEW CONSTRUCTION TYPE: IIB, NON-SPRINKLERED

USE GROUP: B, NO CHANGE

EXISTING BUILDING AREA: 12,000 SF
 PROPOSED ADDITION: 12,083 SF + 2,900 SF MEZZANINE = 14,983 SF
 TOTAL BUILDING AREA: 26,983 SF

ALLOWABLE AREA WITH INCREASE FOR FRONTAGE: $A_0 = A_1 + (RIS \times I)$
 $A = 23,000 + (23,000 \times 0.1) = 25,300$
 $A = 23,000 + (23,000 \times (4/11) - 64 - 23) / 75 = 23,000 + (23,000 \times .39) = 32,170$
 $A = 23,000 + 8,970 = 31,970$
 ALLOWABLE AREA: 31,970 SF

OPENINGS ON EAST EXTERIOR WALL ELEVATION WITH 10.5' CLEARANCE TO PROPERTY LINE:
 TOTAL ELEVATIONS AREA: 4,284 SF
 TOTAL SF OF OPENINGS: 129 SF
 $129 / 4,284 = 3\%$ OF WALL ELEVATION AREA
 ALLOWABLE OPENINGS FOR EAST WALL ELEVATION 25% $4,284 \times 0.25 = 1,071$ SF

ADDITION OCCUPANTS CODE CALCULATION:
 OFFICES $2,900 / 100 = 29$ OCCUPANTS
 LABORATORY $9100 / 500 = 18$ OCCUPANTS

ADDITION OCCUPANTS TOTAL: 47 OCCUPANTS

PROPOSED OCCUPANTS ACTUAL TOTAL FOR ADDITION:
 OFFICES ARE DESIGNED FOR 19 OCCUPANTS; LABORATORY WILL HAVE 2 OCCUPANTS IN ADDITION TO PERSONS FROM THE OFFICES WORKING IN THE LABORATORY; MEZZANINE WILL HAVE NO ADDITIONAL OCCUPANTS. IN ADDITION TO PERSONS FROM THE OFFICES OR LABORATORY BELOW, FOR A TOTAL OF 21 OCCUPANTS.]

REQUIRED TOILETS: 47 / 12 = 2450 MALE AND 2450 FEMALE = 1 MALE AND 1 FEMALE TOILET
 REQUIRED LAVATORIES: 24 / 80 = 1 MALE AND 1 FEMALE LAVATORY

PROPOSED TOILETS: 2 MALE (1 URINAL, 1 TOILET) AND 2 FEMALE TOILETS
 PROPOSED LAVATORIES: 1 NEW MALE AND ONE NEW FEMALE LAVATORY

DRINKING FOUNTAIN: 1 H.E.L.O IS PROVIDED
 REQUIRED MOP SINK: 1, 1 NEW MOP SINK IS PROPOSED

REQUIRED EXITS: 2; 5 EXITS PROVIDED IN NEW ADDITION

MAXIMUM TRAVEL DISTANCE IS LESS THAN 250'

SHEET INDEX

T100	TITLE SHEET, SITE PLAN, CODE NOTES, VICINITY MAP	A303	WALL SECTIONS
C1	COVER SHEET-CIVIL	A304	WALL SECTIONS
C2	SITE AND GRADING PLAN	A305	WALL SECTIONS
C3	EROSION CONTROL PLAN	P1	SCHEMATIC PLUMBING PLAN
A100	FOUNDATION PLAN, DETAILS, AND NOTES	P2	GAS PIPING ISOMETRIC
A101	FIRST FLOOR PLAN, SCHEDULES, AND NOTES	M1	SCHEMATIC MECHANICAL PLAN
A102	MEZZANINE FLOOR PLAN WITH LIGHTING, AND NOTES	E1	1ST FLOOR LIGHTING AND POWER PLANS
A103	REFLECTED CEILING PLAN AND NOTES	E2	MEZZANINE LIGHTING AND POWER PLANS
A104	ROOF PLAN AND NOTES	E3	ELECTRICAL DISTRIBUTION DIAGRAM, SCHEDULES, PANEL SCHEDULES
A200	EXTERIOR ELEVATIONS		
A300	BUILDING CROSS SECTION		
A301	BUILDING CROSS SECTION		
A302	WALL SECTIONS		

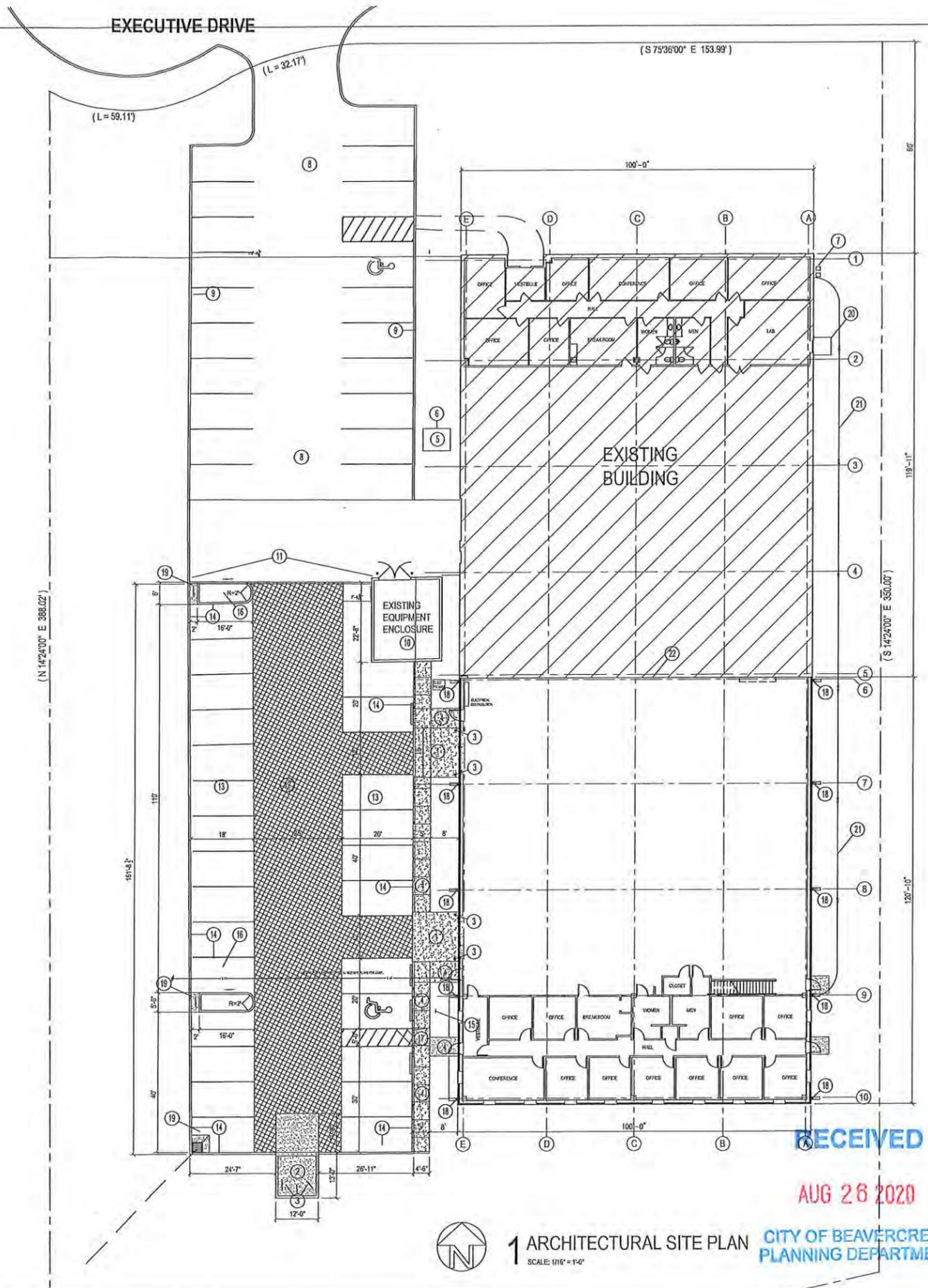
KIRBY PRE-ENGINEERED BUILDING PLANS

DRAWING NOTES:

- NEW 6" 4000 PSI CONCRETE APRON
- NEW 6" 4000 PSI CONCRETE DUMPSTER PAD
- NEW 6" DIA. CONCRETE FILLED STEEL BOLLARD; 3' BURY, 4" EXPOSED; YELLOW PLASTIC COVER
- NEW 4" 4000 PSI CONCRETE WALK
- EXISTING TRANSFORMER TO REMAIN
- EXISTING TRANSFORMER ENCLOSURE TO REMAIN
- EXISTING GAS SERVICE AND METER TO REMAIN
- EXISTING ASPHALT DRIVEWAY TO REMAIN
- EXISTING CONCRETE CURB TO REMAIN
- EXISTING EQUIPMENT ENCLOSURE TO REMAIN
- REMOVE EXISTING CURB; JOIN NEW PAVING TO EXISTING PAVING
- HEAVY DUTY PAVING: 2" ASPHALT TOPPING, 2" ASPHALT BASE, 10" COMPACTED 304 STONE BASE; GEOTECH FABRIC BELOW GRAVEL ON COMPACTED DIRT SUB-BASE
- STANDARD DUTY PAVING: 1 1/2" ASPHALT TOPPING, 1 1/2" ASPHALT BASE, 8" COMPACTED 304 STONE BASE; GEOTECH FABRIC BELOW GRAVEL ON COMPACTED DIRT SUB-BASE
- NEW 6" X 18" CONCRETE BARRIER CURB
- HANDICAP PARKING SIGN
- BRADFORD PEAR TREE TO MATCH EXISTING PLANTINGS
- HANDICAP SIDEWALK ACCESS
- 6" DOWNSPOUT DISCHARGE TO SPLASH-BLOCK AT GRADE
- 4" 4000 PSI CONCRETE DRAINWAY
- EXISTING 5' X 5' X 4" CONCRETE PAD AT DOOR TO REMAIN
- NEW UNDERGROUND GAS LINE TO ADDITION
- EXISTING 2 HR RATED CMU WALL TO REMAIN

DESIGN STRUCTURAL LOADS

FLOOR LIVE LOAD FOR MEZZANINE OFFICES: 100 PSF
 FLOOR LIVE LOAD FOR BUILDING SLAB: 250 PSF
 ROOF LIVE LOAD: 25 PSF
 GROUND SNOW LOAD: 20 PSF
 WIND SPEED DESIGN: 115 MPH, WIND EXPOSURE 'B', CATEGORY II
 SEISMIC DESIGN CATEGORY: II
 SEISMIC DESIGN SITE CLASSIFICATION: B
 SOIL BEARING VALUE: 3000 PSF SOILS
 FLOOD DESIGN DATA: NOT APPLICABLE
 SPECIAL LOADING: NOT APPLICABLE



1 ARCHITECTURAL SITE PLAN
 SCALE: 1/16" = 1'-0"

RECEIVED

AUG 26 2020

CITY OF BEAVERCREEK
 PLANNING DEPARTMENT

3650 Somerset Drive
 Dayton, OH 45424
 937-679-6564

J.D. CONNELL
 General Contractor

8-19-20 REVISED TITLEBLOCK
 8-26-20 ADDED OFFICE LAYOUTS

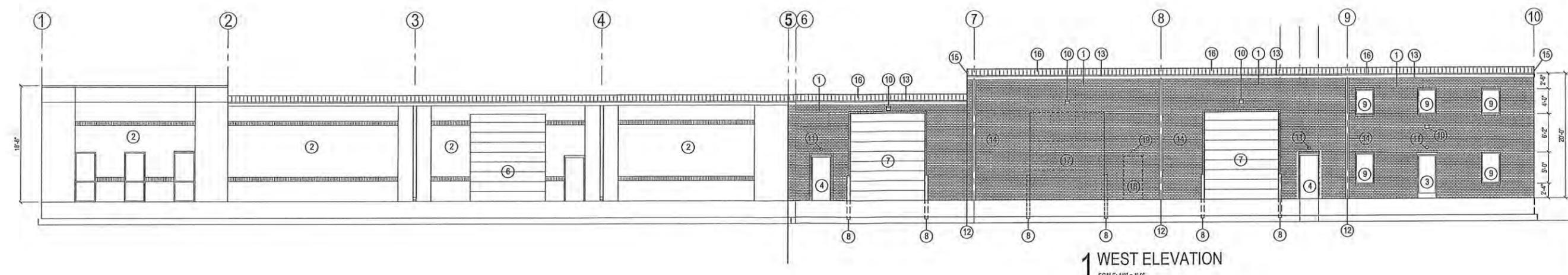
- LABORATORY AND OFFICES ADDITION TO -
RESONANT SCIENCES LLC
 4085 EXECUTIVE DRIVE
 BEAVERCREEK, GREENE COUNTY, OHIO 45430

3955 Rexford Road
 Dayton, Ohio 45430
 937-558-2850
 WWW.SNIDERARCHITECTURE.COM

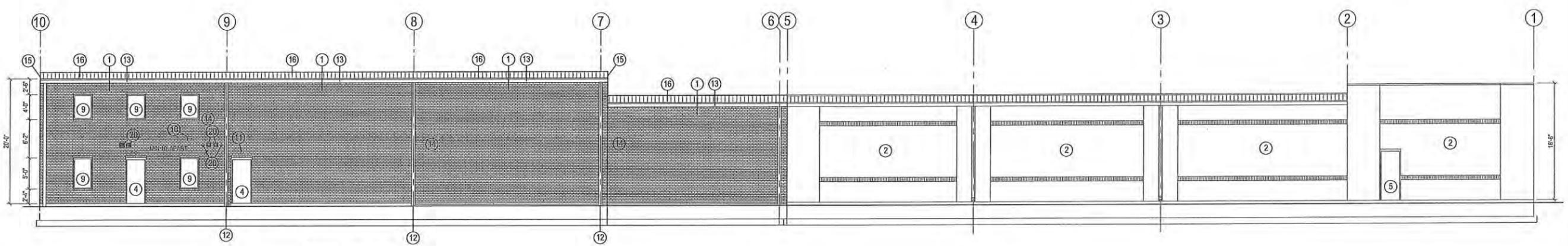
SNIDER
 ARCHITECTURE

7-21-20

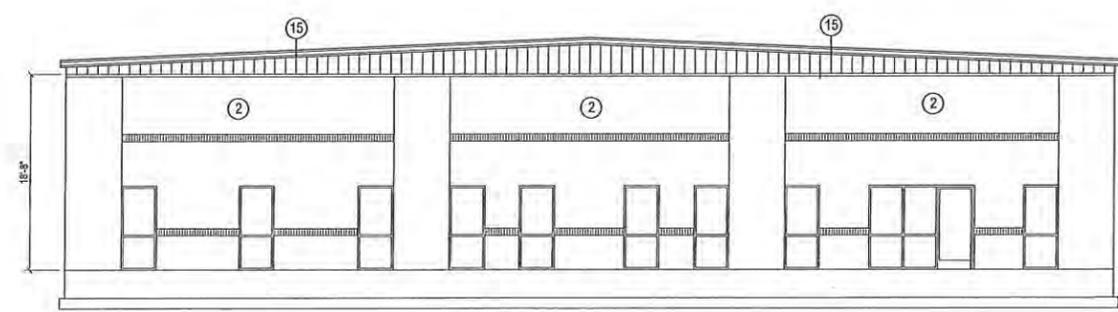
T100



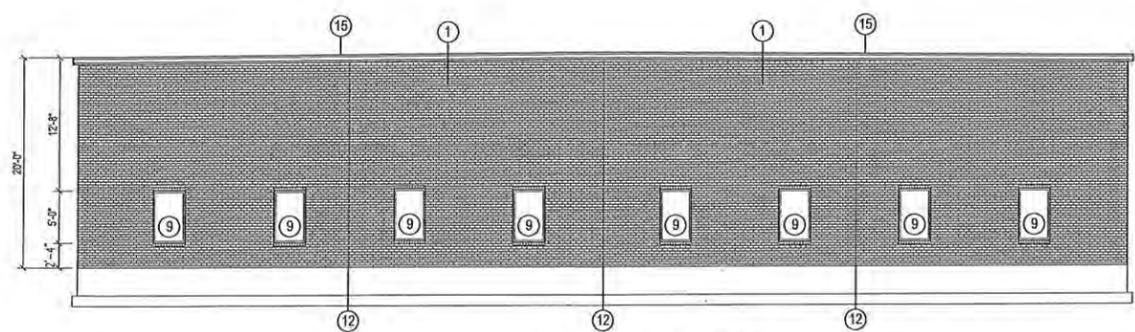
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

DRAWING NOTES:

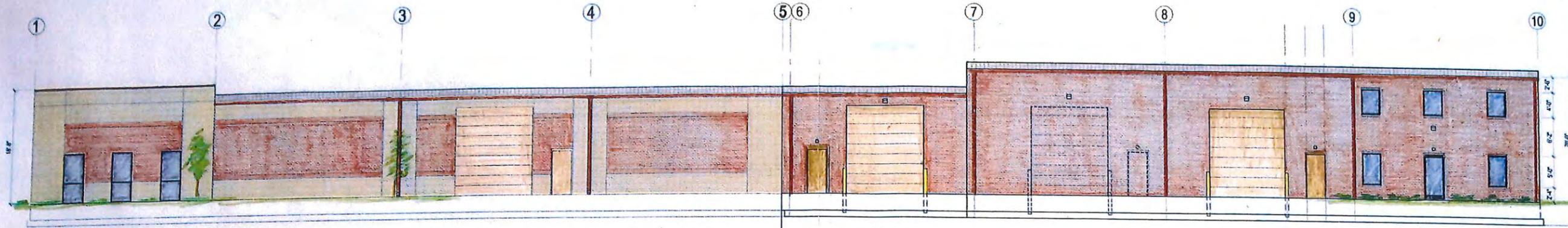
- 1 NEW BRICK VENEER
- 2 EXISTING BRICK VENEER TO REMAIN
- 3 NEW MEDIUM STYLE STOREFRONT ENTRY DOOR
- 4 NEW STEEL ENTRY DOOR
- 5 EXISTING STEEL ENTRY DOOR
- 6 EXISTING 12' X 14' INSULATED STEEL OVERHEAD DOOR TO REMAIN

- 7 NEW 12' X 14' INSULATED STEEL OVERHEAD DOOR TO REMAIN
- 8 NEW 6" DIA. PIPE BOLLARD W/ PLASTIC COVER
- 9 NEW FIXED STOREFRONT WINDOW WITH LOW-E INSULATED GLASS
- 10 LED WALL-PACK EXTERIOR LIGHT FIXTURE
- 11 REMOTE EXIT LIGHT FIXTURE HEAD
- 12 1/2" FULL HEIGHT MASONRY CONTROL JOINT AT COLUMN LINE
- 13 NEW STEEL GUTTER BY KIRBY BUILDINGS

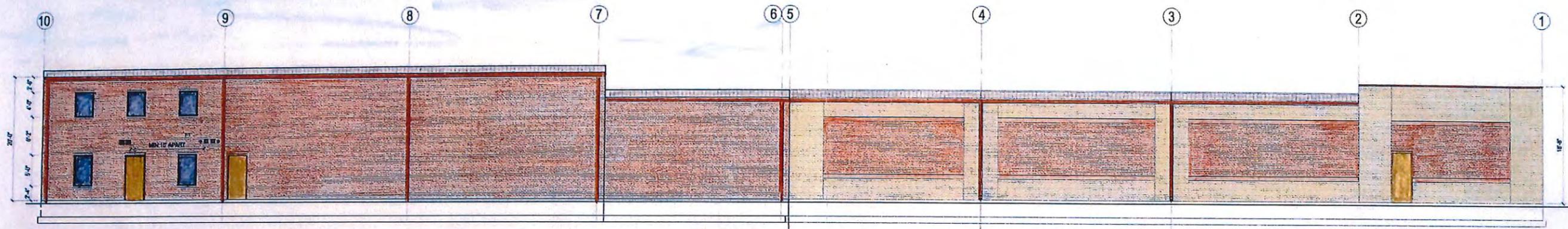
- 14 NEW STEEL DOWNSPOUT BY KIRBY BUILDINGS
- 15 NEW STEEL RAKE AND FLASHING BY KIRBY BUILDINGS
- 16 NEW STANDING SEAM ROOF BY KIRBY BUILDINGS INSTALLED PER MANUFACTURER'S RECOMMENDATION
- 17 FUTURE OVERHEAD DOOR; PROVIDE FRAMED OPENING TO BE CONCEALED IN WALL; FURNISH AND INSTALL BRICK LINTEL DURING CONSTRUCTION NOW
- 18 FUTURE PERSONNEL DOOR; PROVIDE FRAMED OPENING TO BE CONCEALED IN WALL; FURNISH AND INSTALL BRICK LINTEL DURING CONSTRUCTION NOW
- 19 FUTURE REMOTE EXIT LIGHT TO BE INSTALLED WITH DOOR AND EXIT SIGN IN THE FUTURE

- 20 FRESH AIR INTAKE LOUVER
- 21 EXHAUST LOUVER
- 22 FURNACE VENT/INTAKE

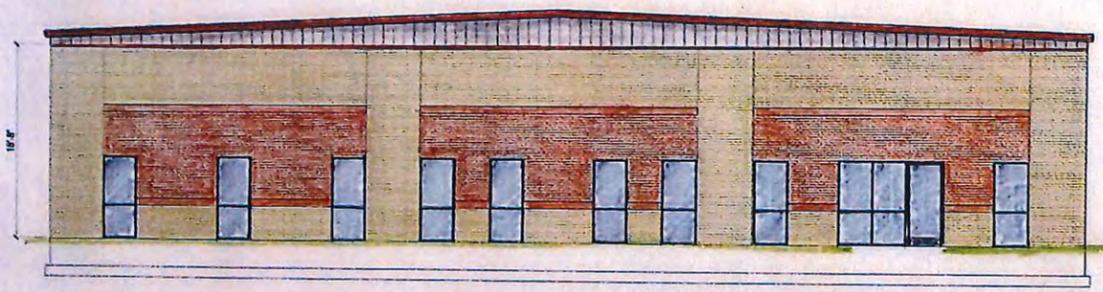
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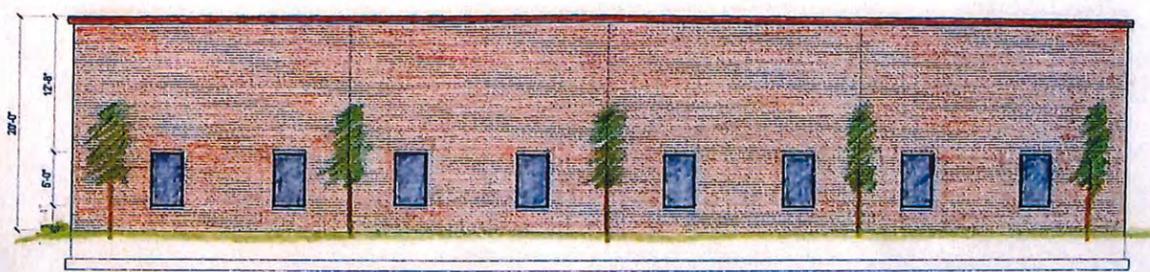
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

J.D. CONNELL
General Contractor
3650 Summit Drive
Dayton, Ohio 45424
937-679-0354

SHELL ADDITION TO
RESONANT SCIENCES LLC
4085 EXECUTIVE DRIVE
BEAVERCREEK, GREENE COUNTY, OHIO 45430

MARIKA SNIDER AIA
A.I.A. # 12652
DECEMBER 31, 2020



3959 Redford Road
Dayton, Ohio 45430
937-558-2850
WWW.SNIDERARCHITECTURE.COM

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PLANNING DEPARTMENT

7-21-20
A200

**CITY OF BEAVERCREEK, OHIO
ORDINANCE NO. 20-20**

SPONSORED BY COUNCIL MEMBER GARCIA ON THE 14TH DAY OF
SEPTEMBER, 2020.

**AN ORDINANCE BY BEAVERCREEK CITY COUNCIL AMENDING
TITLE XI: "BUSINESS REGULATIONS" OF THE CODIFIED
ORDINANCES OF THE CITY OF BEAVERCREEK BY ENACTING A
NEW CHAPTER 116 "MASSAGE SERVICE PROVIDERS" TO
REGULATE MASSAGE-RELATED SERVICES IN THE CITY OF
BEAVERCREEK, OHIO.**

WHEREAS, Article XVIII, Section 3, of the Constitution of the State of Ohio, grants municipalities the authority to exercise all powers of local self-government and to enact and enforce local police, sanitary, and other regulations that are not in conflict with the general laws; and

WHEREAS, pursuant to the home rule authority granted by Article XVIII, Section 3 of the Ohio Constitution, the citizens of the City of Beavercreek, Ohio, have adopted a Charter and Codified Ordinances to exercise the powers of local self-government and to enforce local police power regulations; and

WHEREAS, City Council believes that it is in the best interest of the health, safety, and welfare of the citizens of Beavercreek that massage-related services in the City be regulated.

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

City Council hereby finds that the regulation of massage-related services in the City of Beavercreek is in the best interest of the health, safety, and welfare of the citizens of Beavercreek, Ohio.

SECTION II.

Chapter 116 "Massage Service Providers" of the Codified Ordinances of the City of Beavercreek, Ohio, a copy of which is attached hereto and incorporated herein as Exhibit A, is hereby enacted.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open

meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including, but not limited to, Section 121.22 of the Ohio Revised Code.

SECTION IV.

This Ordinance shall take effect at the earliest time permitted by law.

PASSED this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

SUMMARY

AN ORDINANCE BY BEAVERCREEK CITY COUNCIL TO AMEND TITLE XI: "BUSINESS REGULATIONS" OF THE CODIFIED ORDINANCES OF BEAVERCREEK BY ENACTING A NEW CHAPTER 116 "MASSAGE SERVICE PROVIDERS" TO REGULATE MASSAGE-RELATED SERVICES IN THE CITY OF BEAVERCREEK, OHIO.

ORDINANCE NO. 20-21

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER _____ ON THE 14TH DAY
OF SEPTEMBER, 2020.

**AN ORDINANCE REPEALING CURRENT SECTIONS 75.07
“SIGNAL DEVICE ON BICYCLE” AND 75.08 “LIGHTS AND
REFLECTORS; BRAKES” OF THE CITY OF BEAVERCREEK
CODE OF ORDINANCES, AND ADOPTING NEW SECTION 75.08
“BICYCLE SIGNAL DEVICES” OF THE CITY OF
BEAVERCREEK CODE OF ORDINANCES.**

WHEREAS, the current Sections 75.07 “Signal Device on Bicycle” and 75.08 “Lights and Reflectors; Brakes” of the Beaver creek Code of Ordinances provides regulations concerning bicycle safety in the City of Beaver creek; and

WHEREAS, Beaver creek City Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Beaver creek, Ohio to update the Beaver creek Code of Ordinances with respect to bicycle safety.

**NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY
ORDAINS:**

SECTION I.

Current Sections 75.07 “Signal Device on Bicycle” and 75.08 “Lights and Reflectors; Brakes” of the Beaver creek Code of Ordinances are hereby repealed in their entirety and new Section 75.08 “Bicycle Signal Devices” is hereby enacted as follows with new language in **bold** and text to be deleted in ~~strikeout~~:

§ 75.08 **BICYCLE SIGNAL DEVICES** ~~LIGHTS AND REFLECTORS; BRAKES.~~

(A) Every bicycle or electric bicycle when in use at the times specified in R.C. § 4513.03 or a substantially equivalent municipal ordinance shall be equipped with the following:

(1) A lamp mounted on the front of either the bicycle or electric bicycle or the operator that shall emit a white light visible from a distance of at least 500 feet to the front and 300 feet to the sides. A generator-powered lamp that emits light only when the bicycle or electric bicycle is moving may be used to meet this requirement.

(2) A red reflector on the rear that shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;

(3) A lamp emitting either flashing or steady red light visible from a distance of 500 feet to the rear shall be used in addition to the red reflector. If the red lamp performs as a reflector in that it is visible as specified in division (A)(2) of this section, the red lamp may serve as the reflector and a separate reflector is not required.

(B) Additional lamps and reflectors may be used in addition to those required under division (A) of this section, except that red lamps and red reflectors shall not be used on the front of the bicycle or electric bicycle and white lamps and white reflectors shall not be used on the rear of the bicycle or electric bicycle.

(C) A bicycle or electric bicycle may be equipped with a **bell, horn, or some device, other than a siren or whistle, audible of at least 100 feet distance.** ~~capable of giving an audible signal, except that a bicycle or electric bicycle shall not be equipped with nor shall any person use upon a bicycle or electric bicycle any siren or whistle.~~

(D) Every bicycle or electric bicycle shall be equipped with an adequate brake when used on a street or highway.

(E) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(R.C. § 4511.56) Penalty, see § 70.99

SECTION II.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION III.

This Ordinance shall take effect at the earliest date allowed by law.

PASSED this _____ day of _____, 2020.

Bob Stone, Mayor

ATTEST:

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

PC

Meeting Date: <u>September 28, 2020</u>	Reference Topic: Street Name Change of Portions of Lantz Road and Wallaby Drive to McGrath Way
Agenda Reference No.: <u>VIII. C.</u>	<u>Ordinance No. 20-22</u>

ACTION REQUESTED		
<input checked="" type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input checked="" type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

The City's Capital Improvement Plan calls for the extension of the segment of Lantz Road that currently ends just to the west of N. Fairfield Road to connect into the portion of Wallaby Drive that ends just to the north of Dayton-Xenia Road. The schedule for this roadway extension tentatively calls for the project design in 2021, and the construction of the extended roadway in 2022.

It is proposed that the portions of Lantz Road, Wallaby Drive, and the proposed extended roadway located to the north of Dayton-Xenia Road and west of N. Fairfield Road be renamed to McGrath Way in honor of Jeff McGrath. Mr. McGrath was instrumental in bringing the currently active redevelopment project in this area to the City and in working with the developer and City Council to make it a reality. The developer has been contacted regarding this proposed street name change, and they fully support this effort and they have submitted a petition, as required by ORC 723.04, requesting this street name change.

This street name change will not impact any existing property address since all of the existing buildings in the vicinity of the street name change are addressed from either N. Fairfield Road, or Dayton-Xenia Road.

STAFF RECOMMENDATION:

Therefore, it is recommended that City Council approve the attached Ordinance renaming this portion of roadway to McGrath Way.

**CITY OF BEAVERCREEK, OHIO
ORDINANCE NO. 20-22**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH
DAY OF SEPTEMBER, 2020.

**AN ORDINANCE TO CHANGE THE NAME OF SEGMENTS OF
LANTZ ROAD AND WALLABY DRIVE TO MCGRATH WAY.**

WHEREAS, the City of Beavercreek Capital Improvement Plan calls for the extension of Lantz Road to the west of N. Fairfield Road to connect to the portion of Wallaby Drive just to the north of Dayton-Xenia Road; and

WHEREAS, the City of Beavercreek has received a petition, in accordance with ORC 723.04, by a person owning a lot in the municipal corporation praying that the names of the segments of Lantz Road and Wallaby Drive between N. Fairfield Road and Dayton-Xenia Road be changed to McGrath Way; and

WHEREAS, the City of Beavercreek has determined that there is good cause for said change of name and that it will not be detrimental to the general interest; and

NOW THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

The name of sections of Wallaby Drive and Lantz Road, public streets located within the City of Beavercreek, in Section 32, Town 3, Range 7, as generally depicted in 'Exhibit A' attached hereto, shall be and hereby are changed to McGrath Way.

SECTION II.

The name changes shall not alter, change or modify any house or building numbers previously assigned to any lot or parcel of land on the current Lantz Road or Wallaby Drive.

SECTION III.

The City Manager is hereby directed to cause notice of this public street name change to be made by sending a certified copy of this ordinance via U.S. mail to all homeowners and owners of property affected by this street name change, the U.S. Postal Service, the Greene County Auditor, the Greene County Board of Elections, the Beavercreek Fire Department, and all other appropriate agencies.

SECTION IV.

This ordinance shall take effect from and after the earliest period allowed by law.

SECTION V.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

ADOPTED by the Council of the City of Beavercreek, Ohio this _____ day of _____, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

SUMMARY

THIS ORDINANCE CHANGES THE NAMES OF SEGMENTS OF LANTZ ROAD AND WALLABY DRIVE TO MCGRATH WAY.



Beavercreek

INSTRUCTIONS

(This Petition should be used for street name changes. It should be signed by a person or persons owning a lot in this City in the immediate vicinity of the street in question.)

PETITION FOR STREET NAME CHANGE

TO THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO:

We the undersigned owners of property abutting on or in the immediate vicinity of

Lantz Road / Wallaby Drive

(Name of Street)

From N. Fairfield Road to Dayton-Xenia Road

hereby respectfully petition for the name change of said street herein described:

Change the name of this portion of roadway to 'McGrath Way'

OUR REASON FOR REQUESTING A NAME CHANGE WILL BE PRESENTED
BEFORE COUNCIL AT A PUBLIC HEARING

NAME OF OWNER	MAILING ADDRESS	PLAT & LOT
Mills Barnett Pavilion	3500 Pentagon Blvd	1505 North Fairfield
Jerald Barnes	Beavercreek, OH 45431	

Jerald Barnes

EXHIBIT A
PROPOSED STREET NAME CHANGE
PORTIONS OF LANTZ ROAD AND WALLABY DRIVE
TO MCGRATH WAY



**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

PEC

Meeting Date: September 28, 2020	Reference Topic: Ordinance No. 20-23 TO APPROVE SUPPLEMENTAL APPROPRIATIONS AND CERTIFY ADDITIONAL REVENUE, AND AUTHORIZE INTERFUND TRANSFERS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2020, AND TO AMEND ORDINANCE 19-30, 20-06, 20-07 and 20-14.
Agenda Reference No.: VIII. D.	

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

RESPONSIBLE DEPARTMENT OR AGENCY		
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Human Resources
<input type="checkbox"/> Parks, Recreation & Culture	<input type="checkbox"/> Engineering	<input type="checkbox"/> Golf Course
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager

BACKGROUND AND STAFF SUMMARY:

General Fund (101)

During development of the 2020 budget the Street Levy, ending fund balance was projected to be below the 20% minimum, as established by City Council. This was due to the reduction in fund balance because of the May 27th tornado clean up and disposal costs expensed in 2019. Without knowing when FEMA and Ohio EMA (OEMA) would release the reimbursement funds (2020 or 2021), the General Fund advanced the Street Levy fund \$570,000 to fill this gap. A large portion of the FEMA and OEMA reimbursements were received expeditiously in 2020 and therefore this advance is not necessary. To properly reflect that this advance is not necessary, this legislation removes the Advance Out of the General Fund (101-607400-7400) and eliminates the Advance In to the Street Levy Fund (203-498100).

General (101), Street Levy Fund (203), Parks Levy Fund (279) & Golf Course Fund (572)

The City has received two reimbursement from FEMA and OEMA to partially reimburse the City for expenditures incurred because of the May 27th Tornado clean up and disposal. The direct costs incurred from this disaster were expended out of the funds from which the service was provided. As reimbursements were received, they were allocated back to those funds. Since the City was not aware of when these funds would be received, the anticipated revenue was not budgeted. This ordinance allocates the FEMA and OEMA reimbursements to the appropriate funds as indicated below:

Fund	Account	Amount
101 General Fund	101-432300	\$ 7,258
203 Street Levy	203-432320	\$ 492,308
279 Park Levy	279-432300	\$ 37,384
572 Golf Course	572-497000	\$ 1,060
Total		\$ 538,010

Local Coronavirus Relief Fund (270)

Based on HB 481, Greene County distributed to the city in July \$557,475 as part of the federal CARES Act. These funds are to be used to cover specific expenses due to COVID 19 (PPE, cleaning supplies, building upgrades, etc.) incurred between March 1 and December 30, 2020. In August, a second distribution of \$278,738 was authorized and transferred to the City for the above noted uses. Therefore, this second distribution has to be certified as additional revenue (CARES Grant 270-432300) and appropriated (Misc. Expenses 270-573320-2499) to allow the City to utilize these funds to offset eligible COVID-19 expenses.

Miscellaneous Trust (750)

In 2020, the parks division developed an athletic field fee for tournaments held at Rotary Park. The fee is \$75/team for each tournament and was designed to be used to make improvements to City athletic fields at Rotary Park. Since its inception, the City has collected \$16,275. Since this was not implemented until 2020, the revenue and potential expenditures were not budgeted. The City would like to utilize the fees collected so the revenue must be certified (750-476474- Rotary Park Improvement Fund) and the expenditures must be appropriated (750-543720-4800 – Building Improvements). The funds will be used to upgrade six dugouts at \$2,600 each for a total cost of \$15,600 this fall.

STAFF RECOMMENDATION: Staff recommends adoption of Ordinance 20-23

**CITY OF BEAVERCREEK, OHIO
ORDINANCE NO. 20-23**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28th DAY OF SEPTEMBER, 2020.

TO APPROVE SUPPLEMENTAL APPROPRIATIONS AND CERTIFY ADDITIONAL REVENUE AND TO AUTHORIZE INTER-FUND ADVANCES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2020, AND TO AMEND ORDINANCES 19-30, 20-06, 20-07 AND 20-14.

WHEREAS, the annual appropriations for 2020 was authorized in Ordinances 19-30, 20-06, 20-07 and 20-14 it is now the desire to supplement and amend these appropriations and certify additional revenue, and

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

That to provide for current expenses and other expenditures of the City of Beavercreek during said fiscal year ending December 31, 2020, the following amounts appropriated in Ordinance 19-30, 20-06, 20-07 and 20-14 are hereby amended and the recertification of additional revenue, while preserving all other appropriations as previously approved.

REVENUE FUND (FUND #)	INCREASE REVENUE CERTIFICATIONS
GENERAL FUND (101)	\$ 7,258
STREET LEVY FUND (203)	\$ 492,308
CARES FUND (270)	\$ 278,738
PARK LEVY FUND (279)	\$ 37,384
GOLF COURSE (572)	\$ 1,060
MISCELLANEOUS TRUST (750)	<u>\$ 16,275</u>
TOTAL:	<u>\$ 833,023</u>

EXPENSE FUND (FUND #)	INCREASE/DECREASE APPROPRIATIONS
CARES FUND (270)	\$ 278,738
MISCELLANEOUS TRUST (750)	<u>\$ 15,600</u>
TOTAL:	<u>\$ 294,338</u>

SECTION II.

In order to conform to the amendments detailed in Section I with the schedule of 2020 annual appropriations previously approved, the Financial Administrative Services Director is hereby directed

to prepare and certify a restatement of annual appropriations reflecting all approved appropriations and certify the above noted revenue.

The following summary is provided to further clarify inter-fund related transactions.

REVENUE FUND (FUND #)	ADVANCE AMOUNT
STREET LEVY FUND (203)	<u>\$(570,000)</u>
TOTAL:	\$(570,000)

EXPENSE FUND (FUND #)	APPROPRIATIONS
GENERAL FUND (101)	<u>\$(570,000)</u>
TOTAL:	\$(570,000)

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

SECTION IV.

This supplement to the Annual Appropriation Ordinance shall take effect upon adoption, in accordance with Sections 10.04 and 10.10 of the Beaver Creek City Charter.

PASSED this 28TH day of September 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

ORD 20-07

SUMMARY

An Ordinance to approve supplemental appropriations, certify additional revenue and authorize inter fund transfers for the Fiscal Year ending December 31, 2020.

This is a supplement to the Annual Appropriation Ordinance and in accordance with Sections 10.04 and 10.10 of the Beaver Creek City Charter will become effective immediately upon its passage.

**SUPPLEMENTAL
 CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES AVAILABLE FOR
 EXPENDITURES AND BALANCES**

Rev. Code Sec. 5705.36

Office of City of Beavercreek, Greene County, Ohio
 Beavercreek, Ohio

9/28/2020

To the County Auditor of said County:

The following is the total amount from (1) all sources available for expenditures from each fund set up in the Tax Budget with the Balances that exist at the end of the fiscal year, December, 31st, 2020:

FUND	Amount Available for Expenditures	Balances Dec. 31st 2020
General Fund (101)	\$ (562,742)	
Street Levy Fund (203)	\$ 492,308	
Coronavirus Relief Fund (270)	\$ 278,738	
Park Levy Fund (279)	\$ 37,384	
Golf Course (572)	\$ 1,060	
Miscellaneous Trust (750)	\$ 16,275	
TOTAL	\$ 263,023	\$ -

(1) Exclusive of Balances.

Please list Fund Type and then Fund Below



 Signature of Certifying Officer

Financial Administrative Services Director
 Title of Certifying Officer

PEK

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: September 28, 2020	Reference Topic: Resolution 20-26 Accepting Amounts and Rates and Certifying them to the County Auditor
Agenda Reference No.: VIII. E.	

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

RESPONSIBLE DEPARTMENT OR AGENCY		
<input checked="" 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 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:

It is necessary to approve the attached resolution accepting the amounts and rates for the tax levies determined by the County Budget Commission for 2020 collected in 2021. The Resolution authorizes the necessary tax levies and revenue associated with them and certifies the amounts and rates to the Greene County Auditor in compliance with Ohio Revised Code sections 5705.34. The amounts depicted on the attached resolution are the same amounts that were estimated during the completion of the tax budget completed in July 2020.

STAFF RECOMMENDATION:

It is recommended that Council approve the attached Resolution Accepting Rates and amounts to be collected in fiscal year 2021.

**CITY OF BEAVERCREEK, OHIO
RESOLUTION NO. 20-26**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28th DAY
OF SEPTEMBER 2020.

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

WHEREAS, this Council in accordance with the provisions of law have previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2021; and

WHEREAS, the Budget Commission of Greene County, Ohio, has certified its actions thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by the Council, and what part thereof is without, and what part within the ten mill tax limitations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beavercreek, Greene County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same is hereby accepted; and be it further

RESOLVED, that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SEE ATTACHED SCHEDULE:

SECTION I.

This Resolution shall become effective immediately upon passage.

ADOPTED by the City Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35

The Council of the City of Beavercreek, Greene County, Ohio, met in _____ Session On the _____ day of _____, 20____, at the office of _____ with, the following members present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 20____; and

WHEREAS, The Budget Commission of Greene County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; therefore be it

RESOLVED, By the Council of the City of Beavercreek Greene County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Police	Fund: Levy authorized by voters on November 8, 1983	3.00	\$1,578,000.00
	, for not to exceed Indef years.		
Police	Fund: Levy authorized by voters on November 5, 1985	1.20	\$730,000.00
	, for not to exceed Indef years.		
Police-Renewed:	Levy authorized by voters on November 6, 2018	3.70	\$5,030,000.00
	, for not to exceed Cont years Tax Years 2019-Cont		
Police-Increase:	Levy authorized by voters on November 6, 2018	0.80	\$1,087,000.00
	, for not to exceed Cont years Tax Years 2019-Cont		
Street-Renewed:	Levy authorized by voter on March 15, 2016	2.60	\$3,534,000.00
	, for not to exceed 5 years Tax Years 2016-2020		
Street-Increase:	Levy authorized by voters on March 15, 2016	0.80	\$1,106,000.00
	, for not to exceed five (5) years 2016-2020		
Street-Renewal:	Levy authorized by voters on May 7, 2019	2.00	\$2,718,000.00
	, for not to exceed Cont years Tax Years 2019-Cont		
Park-Renew & Inc:	Levy authorized by voters on May 7, 2019	0.90	\$1,223,000.00
	, for not to exceed Cont years Tax Years 2019-Cont		
Park-Increase:	Levy authorized by voters on May 7, 2019	0.30	\$432,000.00
	, for not to exceed Cont years Tax Years 2019-Cont		
Street-Renewed:	Levy authorized by voters on November 7, 2017	1.00	\$1,350,000.00
	, for not to exceed Cont years Tax Years 2018-Cont		
TOTAL		17.20	\$19,142,000.00

and. be it further

RESOLVED, That the Clerk of this Council be, and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr.

Adopted the day of, 20

Attest:

.....
President of Council

.....
Clerk of Council

CERTIFICATE TO COPY

ORIGINAL ON FILE

The State of Ohio, Greene County, ss.

I, Beavercreek, Clerk of the Council of the City of Beavercreek, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20_____

Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals

No. _____

COUNCIL OF THE CITY OF _____
County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION
AND AUTHORIZING THE NECESSARY
TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR.
(City Council)

Adopted _____ Year _____
Clerk _____

Filed _____ Year _____
County Auditor _____
By _____ Deputy _____

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: 9/28/2020 Agenda Reference No.: VIII. F.	Reference Topic: Wright Patterson Regional Council of Governments Resolution 20-28
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ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input checked="" type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other

BACKGROUND AND STAFF SUMMARY:

Various political subdivisions and governmental entities within the Wright Patterson Air Force Base and the Springfield Air National Guard Base regions have entered into an Agreement establishing a Regional Council of Governments (COG) pursuant to Chapter 167 of the Ohio Revised Code, known as the Wright Patterson Regional Council of Governments (WPRCOG), those political subdivisions and governmental entities participating in the Agreement being Cities of Beavercreek, Dayton, Fairborn, Huber Heights and Riverside, and Bath Township.

The purpose of the WPRCOG is to coordinate the powers and duties of the member Boards to better serve and benefit the economic development and land use planning of the region to promote compatible development and activities that support the growth and operation of Wright Patterson Air Force Base and Springfield Air National Guard Base within each of the WPRCOG's political subdivisions.

The WPRCOG is formed to create significant cooperation between communities surrounding Wright Patterson Air Force Base with the initial and primary purpose of seeking funding and assistance for commissioning a regional Combined Use Plan study. The WPRCOG can expand the use of this cooperative effort for any other objective as approved by the Board of Directors.

The authority of the WPRCOG is only for the objectives as approved by the Board of Directors and shall not interfere with any independent authority of any Member community or political subdivision.

The resolution authorized the City Manager to sign the WPRCOG participation agreement and to appoint the City Manager or his designee to participate and vote in WPRCOG business meetings.

STAFF RECOMMENDATION:

The City Manager is recommending approval of this resolution by City Council.

**CITY OF BEAVERCREEK, OHIO
RESOLUTION NO. 20-28**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH DAY OF
SEPTEMBER, 2020.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT FOR THE CITY OF BEAVERCREEK TO BECOME A
MEMBER OF THE PROPOSED WRIGHT PATTERSON REGIONAL
COUNCIL OF GOVERNMENTS**

WHEREAS, various political subdivisions and governmental entities within the Wright Patterson Air Force Base and the Springfield Air National Guard Base regions share common interests to create significant cooperation in order to plan and carry out actions necessary to promote compatible development and activities that support the continued operation of Wright Patterson Air Force Base and Springfield Air National Guard Base; and

WHEREAS, said political subdivisions have determined that by cooperating with one another and coordinating their powers and duties with the establishment of a Regional Council of Governments, their respective residents will be benefited by improved efficiency and through the sharing of benefits and costs so that the communities will be better served; and

WHEREAS, the purpose of the Wright Patterson Regional Council of Governments is to coordinate the powers and duties of the member communities to better serve and benefit the economic development and land use planning of the region to support the growth and operation of Wright Patterson Air Force Base and Springfield Air National Guard Base within each of the political subdivisions.

THEREFORE, BE IT RESOLVED by the Council of the City of Beavercreek

Section I.

The Beavercreek City Council hereby authorizes the City Manager to sign and execute the "Agreement for Participation in the Wright Patterson Regional Council of Governments" as substantially set forth in Exhibit A attached hereto and incorporated herein thereby authorizing the City of Beavercreek to become a member of the Wright Patterson Regional Council of Governments.

Section II.

The Beavercreek City Council hereby appoints the Beavercreek City Manager or his designee to participate and vote in WPRCOG business meetings. As set forth in Exhibit A, each representative may designate in writing a proxy representative. The appointed and designated representative of each Constituent Member will be a member of the Board of Directors for the WPRCOG.

Section III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

PC

Meeting Date: <u>September 28, 2020</u>	Reference Topic: County Line Road Widening Project; R/W Acquisition; Nelson Property
Agenda Reference No.: <u>VIII. G.</u>	Resolution No. <u>20-29</u>

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The County Line Road Widening Project is a joint effort between the Cities of Kettering and Beavercreek and generally consists of the widening of County Line Road from just north of Indian Ripple Road to Willow Run Drive. This project includes the widening of this portion of County Line Road from the existing three (3) lane pavement section to a five (5) lane pavement section, the reconstruction of the existing traffic signal at Tonawanda Trail, and updated lighting.

Over the past several months, Kettering and Beavercreek have been actively pursuing the purchase of the additional temporary grading easements needed to build the improvement. Unfortunately, these efforts to purchase the necessary temporary grading easement from Mr. and Mrs. Nelson have been unsuccessful. The Engineering Division has had an ongoing dialog with the property owners, but the passage of this Resolution and the accompanying Ordinance will allow for this project to proceed on schedule if the City and the property owner are ultimately unable to agree upon the terms for the sale of this temporary grading easement.

As always, this office will continue to work with the property owner as the project schedule will permit in order to try to avoid using the appropriations process to acquire the necessary property rights.

STAFF RECOMMENDATION:

Therefore, it is recommended that City Council approve the attached Resolution so that this project may proceed.

LEGEND

- ROADWAY MONUMENT WITH 1" IRON PIN
- NO. 5 IRON PIN WITH TYPE OF KETTERING" CAP
- ROADWAY MONUMENT WITH FOUND 1" IRON PIN
- FOUND IRON PIN (SEE TABLE FOR SIZE)
- FOUND IRON PIPE (SEE TABLE FOR SIZE)
- FOUND MAG NAIL
- FOUND STONE

PAVEMENT

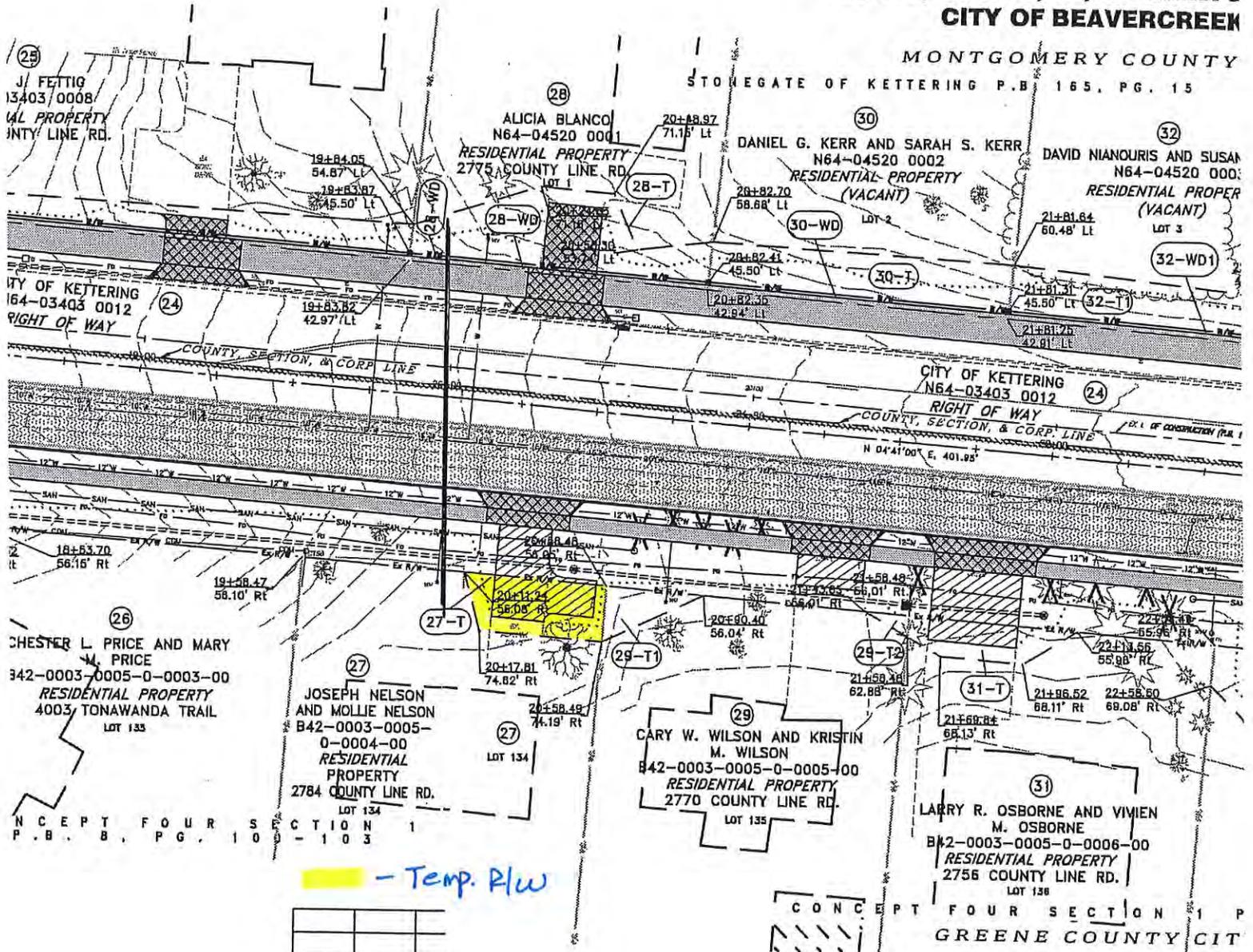
- CON
- CON
- CON
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CONDITION AND OFFSETS ARE TO NEW CONSTRUCTION UNLESS OTHERWISE NOTED***

COUNTY LINE ROAD WIDE MONTGOMERY COUNTY, OHIO SEC. 13, 17 & 18, T2, R 6 M.Rs. CITY OF KETTERING GREENE COUNTY, OHIO SEC. 7, 11 & 12, T2, R 6 M.Rs. & CITY OF BEAVERCREEK

MONTGOMERY COUNTY

STONEGATE OF KETTERING P.B. 165, PG. 15



REV. BY	DATE
DATE COMPLETED	

**CITY OF BEAVERCREEK
RESOLUTION NO. 20-29**

SPONSORED BY COUNCIL MEMBER _____
ON THE 28TH DAY OF SEPTEMBER, 2020.

**A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO
ACQUIRE CERTAIN PARCELS OR REAL ESTATE AND OTHER
PROPERTY INTERESTS OWNED BY JOSEPH NELSON AND MOLLIE
NELSON, WITH INTEREST BY OTHERS, FOR THE COUNTY LINE
ROAD WIDENING PROJECT, IN THE CITY OF BEAVERCREEK, OHIO.**

WHEREAS, the City of Beavercreek is engaged in the acquisition of right-of-way for the County Line Road Widening Project in the City of Beavercreek, Ohio; and

WHEREAS, the acquisition of the parcels of real estate and other property interests hereinafter described is necessary for the public purpose of roadway construction in connection with said project; and

WHEREAS, this Council has determined that the lands hereinafter described are necessary for roadway construction in connection with such project;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

SECTION I.

Council hereby declares the necessity and intention to appropriate certain temporary right-of-way in accordance with Chapter 163 of the Ohio Revised Code.

SECTION II.

Council considers it necessary and declares its intention to appropriate certain temporary right-of-way in real estate described in Exhibit 'A', attached hereto and incorporated herein; the owners, persons or entities in possession and persons or entities having an interest of record and others which may have an interest include Joseph Nelson, Mollie Nelson, and any other lien holders, persons or entities declaring a lawful interest in said same real estate.

SECTION III.

The City Manager or his designee is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, person in

possession of, or having an interest of record or other interest in the above-described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his designee and to make return of said service of notice in the manner provided by law.

SECTION IV.

It is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limiting to Section 121.22 of the Ohio Revised Code.

SECTION V.

This Resolution shall become effective immediately upon its passage.

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

EXHIBIT A

Page 1 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date 03/08/19

PID 103418

**PARCEL 27-T
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO**

(Surveyor's description of the premises follows)

Situate in the City of Beavercreek, County of Greene, State of Ohio, Section 12, Town 2, Range 6, M.Rs., being part of Lot 134 of Concept Four Section 1, as recorded in Plat Book 8, Pages 100-103 of the Plat Records of Greene County, Ohio, and a 0.4591 acre parcel of land owned by Joseph Nelson and Mollie Nelson, as recorded in Official Record Volume 2008, Page 388 of the records of the Greene County Recorder's Office and being more particularly described as follows:

Being on the RIGHT side of the centerline of right-of-way of County Line Road, as shown on the County Line Road Widening Centerline Location Plan as recorded in Plat Book 234, Page 32 324 (I.R. Plat 19-055956), in the Recorder's Office of Montgomery County, Ohio, and being located within the following described points in the boundary thereof:

All references herein to station and offset are to the centerline of right-of-way of County Line Road.

BEGINNING at a 5/8" iron pin found at the Grantor's northwest property corner, on the existing easterly right-of-way line of County Line Road and the northwest lot corner of said Lot 134, being located at 65.75 feet right, Station 19+57.95;

thence with the Grantor's north property line and the north lot line of said Lot 134 **South 85°20'36" East** for a distance of **18.14 feet** to a point being located at 83.89 feet right, Station 19+57.96;

thence with a temporary easement the following 2 courses:

- 1.) **South 04°04'59" West** for a distance of **40.68 feet** to a point being located at 84.33 feet right, Station 19+17.29;
- 2.) **South 75°10'44" West** for a distance of **19.67 feet** to a point on the Grantor's west property line, on the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 134, being located at 65.79 feet right, Station 19+10.71;

thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 134 **North 04°39'24" East** for a distance of **47.24 feet** to the **POINT OF BEGINNING**.

EXHIBIT A

Page 2 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date 03/08/19

PID: 103418

The above described area is contained within Greene County Auditor's Parcel Number B42-0003-0005-0-0004-00 and contains 0.0185 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

Prior instrument reference as of the date this survey was prepared: Official Record Volume 2008, Page 388 in the Deed Records of Greene County, Ohio.

This description was prepared and reviewed on March 8, 2019 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Chad E. Ingle, Registered Surveyor Number 8498 in September 2018.

Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

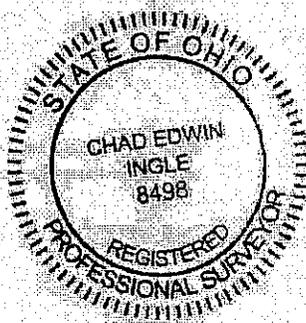
All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 3402) as determined by the City of Kettering.

Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19

Date



foc

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: <u>September 28, 2020</u>	Reference Topic: County Line Road Widening Project; R/W Acquisition; Nelson Property
Agenda Reference No.: <u>VIII. H.</u>	Ordinance No. <u>20-24</u>

ACTION REQUESTED		
<input checked="" type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The County Line Road Widening Project is a joint effort between the Cities of Kettering and Beaver Creek and generally consists of the widening of County Line Road from just north of Indian Ripple Road to Willow Run Drive. This project includes the widening of this portion of County Line Road from the existing three (3) lane pavement section to a five (5) lane pavement section, the reconstruction of the existing traffic signal at Tonawanda Trail, and updated lighting.

Over the past several months, Kettering and Beaver Creek have been actively pursuing the purchase of the additional temporary grading easements needed to build the improvement. Unfortunately, these efforts to purchase the necessary temporary grading easement from Mr. and Mrs. Nelson have been unsuccessful. The Engineering Division has had an ongoing dialog with the property owners, but the passage of this Ordinance will allow for this project to proceed on schedule if the City and the property owner are ultimately unable to agree upon the terms for the sale of this temporary grading easement.

As always, this office will continue to work with the property owner as the project schedule will permit in order to try to avoid using the appropriations process to acquire the necessary property rights.

STAFF RECOMMENDATION:

Therefore, it is recommended that City Council approve the attached Ordinance so that this project may proceed.

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 20-24

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH
DAY OF SEPTEMBER, 2020.

**TO APPROPRIATE CERTAIN REAL PROPERTY INTERESTS OWNED
BY JOSEPH NELSON AND MOLLIE NELSON, FOR THE COUNTY
LINE ROAD WIDENING PROJECT, IN THE CITY OF BEAVERCREEK,
OHIO.**

WHEREAS, this Council, by Resolution Number 20-29, declared its intention and the necessity of appropriating certain real property, parcel of land, or real property interests described in said Resolution; and

WHEREAS, it is necessary to appropriate the said certain property, parcel of land or real property interests for the purpose of the roadway construction and improvement in connection with the County Line Road Widening Project;

NOW, THEREFORE, THE CITY OF BEAVERCREEK, OHIO HEREBY
ORDAINS THAT:

SECTION I.

The real property, parcels of land or real property interests described in Exhibit 'A', attached hereto and incorporated herein, for public right-of-way and street and highway purposes for the County Line Road Widening Project shall be and the same are hereby appropriated for the construction of said project.

SECTION II.

The names of those either having, claiming, or that may have any estate, title or interest in the above-described real property, parcels of land or real property interest to be appropriated by this Ordinance are: Joseph Nelson, Mollie Nelson, and any other lien holders, persons or entities declaring an interest pursuant to law, the Treasurer of Greene County, Ohio and the Auditor of Greene County, Ohio.

SECTION III.

The above-described real property, parcels, land, and/or real property interests have a fair market value of \$300, as determined by an independent, certified appraiser.

SECTION IV.

This Council finds that the appropriation is necessary for the stated public purposes and that the City intends to obtain immediate possession of the real property, parcel of land or real property interests described in Exhibit 'A', which immediate possession is necessary for the stated public purposes.

SECTION V.

The City Attorney is hereby authorized and directed to deposit the aforesaid valued amount with the Clerk of Court of Greene County, Ohio, or other depository, take possession of the afore described real property, parcel of land or real property interest, file, as necessary, a petition for appropriation, apply to a court of competent jurisdiction to make inquiry into and assess the compensation to be paid for the real property, parcel of land or real property interests to be appropriated, and to do all things necessary or proper in connection therewith.

SECTION VI.

All actions taken by or in behalf of the City of Beavercreek in connection with the appropriation of the afore described real property, parcel of land or real property interests and prior to the time of adoption of this Ordinance are hereby ratified.

SECTION VII.

That is it found and determined that all of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberation of this Council and of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

ADOPTED by the Council of the City of Beavercreek, Ohio this _____ day of _____ 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

TO THE CLERK:

If this ordinance is adopted, please post it in full in the office of this City within ten days after its adoption and within the same ten days publish the summary of the ordinance one time in any newspaper or other printed publication of the type referred to above, together with a notice of adoption of the Ordinance.

City Attorney

SUMMARY

This Ordinance appropriates certain real property, parcels of land, or real property interests owned by Joseph Nelson and Mollie Nelson, with interest by others, for the County Line Road Widening Project in the City of Beavercreek, Ohio.

EXHIBIT A

Page 1 of 2

Rev. 07/09

LPA BX-887 T

Ver. Date 03/08/19

PID 103418

PARCEL 27-T
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO

(Surveyor's description of the premises follows)

Situate in the City of Beavercreek, County of Greene, State of Ohio, Section 12, Town 2, Range 6, M.Rs., being part of Lot 134 of Concept Four Section 1, as recorded in Plat Book 8, Pages 100-103 of the Plat Records of Greene County, Ohio, and a 0.4591 acre parcel of land owned by Joseph Nelson and Mollie Nelson, as recorded in Official Record Volume 2008, Page 388 of the records of the Greene County Recorder's Office and being more particularly described as follows:

Being on the RIGHT side of the centerline of right-of-way of County Line Road, as shown on the County Line Road Widening Centerline Location Plan as recorded in Plat Book 734, Page 32/324 (I.R. Plat 19-055956), in the Recorder's Office of Montgomery County, Ohio, and being located within the following described points in the boundary thereof:

All references herein to station and offset are to the centerline of right-of-way of County Line Road.

BEGINNING at a 5/8" iron pin found at the Grantor's northwest property corner, on the existing easterly right-of-way line of County Line Road and the northwest lot corner of said Lot 134, being located at 65.75 feet right, Station 19+57.95;

thence with the Grantor's north property line and the north lot line of said Lot 134 *South 85°20'36" East* for a distance of *18.14 feet* to a point being located at 83.89 feet right, Station 19+57.96;

thence with a temporary easement the following 2 courses:

- 1.) *South 04°04'59" West* for a distance of *40.68 feet* to a point being located at 84.33 feet right, Station 19+17.29;
- 2.) *South 75°10'44" West* for a distance of *19.67 feet* to a point on the Grantor's west property line, on the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 134, being located at 65.79 feet right, Station 19+10.71;

thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 134 *North 04°39'24" East* for a distance of *47.24 feet* to the **POINT OF BEGINNING**.

EXHIBIT A

Page 2 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date 03/08/19

PID 103418

The above described area is contained within Greene County Auditor's Parcel Number B42-0003-0005-0-0004-00 and contains 0.0185 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

Prior instrument reference as of the date this survey was prepared: Official Record Volume 2008, Page 388 in the Deed Records of Greene County, Ohio.

This description was prepared and reviewed on March 8, 2019 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Chad E. Ingle, Registered Surveyor Number 8498 in September 2018.

Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

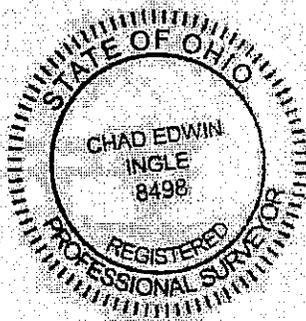
All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 3402) as determined by the City of Kettering.

Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19

Date



CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT

ACE

Meeting Date: <u>September 28, 2020</u>	Reference Topic: County Line Road Widening Project; RW Acquisition; Eric J. Davis Property
Agenda Reference No.: <u>VIII. I.</u>	Resolution No. <u>20-30</u>

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The County Line Road Widening Project is a joint effort between the Cities of Kettering and Beavercreek and generally consists of the widening of County Line Road from just north of Indian Ripple Road to Willow Run Drive. This project includes the widening of this portion of County Line Road from the existing three (3) lane pavement section to a five (5) lane pavement section, the reconstruction of the existing traffic signal at Tonawanda Trail, and updated lighting.

Over the past several months, Kettering and Beavercreek have been actively pursuing the purchase of the additional temporary grading easements needed to build the improvement. Unfortunately, these efforts to purchase the necessary temporary grading easement from Mr. Davis have been unsuccessful. The Engineering Division has had an ongoing dialog with the property owner, but the passage of this Resolution and the accompanying Ordinance will allow for this project to proceed on schedule if the City and the property owner are ultimately unable to agree upon the terms for the sale of this temporary grading easement.

As always, this office will continue to work with the property owner as the project schedule will permit in order to try to avoid using the appropriations process to acquire the necessary property rights.

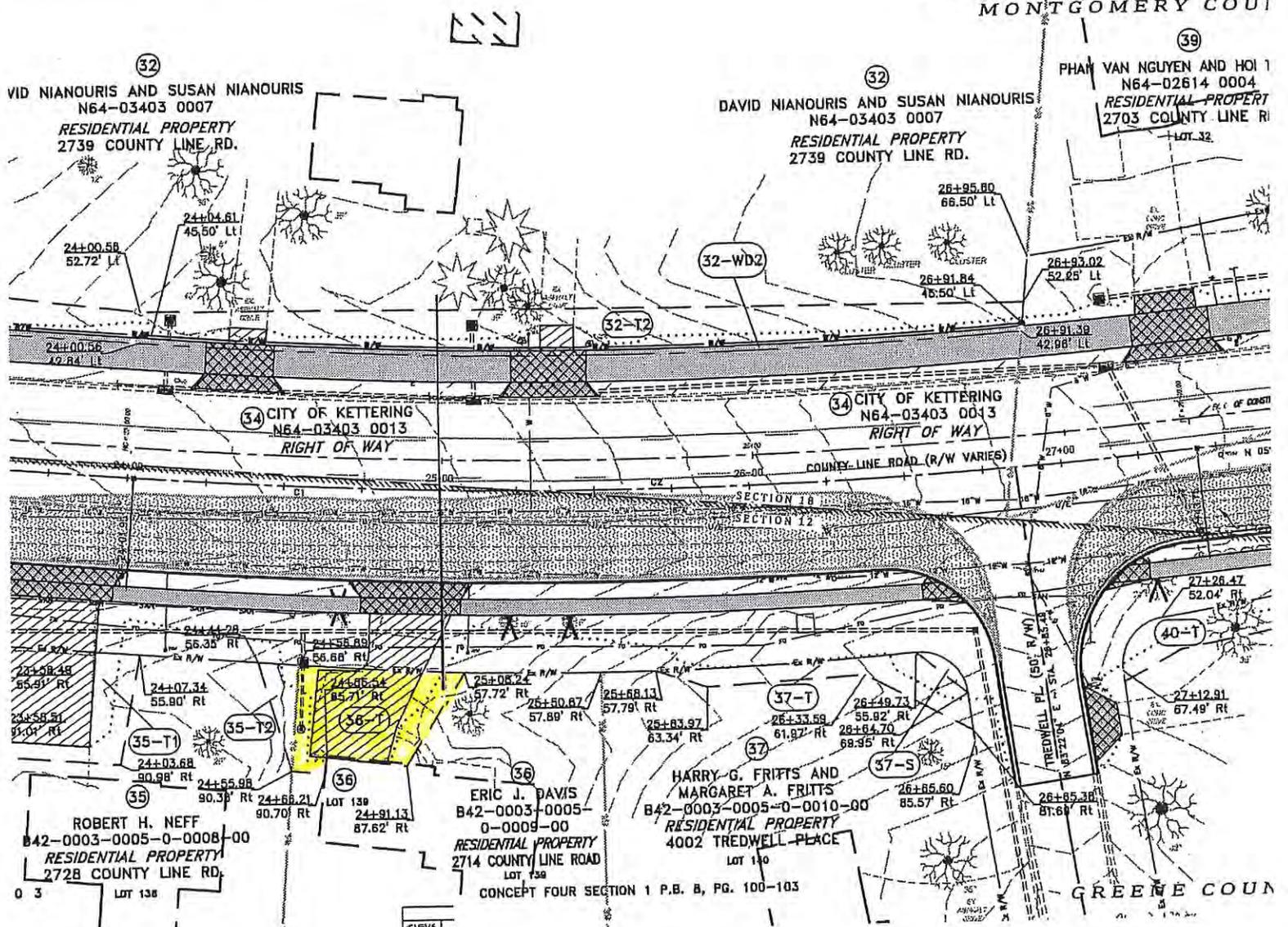
STAFF RECOMMENDATION:

Therefore, it is recommended that City Council approve the attached Resolution so that this project may proceed.

**COUNTY LINE ROAD WIDENING
MONTGOMERY COUNTY, OHIO
SEC. 13, 17 & 18, T2, R 6 M.Rs. & 7
CITY OF KETTERING
GREENE COUNTY, OHIO
SEC. 7, 11 & 12, T2, R 6 M.Rs. & 7
CITY OF BEAVERCREEK
MONTGOMERY COUNTY**

- PAVEMENT**
- ROADWAY MONUMENT
 - 1" IRON PIN
 - 5 IRON PIN WITH KETTERING CAP
 - ROADWAY MONUMENT
 - 1" FOUND IRON PIN

- FOUND IRON PIN (SEE TABLE FOR SIZE)**
- FOUND IRON PIPE (SEE TABLE FOR SIZE)**
- FOUND MAG NAIL**
- FOUND STONE**



CL	NO.	W	CL	NO.

REV. BY DATE

DATE COMPLETED

- Temp. Plw

**CITY OF BEAVERCREEK
RESOLUTION NO. 20-30**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH
DAY OF SEPTEMBER, 2020.

A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO ACQUIRE CERTAIN PARCELS OR REAL ESTATE AND OTHER PROPERTY INTERESTS OWNED BY ERIC J. DAVIS, WITH INTEREST BY OTHERS, FOR THE COUNTY LINE ROAD WIDENING PROJECT, IN THE CITY OF BEAVERCREEK, OHIO.

WHEREAS, the City of Beaver Creek is engaged in the acquisition of right-of-way for the County Line Road Widening Project in the City of Beaver Creek, Ohio; and

WHEREAS, the acquisition of the parcels of real estate and other property interests hereinafter described is necessary for the public purpose of roadway construction in connection with said project; and

WHEREAS, this Council has determined that the lands hereinafter described are necessary for roadway construction in connection with such project;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

SECTION I.

Council hereby declares the necessity and intention to appropriate certain temporary right-of-way in accordance with Chapter 163 of the Ohio Revised Code.

SECTION II.

Council considers it necessary and declares its intention to appropriate certain temporary right-of-way in real estate described in Exhibit 'A', attached hereto and incorporated herein; the owners, persons or entities in possession and persons or entities having an interest of record and others which may have an interest include Eric J. Davis, and any other lien holders, persons or entities declaring a lawful interest in said same real estate.

SECTION III.

The City Manager or his designee is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, person in

possession of, or having an interest of record or other interest in the above-described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his designee and to make return of said service of notice in the manner provided by law.

SECTION IV.

It is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limiting to Section 121.22 of the Ohio Revised Code.

SECTION V.

This Resolution shall become effective immediately upon its passage.

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Clerk of Council

EXHIBIT A

Page 1 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date: 03/08/19

PID: 103418

**PARCEL 36-T
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO**

(Surveyor's description of the premises follows)

Situate in the City of Beavercreek, County of Greene, State of Ohio, Section 12, Town 2, Range 6, M.R.s., being part of Lot 139 of Concept Four Section 1, as recorded in Plat Book 8, Pages 100-103 of the Plat Records of Greene County, Ohio, and a 0.5433 acre parcel of land owned by Eric J. Davis, as recorded in Deed Book 593, Page 829 of the records of the Greene County Recorder's Office and being more particularly described as follows:

Being on the RIGHT side of the centerline of right-of-way of County Line Road, as shown on the County Line Road Widening Centerline Location Plan as recorded in Plat Book 234, Page 32/32A (I.R. Plat 19-055950), in the Recorder's Office of Montgomery County, Ohio, and being located within the following described points in the boundary thereof:

All references herein to station and offset are to the centerline of right-of-way of County Line Road.

BEGINNING at the Grantor's southwest property corner, on the existing easterly right-of-way line of County Line Road and the southwest lot corner of said Lot 139, being located at 66.29 feet right, Station 23+56.03;

thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 139, on a curve to the left having a *radius* of 1208.80 feet, an *arc distance* of 52.90 feet, a central angle of 2°30'26", a chord bearing North 03°24'11" East for a chord distance of 52.89 feet to a point being located at 67.35 feet right, Station 24+07.13, said curve being tangent at its point of beginning to a line bearing South 04°39'24" West;

thence with a temporary easement the following 4 courses:

- 1.) *South 57°32'00" East* for a distance of 34.78 feet to a point being located at 97.24 feet right, Station 23+90.10;
- 2.) *South 06°37'52" West* for a distance of 25.78 feet to a point being located at 95.33 feet right, Station 23+65.62;
- 3.) *South 83°22'08" East* for a distance of 5.00 feet to a point being located at 100.31 feet right, Station 23+65.30;

EXHIBIT A

Page 2 of 2
Rev. 07/09

LPARX 887 T

Ver. Date: 03/08/19

PID: 103418

4.) *South 04°39'24" West* for a distance of *10.72 feet* to a point on the Grantor's south property line and the south lot line of said Lot 139, being located at 99.98 feet right, Station 23+55.12;

thence with the Grantor's south property line and the south lot line of said Lot 139 *North 85°20'36" West* for a distance of *33.71 feet* to the **POINT OF BEGINNING.**

The above described area is contained within Greene County Auditor's Parcel Number B42-0003-0005-0-0009-00 and contains 0.0314 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

Prior instrument reference as of the date this survey was prepared: Deed Book 593, Page 829 in the Deed Records of Greene County, Ohio.

This description was prepared and reviewed on March 8, 2019 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Chad E. Ingle, Registered Surveyor Number 8498 in September 2018.

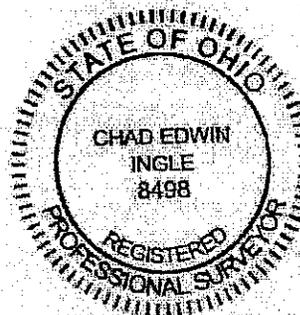
Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 3402) as determined by the City of Kettering.

Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19
Date



**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

psl

Meeting Date: <u>September 28, 2020</u>	Reference Topic: County Line Road Widening Project; R/W Acquisition; Eric J. Davis Property
Agenda Reference No.: <u>VIII. J.</u>	Ordinance No. <u>20-25</u>

ACTION REQUESTED		
<input checked="" type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The County Line Road Widening Project is a joint effort between the Cities of Kettering and Beaver Creek and generally consists of the widening of County Line Road from just north of Indian Ripple Road to Willow Run Drive. This project includes the widening of this portion of County Line Road from the existing three (3) lane pavement section to a five (5) lane pavement section, the reconstruction of the existing traffic signal at Tonawanda Trail, and updated lighting.

Over the past several months, Kettering and Beaver Creek have been actively pursuing the purchase of the additional temporary grading easements needed to build the improvement. Unfortunately, these efforts to purchase the necessary temporary grading easement from Mr. Davis have been unsuccessful. The Engineering Division has had an ongoing dialog with the property owner, but the passage of this Ordinance will allow for this project to proceed on schedule if the City and the property owner are ultimately unable to agree upon the terms for the sale of this temporary grading easement.

As always, this office will continue to work with the property owner as the project schedule will permit in order to try to avoid using the appropriations process to acquire the necessary property rights.

STAFF RECOMMENDATION:

Therefore, it is recommended that City Council approve the attached Ordinance so that this project may proceed.

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 20-25

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH DAY OF SEPTEMBER, 2020.

TO APPROPRIATE CERTAIN REAL PROPERTY INTERESTS OWNED BY ERIC J. DAVIS, FOR THE COUNTY LINE ROAD WIDENING PROJECT, IN THE CITY OF BEAVERCREEK, OHIO.

WHEREAS, this Council, by Resolution Number 20-30, declared its intention and the necessity of appropriating certain real property, parcel of land, or real property interests described in said Resolution; and

WHEREAS, it is necessary to appropriate the said certain property, parcel of land or real property interests for the purpose of the roadway construction and improvement in connection with the County Line Road Widening Project;

NOW, THEREFORE, THE CITY OF BEAVERCREEK, OHIO HEREBY ORDAINS THAT:

SECTION I.

The real property, parcels of land or real property interests described in Exhibit 'A', attached hereto and incorporated herein, for public right-of-way and street and highway purposes for the County Line Road Widening Project shall be and the same are hereby appropriated for the construction of said project.

SECTION II.

The names of those either having, claiming, or that may have any estate, title or interest in the above-described real property, parcels of land or real property interest to be appropriated by this Ordinance are: Eric J. Davis, and any other lien holders, persons or entities declaring an interest pursuant to law, the Treasurer of Greene County, Ohio and the Auditor of Greene County, Ohio.

SECTION III.

The above-described real property, parcels, land, and/or real property interests have a fair market value of \$499, as determined by an independent, certified appraiser.

SECTION IV.

This Council finds that the appropriation is necessary for the stated public purposes and that the City intends to obtain immediate possession of the real property, parcel of land or real property interests described in Exhibit 'A', which immediate possession is necessary for the stated public purposes.

SECTION V.

The City Attorney is hereby authorized and directed to deposit the aforesaid valued amount with the Clerk of Court of Greene County, Ohio, or other depository, take possession of the afore described real property, parcel of land or real property interest, file, as necessary, a petition for appropriation, apply to a court of competent jurisdiction to make inquiry into and assess the compensation to be paid for the real property, parcel of land or real property interests to be appropriated, and to do all things necessary or proper in connection therewith.

SECTION VI.

All actions taken by or in behalf of the City of Beavercreek in connection with the appropriation of the afore described real property, parcel of land or real property interests and prior to the time of adoption of this Ordinance are hereby ratified.

SECTION VII.

That is it found and determined that all of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberation of this Council and of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

ADOPTED by the Council of the City of Beavercreek, Ohio this _____ day of _____ 2020.

Bob Stene, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

TO THE CLERK:

If this ordinance is adopted, please post it in full in the office of this City within ten days after its adoption and within the same ten days publish the summary of the ordinance one time in any newspaper or other printed publication of the type referred to above, together with a notice of adoption of the Ordinance.

City Attorney

SUMMARY

This Ordinance appropriates certain real property, parcels of land, or real property interests owned by Eric J. Davis, with interest by others, for the County Line Road Widening Project in the City of Beavercreek, Ohio.

**PARCEL 36-T
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO**

(Surveyor's description of the premises follows)

Situate in the City of Beavercreek, County of Greene, State of Ohio, Section 12, Town 2, Range 6, M.R.s., being part of Lot 139 of Concept Four Section 1, as recorded in Plat Book 8, Pages 100-103 of the Plat Records of Greene County, Ohio, and a 0.5433 acre parcel of land owned by Eric J. Davis, as recorded in Deed Book 593, Page 829 of the records of the Greene County Recorder's Office and being more particularly described as follows:

Being on the RIGHT side of the centerline of right-of-way of County Line Road, as shown on the County Line Road Widening Centerline Location Plan as recorded in Plat Book 234, Page 32/32A (I.R. Plat 19-~~055950~~), in the Recorder's Office of Montgomery County, Ohio, and being located within the following described points in the boundary thereof:

All references herein to station and offset are to the centerline of right-of-way of County Line Road.

BEGINNING at the Grantor's southwest property corner, on the existing easterly right-of-way line of County Line Road and the southwest lot corner of said Lot 139, being located at 66.29 feet right, Station 23+56.03;

thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 139, on a curve to the left having a *radius* of 1208.80 feet, an *arc distance* of 52.90 feet, a central angle of 2°30'26", a chord bearing North 03°24'11" East for a chord distance of 52.89 feet to a point being located at 67.35 feet right, Station 24+07.13, said curve being tangent at its point of beginning to a line bearing South 04°39'24" West;

thence with a temporary easement the following 4 courses:

- 1.) *South 57°32'00" East* for a distance of 34.78 feet to a point being located at 97.24 feet right, Station 23+90.10;
- 2.) *South 06°37'52" West* for a distance of 25.78 feet to a point being located at 95.33 feet right, Station 23+65.62;
- 3.) *South 83°22'08" East* for a distance of 5.00 feet to a point being located at 100.31 feet right, Station 23+65.30;

EXHIBIT A

LPA RX 887 T

Page 2 of 2

Rev. 07/09

Ver. Date 03/08/19

PID 103418

4.) *South 04°39'24" West* for a distance of *10.72 feet* to a point on the Grantor's south property line and the south lot line of said Lot 139, being located at 99.98 feet right, Station 23+55.12;

thence with the Grantor's south property line and the south lot line of said Lot 139 *North 85°20'36" West* for a distance of *33.71 feet* to the **POINT OF BEGINNING.**

The above described area is contained within Greene County Auditor's Parcel Number B42-0003-0005-0-0009-00 and contains 0.0314 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

Prior instrument reference as of the date this survey was prepared: Deed Book 593, Page 829 in the Deed Records of Greene County, Ohio.

This description was prepared and reviewed on March 8, 2019 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Chad E. Ingle, Registered Surveyor Number 8498 in September 2018.

Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 3402) as determined by the City of Kettering.

Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19

Date



**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

pea

Meeting Date: <u>September 28, 2020</u>	Reference Topic: County Line Road Widening Project; R/W Acquisition; Robert H. Neff Property
Agenda Reference No.: <u>VIII. K.</u>	Resolution No. <u>20-31</u>

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The County Line Road Widening Project is a joint effort between the Cities of Kettering and Beavercreek and generally consists of the widening of County Line Road from just north of Indian Ripple Road to Willow Run Drive. This project includes the widening of this portion of County Line Road from the existing three (3) lane pavement section to a five (5) lane pavement section, the reconstruction of the existing traffic signal at Tonawanda Trail, and updated lighting.

Over the past several months, Kettering and Beavercreek have been actively pursuing the purchase of the additional temporary grading easements needed to build the improvement. Unfortunately, these efforts to purchase the necessary temporary grading easement from Mr. Neff have been unsuccessful. The Engineering Division has had an ongoing dialog with the property owner, but the passage of this Resolution and the accompanying Ordinance will allow for this project to proceed on schedule if the City and the property owner are ultimately unable to agree upon the terms for the sale of this temporary grading easement.

As always, this office will continue to work with the property owner as the project schedule will permit in order to try to avoid using the appropriations process to acquire the necessary property rights.

STAFF RECOMMENDATION:

Therefore, it is recommended that City Council approve the attached Resolution so that this project may proceed.

MONUMENT LEGEND

- ☒ SET ROADWAY MONUMENT BOX WITH 1" IRON PIN
- SET NO. 5 IRON PIN WITH "CITY OF KETTERING" CAP
- ☒ FOUND ROADWAY MONUMENT BOX WITH FOUND 1" IRON PIN
- ⊙ FOUND IRON PIN (SEE TABLE FOR SIZE)
- FOUND IRON PIPE (SEE TABLE FOR SIZE)
- ⊙ FOUND MAG NAIL
- FOUND STONE

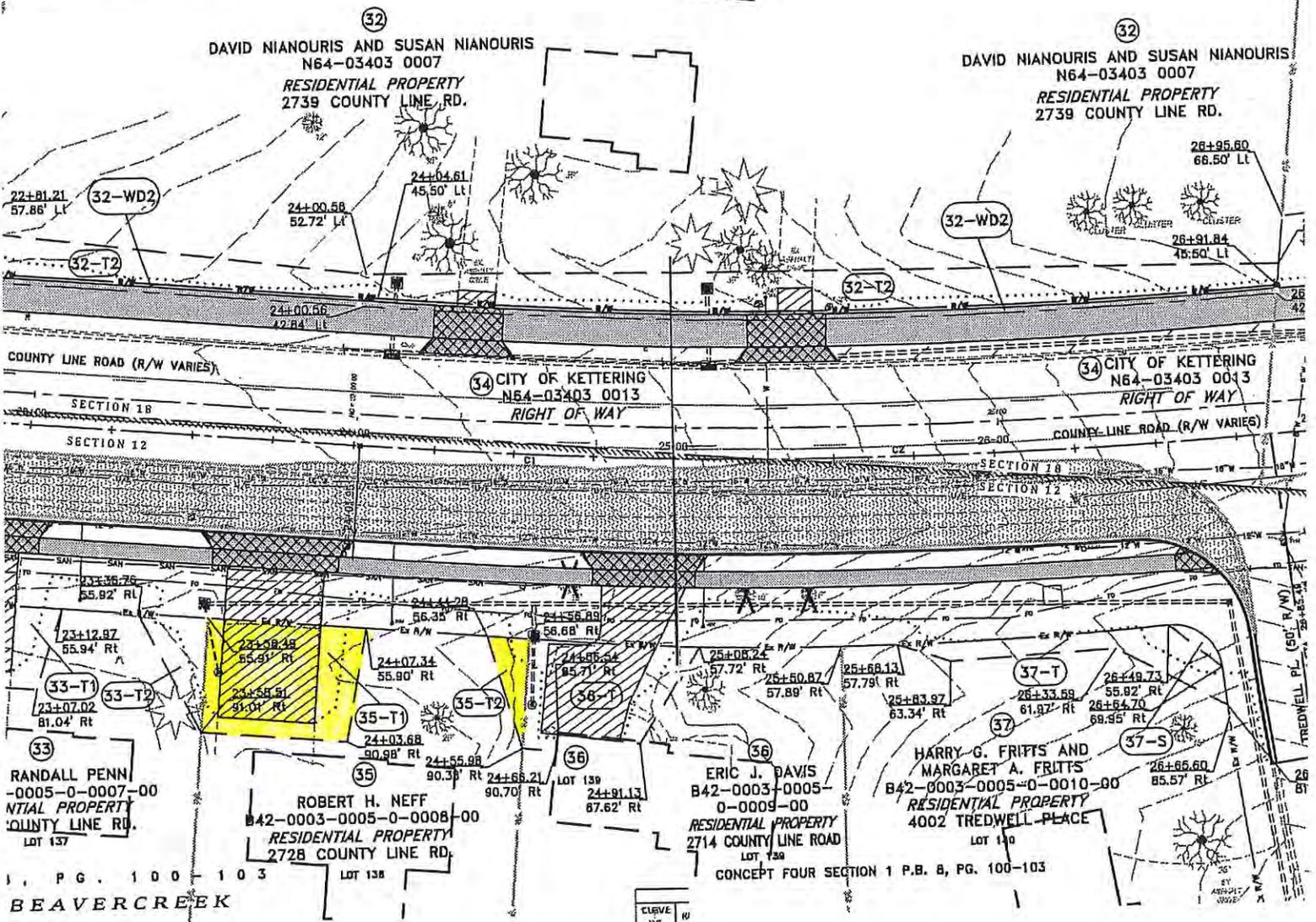
PAVEMENT

- CONC. CURB AND OFFSET
- CONC. CURB AND OFFSET
- ASPT 4'
- ASPT 4'

CONC. CURB AND OFFSET IS ARE TO NEW CONSTRUCTION UNLESS OTHERWISE NOTED***

COUNTY LINE MONTGOMERY
SEC. 13, 17 & 18,
CITY OF KETTERING
SEC. 7, 11 & 12,
CITY OF KETTERING

F KETTERING



PG. 100 - 103
 BEAVERCREEK

Temp. Plw

CURVE NO.	CL	IN	OUT

REV. BY	DATE
DATE COMPLETED	

CONCEPT FOUR SECTION 1 P.B. 8, PG. 100-103

**CITY OF BEAVERCREEK
RESOLUTION NO. 20-31**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH
DAY OF SEPTEMBER, 2020.

**A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO
ACQUIRE CERTAIN PARCELS OR REAL ESTATE AND OTHER
PROPERTY INTERESTS OWNED BY ROBERT H. NEFF, WITH
INTEREST BY OTHERS, FOR THE COUNTY LINE ROAD WIDENING
PROJECT, IN THE CITY OF BEAVERCREEK, OHIO.**

WHEREAS, the City of Beavercreek is engaged in the acquisition of right-of-way for the County Line Road Widening Project in the City of Beavercreek, Ohio; and

WHEREAS, the acquisition of the parcels of real estate and other property interests hereinafter described is necessary for the public purpose of roadway construction in connection with said project; and

WHEREAS, this Council has determined that the lands hereinafter described are necessary for roadway construction in connection with such project;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

SECTION I.

Council hereby declares the necessity and intention to appropriate certain temporary right-of-way in accordance with Chapter 163 of the Ohio Revised Code.

SECTION II.

Council considers it necessary and declares its intention to appropriate certain temporary right-of-way in real estate described in Exhibit 'A' and in Exhibit 'B', attached hereto and incorporated herein; the owners, persons or entities in possession and persons or entities having an interest of record and others which may have an interest include Robert H. Neff, and any other lien holders, persons or entities declaring a lawful interest in said same real estate.

SECTION III.

The City Manager or his designee is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, person in

possession of, or having an interest of record or other interest in the above-described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his designee and to make return of said service of notice in the manner provided by law.

SECTION IV.

It is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limiting to Section 121.22 of the Ohio Revised Code.

SECTION V.

This Resolution shall become effective immediately upon its passage.

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

**PARCEL 35-T1
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO**

(Surveyor's description of the premises follows)

Situate in the City of Beavercreek, County of Greene, State of Ohio, Section 12, Town 2, Range 6, M.R.s., being part of Lot 138 of Concept Four Section 1, as recorded in Plat Book 8, Pages 100-103 of the Plat Records of Greene County, Ohio, and a 0.4591 acre parcel of land owned by Robert H. Neff, as recorded in Official Record Volume 1109, Page 326 of the records of the Greene County Recorder's Office and being more particularly described as follows:

Being on the RIGHT side of the centerline of right-of-way of County Line Road, as shown on the County Line Road Widening Centerline Location Plan as recorded in Plat Book 734, Page 32/32A (I.R. Plat 19-055950), in the Recorder's Office of Montgomery County, Ohio, and being located within the following described points in the boundary thereof:

All references herein to station and offset are to the centerline of right-of-way of County Line Road.

BEGINNING at a 5/8" iron pin found at the Grantor's southwest property corner, on the existing easterly right-of-way line of County Line Road and the southwest lot corner of said Lot 138, being located at 65.51 feet right, Station 22+57.96;

thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 138 *North 04°39'24" East* for a distance of *49.01 feet* to a point being located at 65.49 feet right, Station 23+06.74;

thence with a temporary easement the following 2 courses:

- 1.) *South 79°14'27" East* for a distance of *35.29 feet* to a point being located at 100.57 feet right, Station 23+03.08;
- 2.) *South 04°38'49" West* for a distance of *45.26 feet* to a point on the Grantor's south property line and the south lot line of said Lot 138, being located at 100.61 feet right, Station 22+57.99;

thence with the Grantor's south property line and the south lot line of said Lot 138 *North 85°20'36" West* for a distance of *35.10 feet* to the **POINT OF BEGINNING**.

EXHIBIT A

Page 2 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date: 03/08/19

PID 103418

The above described area is contained within Greene County Auditor's Parcel Number B42-0003-0005-0-0008-00 and contains 0.0380 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

Prior instrument reference as of the date this survey was prepared: Official Record Volume 1109, Page 326 in the Deed Records of Greene County, Ohio.

This description was prepared and reviewed on March 8, 2019 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Chad E. Ingle, Registered Surveyor Number 8498 in September 2018.

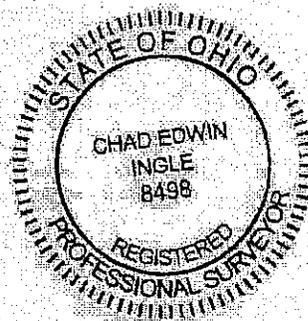
Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 3402) as determined by the City of Kettering.

Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19
Date



**PARCEL 35-T2
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
GRADING AND SEEDING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO**

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All references herein to station and offset are to the centerline of right-of-way of County Line Road.

BEGINNING at the Grantor's northwest property corner, on the existing easterly right-of-way line of County Line Road and the northwest lot corner of said Lot 138, being located at 66.29 feet right, Station 23+56.03;

thence with the Grantor's north property line and the north lot line of said Lot 138 *South 85°20'36" East* for a distance of 33.71 feet to a point being located at 99.98 feet right, Station 23+55.12;

thence with a temporary easement *South 73°30'06" West* for a distance of 36.15 feet to a point on the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 138, being located at 65.96 feet right, Station 23+43.49;

thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 138 *North 04°39'24" East* for a distance of 13.05 feet to the **POINT OF BEGINNING**.

The above described area is contained within Greene County Auditor's Parcel Number B42-0003-0005-0-0008-00 and contains 0.0050 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

EXHIBIT B

LPA RX 887 T

Page 2 of 2

Rev. 07/09

Ver. Date 03/08/19

PID 103418

Prior instrument reference as of the date this survey was prepared: Official Record Volume 1109, Page 326 in the Deed Records of Greene County, Ohio.

This description was prepared and reviewed on March 8, 2019 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Chad E. Ingle, Registered Surveyor Number 8498 in September 2018.

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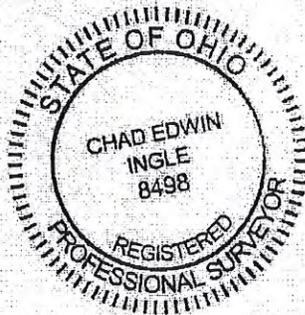
All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 3402) as determined by the City of Kettering.

Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19

Date



**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

PBL

Meeting Date: <u>September 28, 2020</u>	Reference Topic: County Line Road Widening Project; R/W Acquisition; Robert H. Neff Property
Agenda Reference No.: <u>VIII. L.</u>	<u>Ordinance No. 20-26</u>

ACTION REQUESTED		
<input checked="" type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The County Line Road Widening Project is a joint effort between the Cities of Kettering and Beavercreek and generally consists of the widening of County Line Road from just north of Indian Ripple Road to Willow Run Drive. This project includes the widening of this portion of County Line Road from the existing three (3) lane pavement section to a five (5) lane pavement section, the reconstruction of the existing traffic signal at Tonawanda Trail, and updated lighting.

Over the past several months, Kettering and Beavercreek have been actively pursuing the purchase of the additional temporary grading easements needed to build the improvement. Unfortunately, these efforts to purchase the necessary temporary grading easement from Mr. Neff have been unsuccessful. The Engineering Division has had an ongoing dialog with the property owner, but the passage of this Ordinance will allow for this project to proceed on schedule if the City and the property owner are ultimately unable to agree upon the terms for the sale of this temporary grading easement.

As always, this office will continue to work with the property owner as the project schedule will permit in order to try to avoid using the appropriations process to acquire the necessary property rights.

STAFF RECOMMENDATION:

Therefore, it is recommended that City Council approve the attached Ordinance so that this project may proceed.

**COUNTY LINE
MONTGOMERY
SEC. 13, 17 & 18,
CITY OF
GREENE
SEC. 7, 11 & 12,
CITY OF I**

MONUMENT LEGEND

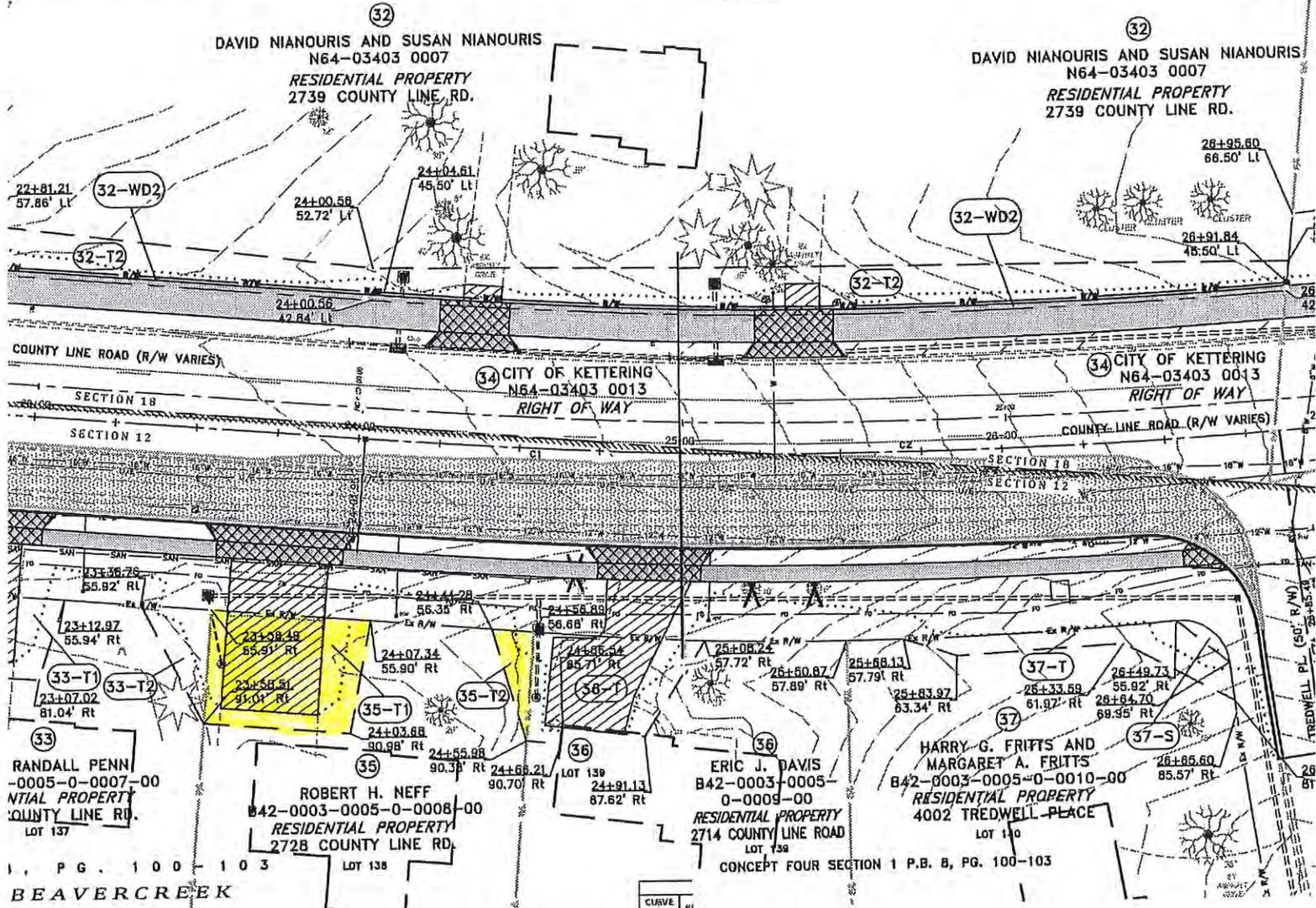
☒	SET ROADWAY MONUMENT BOX WITH 1" IRON PIN	⊙	FOUND IRON PIN (SEE TABLE FOR SIZE)
●	SET NO. 5 IRON PIN WITH "CITY OF KETTERING" CAP	⊙	FOUND IRON PIPE (SEE TABLE FOR SIZE)
☒	FOUND ROADWAY MONUMENT BOX WITH FOUND 1" IRON PIN	⊙	FOUND MAG NAIL
		□	FOUND STONE

PAVEMENT

[Pattern]	CONCRETE
[Pattern]	ASPH 3" 4"
[Pattern]	ASPH 4" 4"

NOTATION AND OFFSET
 DIMENSIONS ARE TO NEW CURBS UNLESS OTHERWISE NOTED***

CITY OF KETTERING



- Temp. Plw

CURVE NO.	RI
CL	10
REV. BY	DATE
DATE COMPLETED	

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 20-26

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH
DAY OF SEPTEMBER, 2020.

**TO APPROPRIATE CERTAIN REAL PROPERTY INTERESTS OWNED
BY ROBERT H. NEFF, FOR THE COUNTY LINE ROAD WIDENING
PROJECT, IN THE CITY OF BEAVERCREEK, OHIO.**

WHEREAS, this Council, by Resolution Number 20-31, declared its intention and the necessity of appropriating certain real property, parcel of land, or real property interests described in said Resolution; and

WHEREAS, it is necessary to appropriate the said certain property, parcel of land or real property interests for the purpose of the roadway construction and improvement in connection with the County Line Road Widening Project;

NOW, THEREFORE, THE CITY OF BEAVERCREEK, OHIO HEREBY
ORDAINS THAT:

SECTION I.

The real property, parcels of land or real property interests described in Exhibit 'A' and in Exhibit 'B', attached hereto and incorporated herein, for public right-of-way and street and highway purposes for the County Line Road Widening Project shall be and the same are hereby appropriated for the construction of said project.

SECTION II.

The names of those either having, claiming, or that may have any estate, title or interest in the above-described real property, parcels of land or real property interest to be appropriated by this Ordinance are: Robert H. Neff, and any other lien holders, persons or entities declaring an interest pursuant to law, the Treasurer of Greene County, Ohio and the Auditor of Greene County, Ohio.

SECTION III.

The above-described real property, parcels, land, and/or real property interests have a fair market value of \$962, as determined by an independent, certified appraiser.

SECTION IV.

This Council finds that the appropriation is necessary for the stated public purposes and that the City intends to obtain immediate possession of the real property, parcel of land or real property interests described in Exhibit 'A' and Exhibit 'B', which immediate possession is necessary for the stated public purposes.

SECTION V.

The City Attorney is hereby authorized and directed to deposit the aforesaid valued amount with the Clerk of Court of Greene County, Ohio, or other depository, take possession of the afore described real property, parcel of land or real property interest, file, as necessary, a petition for appropriation, apply to a court of competent jurisdiction to make inquiry into and assess the compensation to be paid for the real property, parcel of land or real property interests to be appropriated, and to do all things necessary or proper in connection therewith.

SECTION VI.

All actions taken by or in behalf of the City of Beavercreek in connection with the appropriation of the afore described real property, parcel of land or real property interests and prior to the time of adoption of this Ordinance are hereby ratified.

SECTION VII.

That is it found and determined that all of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberation of this Council and of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

ADOPTED by the Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

TO THE CLERK:

If this ordinance is adopted, please post it in full in the office of this City within ten days after its adoption and within the same ten days publish the summary of the ordinance one time in any newspaper or other printed publication of the type referred to above, together with a notice of adoption of the Ordinance.

City Attorney

SUMMARY

This Ordinance appropriates certain real property, parcels of land, or real property interests owned by Robert H. Neff, with interest by others, for the County Line Road Widening Project in the City of Beavercreek, Ohio.

**PARCEL 35-T1
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO**

(Surveyor's description of the premises follows)

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thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 138 *North 04°39'24" East* for a distance of *49.01 feet* to a point being located at 65.49 feet right, Station 23+06.74;

thence with a temporary easement the following 2 courses:

- 1.) *South 79°14'27" East* for a distance of *35.29 feet* to a point being located at 100.57 feet right, Station 23+03.08;
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EXHIBIT A

Page 2 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date 03/08/19

PID 103418

The above described area is contained within Greene County Auditor's Parcel Number B42-0003-0005-0-0008-00 and contains 0.0380 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

Prior instrument reference as of the date this survey was prepared: Official Record Volume 1109, Page 326 in the Deed Records of Greene County, Ohio.

This description was prepared and reviewed on March 8, 2019 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Chad E. Ingle, Registered Surveyor Number 8498 in September 2018.

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Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19
Date

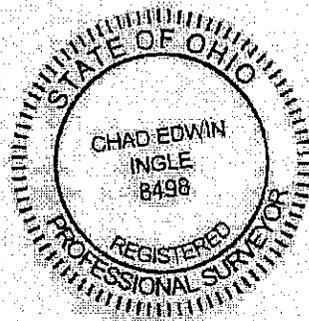


EXHIBIT B

LPA RX 887 T

Ver. Date 03/08/19

Page 1 of 2

Rev. 07/09

PID 103418

**PARCEL 35-T2
COUNTY LINE ROAD WIDENING
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
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thence with the Grantor's north property line and the north lot line of said Lot 138 **South 85°20'36" East** for a distance of 33.71 feet to a point being located at 99.98 feet right, Station 23+55.12;

thence with a temporary easement **South 73°30'06" West** for a distance of 36.15 feet to a point on the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 138, being located at 65.96 feet right, Station 23+43.49;

thence with the Grantor's west property line, the existing easterly right-of-way line of County Line Road and the west lot line of said Lot 138 **North 04°39'24" East** for a distance of 13.05 feet to the **POINT OF BEGINNING**.

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LPA RX 887 T

EXHIBIT B

Page 2 of 2

Rev. 07/09

Ver. Date 03/08/19

PID 103418

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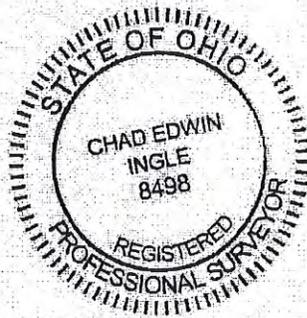
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Chad Ingle

Chad E. Ingle, Ohio Registered Surveyor No. 8498

9/6/19

Date



fbc

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: <u>September 28, 2020</u>	Reference Topic: OPWC Project Funding Application – Shakertown Road Widening Project
Agenda Reference No.: <u>VIII. M.</u>	<u>Resolution 20-32</u>

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The City recently received notice the Ohio Public Works Commission (OPWC) will be accepting new project funding applications until October 5, 2020. In reviewing the City's infrastructure needs, funding availability, and project application preliminary scoring, it is recommended that an application be submitted for the Shakertown Road Widening Project (N. Fairfield Road to Carthage Drive).

The proposed improvements would consist of the widening needed to construct an eastbound left turn lane at N. Fairfield Road, and the widening of the portion of Shakertown Road between N. Fairfield Road and Carthage Drive. This portion of Shakertown Road would be widened to three (3) lanes, along with the installation of curb, storm sewer, the replacement of existing large diameter culverts under Shakertown Road and pedestrian facilities along both side of the roadway.

The estimated cost of these improvements is \$1.8 million, with the grant application requesting \$900,000 in funding. If this grant request is successful then construction could begin as early as the summer of 2022.

STAFF RECOMMENDATION:

It is therefore recommended that City Council approve the attached resolution to allow for the submittal of this funding application.

**CITY OF BEAVERCREEK
RESOLUTION NO. 20-32**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH
DAY OF SEPTEMBER, 2020.

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN
APPLICATION FOR FUNDING THROUGH THE OHIO PUBLIC WORKS
COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL
TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE
CONTRACTS AS REQUIRED**

WHEREAS, the State Capital Improvement Program and Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Beavercreek is planning to make capital improvements to Shakertown Road between N. Fairfield Road and Carthage Drive; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under OPWC programs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

SECTION I.

This Resolution shall serve to authorize the transmittal and submittal of an application for the Shakertown Road Widening Project to the Ohio Public Works Commission for funding consideration.

SECTION II.

The City Manager is hereby authorized to sign on behalf of the City the application for funds and any project agreements with the State of Ohio for the project referred in Section I of this Resolution.

SECTION III.

The City Manager is hereby directed and authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide any additional information sought by reviewing agencies during the time the application is under reviewed. The City Manager is further directed and authorized to cause compliance will all reporting requirements required by the Ohio Public Works Commission (OPWC) as required as part of the funding process.

SECTION IV.

Upon application approval, the City hereby states its commitment to the local contribution for the project as identified in these applications.

SECTION V.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION VI.

This Resolution shall become effective immediately upon its passage.

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council



State of Ohio
Public Works Commission
Application for Financial Assistance

IMPORTANT: Please consult "Instructions for Financial Assistance for Capital Infrastructure Projects" for guidance in completion of this form.

Applicant

Applicant: City of Beavercreek Subdivision Code: 057-04720

District Number: 11 County: Greene Date: 10/05/2020

Contact: Jeff Moorman, P.E., City Engineer Phone: (937) 427-5513
(The individual who will be available during business hours and who can best answer or coordinate the response to questions)

Email: Moorman@beavercreekohio.gov FAX: (937) 427-5544

Project

Project Name: Shakertown Road Widening Project Zip Code: 45434

Subdivision Type	Project Type	Funding Request Summary
(Select one)	(Select single largest component by \$)	(Automatically populates from page 2)
<input type="checkbox"/> 1. County	<input checked="" type="checkbox"/> 1. Road	Total Project Cost: <u>1,800,000.00</u>
<input checked="" type="checkbox"/> 2. City	<input type="checkbox"/> 2. Bridge/Culvert	1. Grant: <u>900,000.00</u>
<input type="checkbox"/> 3. Township	<input type="checkbox"/> 3. Water Supply	2. Loan: <u>0.00</u>
<input type="checkbox"/> 4. Village	<input type="checkbox"/> 4. Wastewater	3. Loan Assistance/ Credit Enhancement: <u>0.00</u>
<input type="checkbox"/> 5. Water (6119 Water District)	<input type="checkbox"/> 5. Solid Waste	Funding Requested: <u>900,000.00</u>
	<input type="checkbox"/> 6. Stormwater	

District Recommendation (To be completed by the District Committee)

Funding Type Requested	SCIP Loan - Rate: _____ % Term: _____ Yrs	Amount: _____ .00
(Select one)		
<input type="checkbox"/> State Capital Improvement Program	RLP Loan - Rate: _____ % Term: _____ Yrs	Amount: _____ .00
<input type="checkbox"/> Local Transportation Improvement Program	Grant:	Amount: _____ .00
<input type="checkbox"/> Revolving Loan Program	LTIP:	Amount: _____ .00
<input type="checkbox"/> Small Government Program	Loan Assistance / Credit Enhancement:	Amount: _____ .00
District SG Priority: _____		

For OPWC Use Only

STATUS	Grant Amount: _____ .00	Loan Type: <input type="checkbox"/> SCIP <input type="checkbox"/> RLP
Project Number: _____	Loan Amount: _____ .00	Date Construction End: _____
	Total Funding: _____ .00	Date Maturity: _____
Release Date: _____	Local Participation: _____ %	Rate: _____ %
OPWC Approval: _____	OPWC Participation: _____ %	Term: _____ Yrs

1.0 Project Financial Information (All Costs Rounded to Nearest Dollar)

1.1 Project Estimated Costs

Engineering Services

Preliminary Design:	_____	.00	
Final Design:	_____	.00	
Construction Administration:	_____	.00	
Total Engineering Services:	a.) _____	<u>0</u> .00	<u>0</u> %
Right of Way:	b.) _____	.00	
Construction:	c.) _____	<u>1,800,000</u> .00	
Materials Purchased Directly:	d.) _____	.00	
Permits, Advertising, Legal:	e.) _____	.00	
Construction Contingencies:	f.) _____	.00	<u>0</u> %
Total Estimated Costs:	g.) _____	<u>1,800,000</u> .00	

1.2 Project Financial Resources

Local Resources

Local In-Kind or Force Account:	a.) _____	.00	
Local Revenues:	b.) _____	<u>900,000</u> .00	
Other Public Revenues:	c.) _____	.00	
ODOT / FHWA PID: _____	d.) _____	.00	
USDA Rural Development:	e.) _____	.00	
OEPA / OWDA:	f.) _____	.00	
CDBG:	g.) _____	.00	
<input type="checkbox"/> County Entitlement or Community Dev. "Formula"			
<input type="checkbox"/> Department of Development			
Other: _____	h.) _____	.00	
Subtotal Local Resources:	i.) _____	<u>900,000</u> .00	<u>50</u> %

OPWC Funds (Check all requested and enter Amount)

Grant: <u>100</u> % of OPWC Funds	j.) _____	<u>900,000</u> .00	
Loan: <u>0</u> % of OPWC Funds	k.) _____	.00	
Loan Assistance / Credit Enhancement:	l.) _____	<u>0</u> .00	
Subtotal OPWC Funds:	m.) _____	<u>900,000</u> .00	<u>50</u> %
Total Financial Resources:	n.) _____	<u>1,800,000</u> .00	<u>100</u> %

1.3 Availability of Local Funds

Attach a statement signed by the Chief Financial Officer listed in section 5.2 certifying all local resources required for the project will be available on or before the earliest date listed in the Project Schedule section. The OPWC Agreement will not be released until the local resources are certified. Failure to meet local share may result in termination of the project. Applicant needs to provide written confirmation for funds coming from other funding sources.

2.0 Repair / Replacement or New / Expansion

2.1 Total Portion of Project Repair / Replacement:	<u>1,200,000</u> .00	<u>67</u> %
2.2 Total Portion of Project New / Expansion:	<u>600,000</u> .00	<u>33</u> %
2.3 Total Project:	<u>1,800,000</u> .00	<u>100</u> %

A Farmland Preservation letter is required for any impact to farmland

3.0 Project Schedule

3.1 Engineering / Design / Right of Way	Begin Date: <u>05/01/2019</u>	End Date: <u>09/15/2021</u>
3.2 Bid Advertisement and Award	Begin Date: <u>11/15/2021</u>	End Date: <u>02/01/2022</u>
3.3 Construction	Begin Date: <u>04/01/2022</u>	End Date: <u>06/01/2023</u>

Construction cannot begin prior to release of executed Project Agreement and issuance of Notice to Proceed.

Failure to meet project schedule may result in termination of agreement for approved projects. Modification of dates must be requested in writing by project official of record and approved by the Commission once the Project Agreement has been executed.

4.0 Project Information

If the project is multi-jurisdictional, information must be consolidated in this section.

4.1 Useful Life / Cost Estimate / Age of Infrastructure

Project Useful Life: 30 Years Age: 2003 (Year built or year of last major improvement)

Attach Registered Professional Engineer's statement, with seal or stamp and signature confirming the project's useful life indicated above and detailed cost estimate.

4.2 User Information

Road or Bridge: Current ADT 5,639 Year 2020 Projected ADT 6,350 Year 2040

Water / Wastewater: Based on monthly usage of 4,500 gallons per household; attach current ordinances.

Residential Water Rate Current \$ _____ Proposed \$ _____

Number of households served: 0

Residential Wastewater Rate Current \$ _____ Proposed \$ _____

Number of households served: _____

Stormwater: Number of households served: _____

4.3 Project Description

- A: SPECIFIC LOCATION (Supply a written location description that includes the project termini; a map does not replace this requirement.) 500 character limit.

This project is located along Shakertown Road within the City of Beavercreek. This project will widen and reconstruct the portion of Shakertown Road from 400 feet west of N. Fairfield Road to Carthage Drive.

- B: PROJECT COMPONENTS (Describe the specific work to be completed; the engineer's estimate does not replace this requirement) 1,000 character limit.

This project includes the widening of Shakertown Road to the west of N. Fairfield Road for the purpose of constructing an eastbound left turn lane at the intersection. The project also includes the widening and reconstruction of Shakertown Road between N. Fairfield Road and Carthage Drive, including the addition of a center turn lane, storm sewer, curb, and pedestrian facilities. The existing bridge within the project limits (SFN 2961547) will also be replaced as a part of this improvement.

- C: PHYSICAL DIMENSIONS (Describe the physical dimensions of the existing facility and the proposed facility. Include length, width, quantity and sizes, mgd capacity, etc in detail.) 500 character limit.

This project will widen and reconstruct approximately 2,400 linear feet of Shakertown Road within the City of Beavercreek. Some of the project components include the replacement of 1 bridge (SFN 2961547), the widening of the roadway to a width of 36 feet to add a center turn lane, 17,000 sf of sidewalk, 23 catch basins, and approximately 2,800 feet of storm sewer.

5.0 Project Officials

Changes in Project Officials must be submitted in writing from an officer of record.

5.1 Chief Executive Officer (Person authorized in legislation to sign project agreements)

Name: Pete E. Landrum
Title: City Manager
Address: 1368 Research Park Drive

City: Beavercreek State: OH Zip: 45432
Phone: (937) 427-5510
FAX: (937) 427-5544
E-Mail: Landrum@ercreekohio.gov

5.2 Chief Financial Officer (Can not also serve as CEO)

Name: Bill Kucera
Title: Financial Administrative Services Director
Address: 1368 Research Park Drive

City: Beavercreek State: OH Zip: 45432
Phone: (937) 427-5511
FAX: (937) 427-5544
E-Mail: Kucera@beavercreekohio.gov

5.3 Project Manager

Name: Jeff Moorman
Title: City Engineer
Address: 1368 Research Park Drive

City: Beavercreek State: OH Zip: 45432
Phone: (937) 427-5513
FAX: (937) 427-5544
E-Mail: Moorman@beavercreekohio.gov

6.0 Attachments / Completeness review

Confirm in the boxes below that each item listed is attached (Check each box)

- A certified copy of the legislation by the governing body of the applicant authorizing a designated official to sign and submit this application and execute contracts. This individual should sign under 7.0, Applicant Certification, below.
- A certification signed by the applicant's chief financial officer stating the amount of all local share funds required for the project will be available on or before the dates listed in the Project Schedule section. If the application involves a request for loan (RLP or SCIP), a certification signed by the CFO which identifies a specific revenue source for repaying the loan also must be attached. Both certifications can be accomplished in the same letter.
- A registered professional engineer's detailed cost estimate and useful life statement, as required in 164-1-13, 164-1-14, and 164-1-16 of the Ohio Administrative Code. Estimates shall contain an engineer's seal or stamp and signature.
- A cooperative agreement (if the project involves more than one subdivision or district) which identifies the fiscal and administrative responsibilities of each participant.
- Farmland Preservation Review - The Governor's Executive Order 98-IV, "Ohio Farmland Protection Policy" requires the Commission to establish guidelines on how it will take protection of productive agricultural and grazing land into account in its funding decision making process. Please include a Farm Land Preservation statement for projects that have an impact on farmland.
- Capital Improvements Report. CIR Required by O.R.C. Chapter 164.06 on standard form.
- Supporting Documentation: Materials such as additional project description, photographs, economic impact (temporary and/or full time jobs likely to be created as a result of the project), accident reports, impact on school zones, and other information to assist your district committee in ranking your project. Be sure to include supplements which may be required by your local District Public Works Integrating Committee.

7.0 Applicant Certification

The undersigned certifies: (1) he/she is legally authorized to request and accept financial assistance from the Ohio Public Works Commission as identified in the attached legislation; (2) to the best of his/her knowledge and belief, all representations that are part of this application are true and correct; (3) all official documents and commitments of the applicant that are part of this application have been duly authorized by the governing body of the applicant; and, (4) should the requested financial assistance be provided, that in the execution of this project, the applicant will comply with all assurances required by Ohio Law, including those involving Buy Ohio and prevailing wages.

Applicant certifies that physical construction on the project as defined in the application has NOT begun, and will not begin until a Project Agreement for this project has been executed with the Ohio Public Works Commission. Action to the contrary will result in termination of the agreement and withdrawal of Ohio Public Works Commission funding from the project.

Pete E. Landrum, City Manager

Certifying Representative (Printed form, Type or Print Name and Title)

Original Signature / Date Signed

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

PEC

Meeting Date: <u>September 28, 2020</u>	Reference Topic: MVRPC FAST Act Funding Applications
Agenda Reference No.: <u>VIII. N.</u>	<u>Resolution 20-33</u>

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input 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 checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The Miami Valley Regional Planning Commission (MVRPC) has recently circulated a request for new projects utilizing Federal FAST Act funding. The project types that are eligible under this program are Congestion Mitigation/Air Quality (CMAQ), Surface Transportation Program (STP) projects, and Transportation Alternative (TA) projects. Project funding under these programs are awarded on a competitive basis, with funds being available as early as State Fiscal Year 2026 (July 2025) for standard CMAQ, STP and TA projects.

Staff has evaluated the requirements of the MVRPC funding programs and has generated a number of funding applications that should be eligible to submit to MVRPC for financial assistance in the categories described above.

STAFF RECOMMENDATION:

The attached Resolution authorizes the submittal of applications for funding through MVRPC, and establishes the City's project priority ranking. The projects authorized by this Resolution, the suggested priority ranking of each project, exemption request from complete street elements as explained in MVRPC's Complete Street Policy (if applicable), and the improvement costs are summarized below:

Project Rank	Project Title	Complete Street Exemption(s)	Group(s) Exemption(s) for	Grant Request	Total Cost
1	Kemp Road Widening (Meadowcourt Dr to Bluewing Dr)	None	N/A	\$1,872,500	\$3,550,000
2	N Fairfield Road Reconstruction (Crossings Blvd to I-675)	1	Pedestrians, cyclists	\$939,888	\$1,766,480
3	Dayton-Xenia Widening (Meadow Bridge to Darlington Dr)	None	N/A	\$1,698,732	\$3,076,760

Project Rank	Project Title	Complete Street Exemption(s)	Group(s) Exemption(s) for	Grant Request	Total Cost
4	Col Glenn Highway Streetscape (Grange Hall Rd to Zink Rd)	None	N/A	\$ 336,050	\$ 617,000

MVRPC requires that the City rank all submitted funding applications, with the three (3) highest ranking projects receiving additional points under MVRPC's project scoring system. This suggested project priority ranking is based upon both project need and project scoring under the MVRPC project rating system. The ranking of these projects may be adjusted if deemed appropriate by City Council.

It is therefore recommend that City Council approve the attached resolution authorizing the submittal of these funding applications with the submitted Complete Street exemptions.

CITY OF BEAVERCREEK
RESOLUTION NO. 20-33

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH
DAY OF SEPTEMBER, 2020.

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATIONS
FOR FEDERAL FAST ACT FUNDS THROUGH THE MIAMI VALLEY
REGIONAL PLANNING COMMISSION**

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the current Transportation Improvement Program (TIP); and

WHEREAS, the City of Beavercreek has committed to a timely project development schedule; and

WHEREAS, the City of Beavercreek will commit the necessary resources to support the estimated local cost portion of the projects and the following list of projects will be submitted to MVRPC, shown in order of the City of Beavercreek's priority from number 1 to 4:

1. Kemp Road Widening (Meadowcourt Dr to Bluewing Dr) – Estimated Local Share \$1,677,500
2. N. Fairfield Road Reconstruction (Crossing Blvd. to I-675) – Estimated Local Share \$826,592
3. Dayton-Xenia Road Widening (Meadow Bridge to Darlington Dr)– Estimated Local Share \$1,378,028
4. Col Glenn Highway Streetscape (Grange Hall Rd to Zink Rd) – Estimated Local Share \$280,950

WHEREAS, the City of Beavercreek requests the following exemptions from MVRPC's Complete Streets Policy for the proposed project funding applications:

1. Kemp Road Widening (Meadowcourt to Bluewing) - (None)
2. N. Fairfield Rd. Reconstruction (Crossing to I-675) - (1)
3. Dayton-Xenia Road Widening (Meadow Bridge to Darlington) - (None)
4. Col. Glenn Highway Streetscape (Grange Hall to Zink) - (None)

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEAVERCREEK, OHIO, THAT:

SECTION I.

This Resolution shall serve to authorize the transmittal and submittal of applications for the following transportation projects to MVRPC for funding consideration in the current Transportation Improvement Program (TIP):

1. Kemp Road Widening (Meadowcourt to Bluewing)
2. N. Fairfield Rd. Reconstruction (Crossing to I-675)
3. Dayton-Xenia Road Widening (Meadow Bridge to Darlington)
4. Col. Glenn Highway Streetscape (Grange Hall to Zink)

SECTION II.

The City Manager is hereby authorized to sign on behalf of the City the application for funds as referred to in Section I of this Resolution.

SECTION III.

The City Manager is hereby directed and authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide any additional information sought by reviewing agencies during the time the application is under reviewed. The City Manager is further directed and authorized to cause compliance will all reporting requirements required by the Miami Valley Regional Planning Commission (MVRPC) as required as part of the funding process

SECTION IV.

Upon application approval, the City hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by the MVRPC.

SECTION V.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION VI.

This Resolution shall become effective immediately upon its passage.

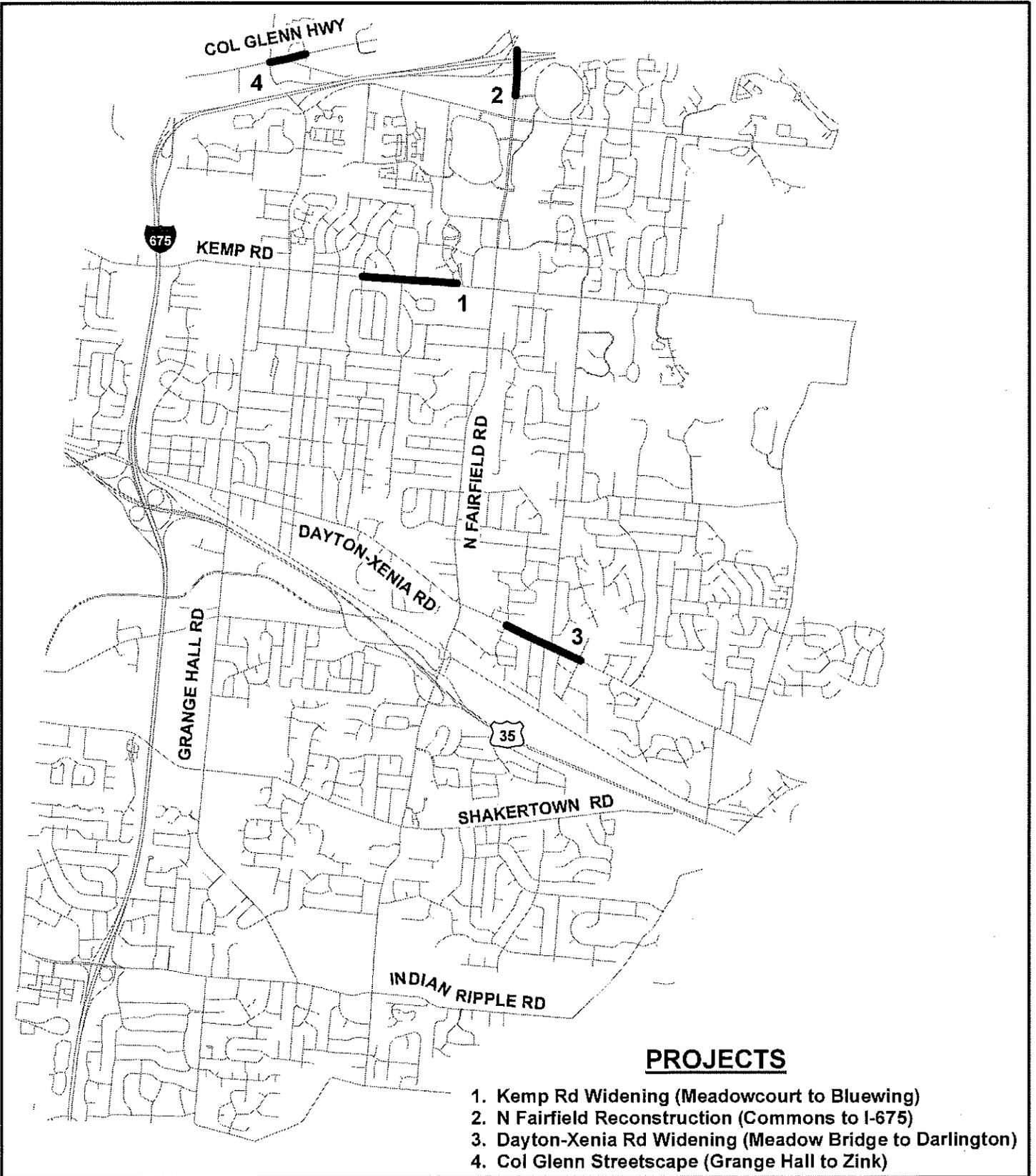
THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 28th day of September, 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

2020 MVRPC FAST ACT PROJECT LOCATIONS



LEGEND

— Project Location



SCALE

0 0.5 1 2 Miles



**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: 9/28/2020	Reference Topic: LWCF Grant
Agenda Reference No.: VIII. O.	Resolution 20-34

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" 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 checked="" type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input 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:

The federal Land & Water Conservation Fund Act (LWCF) provides up to 50% of project cost assistance to governmental agencies for acquisition or development of public outdoor recreation areas. The parks department is interested in applying for this grant, deadline November 16, 2020. This grant would help purchase up to 100 acres of Research Park land – between Patterson and Shakertown Road.

The City would apply for \$500,000 in grant money with a match of \$500,000 from the 712 fund, fees in lieu of land.

STAFF RECOMMENDATION:

Staff is recommending adoption of this resolution.

**CITY OF BEAVERCREEK
RESOLUTION 20-34**

SPONSORED BY COUNCIL MEMBER _____ ON THE 28TH DAY OF
SEPTEMBER, 2020.

**A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR THE LAND AND WATER CONSERVATION FUND.**

WHEREAS, the Land and Water Conservation Fund provides grant money for the acquisition of public outdoor areas.

WHEREAS, the City of Beavercreek desires financial assistance to apply for this grant.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
BEAVERCREEK, STATE OF OHIO, THAT:**

SECTION I. That the City of Beavercreek approves filing financial assistance for the purchase of up to 100 acres of park land at Research Park.

SECTION II. That the City of Beavercreek is hereby authorized and directed to execute and file a request with the Ohio Department of Natural Resources, which oversees the LWCF and to apply all information and documentation required to become eligible for possible funding assistance.

SECTION III. That the City of Beavercreek does agree to oblige the funds required to satisfactorily complete the proposed project under the terms of the Land and Water Conservation Fund.

SECTION IV. It is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action in meetings open to the public in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION V. This resolution shall become effective immediately upon its passage. This RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 28th day of September 2020.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

interoffice
MEMORANDUM

To: Beavercreek City Council

From: Dianne Miscisin, Clerk of Council

Subject: Certified Public Records Training

Date: September 24, 2020

Council needs to appoint the Clerk of Council, Dianne Miscisin, as their designee to attend public records training. This is per the Ohio Revised Code Section 109.43(E)1 stating all elected officials or their designees are required, once per elected term, to attend a three hour Public Records training program approved by the Attorney General.

The Clerk of Council will be completing Public Records Training online.

A motion is required to appoint the designee. A sample of the motion is as follows:

“I hereby move Beavercreek City Council appoint Clerk of Council, Dianne Miscisin as their designee to attend public records training per Ohio Revised Code Section 109.43.”

Please do not hesitate to contact me if you have any questions. Thank you.

PEC

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: September 28, 2020	Reference Topic: TIRC Committee Recommendation for the Greene Motion
Agenda Reference No. IX. B.	

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 type="checkbox"/> Accept Staff Recommendation	<input checked="" type="checkbox"/> Adopt Motion

RESPONSIBLE DEPARTMENT OR AGENCY		
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input checked="" type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input checked="" type="checkbox"/> Planning & Zoning
<input 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 _____

Summary:

On August 7, 2020, the TIRC (Tax Incentive Review Committee) met to discuss, among other projects, the performance of the TIF (Tax Increment Financing [District]) that was established for the Greene Towne Center. The TIRC is made up of representatives from the Beavercreek Schools, Beavercreek Township, the Greene County Career Center, two City of Beavercreek Citizens appointed by City Council and is chaired by the Greene County Auditor. As has been done in the past several years, the TIRC Meeting was set up so that several TIFs from around the County could be reviewed in one meeting. The TIF established for the Greene was the first project reviewed, and the specific minutes covering that review are highlighted in yellow in the attached document.

During Beavercreek's portion of the meeting, it was shown that the debt service payments for the public improvements, as part of the TIF, are more than being covered by the revenue generated from the property taxes at the Greene Towne Center and from the funds allocated to the debt service payment by the County, as originally agreed upon. In 2019, \$321,899 in TIF revenues were collected, when combined with a \$300,000 contribution from Greene County, a \$532,440 debt service payment was made toward the Public Improvement Bond that was issued in 2011. A surplus of \$89,459 was netted, and added to the Debt Service Fund for the Greene TIF. As of 12-31-2019, the Debt Service Fund had a balance of \$850,569.

RECOMMENDATION:

Staff recommends City Council adopt the attached Motion, accepting the recommendation of the TIRC to continue the TIF for the Greene.

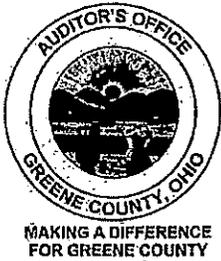
PROCEDURAL OPTIONS FOLLOWING ACTION:

City Council may choose to approve, disapprove, modify or table the attached Motion for further review.

September 28, 2020

MOTION TO APPROVE
TIRC COMMITTEE RECOMMENDATION
TO CONTINUE GREENE TOWNE CENTER TIF

"The Tax Incentive Review Committee, having met on August 7, 2020, as required by City Council Resolution 10-33, and having reviewed the status of the Greene Towne Center TIF [Greene TIF], did recommend unanimously by motion that the Greene TIF continue without change. I therefore move that Council accept the recommendation of the Tax Incentive Review Committee, and adopt its findings that the Greene TIF continue with no change. I further move that this motion be fully recorded in the minutes of this Council meeting."



DAVID A. GRAHAM
Greene County Auditor
69 Greene Street
Room 200
Xenia, Ohio 45385
(937) 562-5065
(937) 426-1779 ext.5065
Fax (937) 562-5079

Main Office	937-562-5065
Homestead Info	562-5039
Real Estate	562-5072/5073
Accounting/Payroll	562-5076
Manufactured Home	562-5074

ENTERPRISE ZONE/GREENE COUNTY TAX INCENTIVE REVIEW COUNCIL MEETING

**August 7, 2020
9:00 A.M.**

THOSE PRESENT:

David A. Graham, Greene County Auditor
Teresa Wallace, Greene County Auditor's Office
Randy Burkett, City of Beavercreek
Eric Henry, Greene County
Xenia City, Steve Brodsky
Jason Scott, Beavercreek City
Bill Kucera, Beavercreek City
Penelope Rucker, Beavercreek School District Treasurer
Eva Anderson, Greene County Career Center Treasurer
Melissa Smith, Silvercreek Township
Kevin Liming, Bellbrook Sugarcreek School District
Carolyn Huber, Xenia Community School District Treasurer
Michael Gebhart, Fairborn City
Alex Zaharieff, Beavercreek Township
Kristi Tidd, Department of Development
Jason Lake
Dr. Diliplain

The Tax Incentive Review Council (TIRC) was called to order at 9:00 A.M. on August 7, 2020.

Mr. Graham welcomed the member attending the first TIRC meeting via Zoom and asked for everyone's patience through the process. Mr. Graham indicated silence would indicate an affirmative vote for the motion on the floor and that prior to speaking please announce your name.

The responsibility of the Tax Incentive Review Council is to review current abatement programs and to make recommendations to the legislative body that authorized the abatement. The power to continue, amend or terminate an abatement agreement lies with the legislative body that authorized the abatement not the TIRC.

BEAVERCREEK - THE GREENE (TIF)

Randy Burkett from the City of Beavercreek spoke regarding the TIF at the Greene. Mr. Burkett stated there is a healthy fund balance. The Greene tenant numbers are stable for the past year. Mr. Burkett made a motion to continue the Greene TIF. Eric Henry seconded the motion. The Greene TIF was unanimously approved by the TIRC.

FAIRBORN CITY – VALLE GREENE TIF, I-675 CORRIDOR, VALLE GREENE SOUTH TIF and DAY CARD COLA LLC

Michael Gebhart spoke regarding the abatement and TIF projects entered into by the City of Fairborn. Everything on the account is doing well and the new Menards will be opening in September. The Krogers has been open for a year and a half and is going as planned. One of the properties in the eighty-five acres is being purchased by the Fairborn City Schools. That TIF will be significantly taxed for the infrastructure improvements that will need to be done to Commerce Center Drive to accommodate the school should the levy pass this November. Everything is on track on this TIF.

The I-675 corridor is meeting all its expectations and they would like to see it continue. The Valle Greene South TIF district has used little funding, also would like to see continue. The Day Card Cola is the Pepsi Distribution Center; it has met all of their targets with construction and job numbers.

Mr. Graham ask if the state has approved the Valle Greene South TIF. Mr. Gebhart believes so, but will follow up with Mr. Graham.

There are two active CRAs, but the one for the DYS project never materialized, the other is the Fairborn Cement Company CRA that will allow them to continue throughout the year. Completion is anticipated for 2021.

Mr. Graham states this meeting is the time to communicate information about the CRAs. Mr. Graham asks for a motion to approve the existing three TIFs and the Enterprise Zone for Day Card Cola for tax year 2020 pay 2021. Steve Brodsky so moves and seconded by Alex Zaharieff. Motion passed unanimously.

HAMPTON INN HOTEL- PROGRESS DRIVE

Steve Brodsky is the speaker for the City of Xenia concerning the CRA on Progress Drive, Tashi Hospitality Inc., the Hampton Inn Hotel. In 2019 they did incredibly well, meeting their employment requirements. Their hotel motel tax exceed the anticipated amount. They are still doing well in spite of the recent pandemic.

CIL Isotope Separations LLC's Enterprise Zone is for their administration and research building. The project was finished in 2019 under the agreement they would have three years to hire ten full time employees, they currently have seven. Mr. Brodsky stated their recommendation is to continue the incentives.

Mr. Graham verifies there are no other CRAs, and ask for a motion. Eric Henry motions, Jason Scott seconds the motion. Motion passed unanimously.

GREENE COUNTY - TWIST, INC. JAMESTOWN VILLAGE

Eric Henry for Greene County speaks. Twist Inc. being the first Enterprise Zone Eric discusses. Twist has been doing fantastic. They hit all of their matrix. Eric has no problem recommending this to continue.

Mr. Graham asks for a motion to continue the Enterprise Zone with Twist. Melissa Smith so moves and Eva Anderson seconds. Motion passed unanimously.

GREENE COUNTY – BOB EVANS/BEF FOODS INC

Eric Henry's second Enterprise Zone to discuss is the Bob Evans. There have been two amendments previously filed, taken down to \$319,000 for the hog barn extension, currently the only part of the property eligible for this abatement. The one problem Eric would like to put on record is Bob Evans is not filing their reports timely. This year the report being turned in over a month late. If this continues next year, staff will not recommend this to continue.

Mr. Graham asked Mr. Henry if he would like a letter notifying Bob Evans to timely report per the agreement requirements. Mr. Henry would like a letter form the Tax Incentive Review Council to Bob Evans to report timely. The recommendation is to continue, but only with the clause that Bob Evans will report timely next year.

Mr. Graham asks for a motion to continue the Enterprise Zone agreement for BEF Foods. Penelope Rucker motions, Steve Brodsky seconds. The motion passes unanimously.

CORNERSTONE TIF (Sugarcreek Township)

Mr. Graham informs the callers Sugarcreek has one active TIF, Cornerstone. Tax year 2019 pay 2020 is the last year for that TIF, it will then be discontinued. The other two TIFs the township trustees has approved are not active. Since none of the Township's TIF will have activity for tax year 2020 there is no action to be taken.

CORNERSTONE TIF (Centerville City)

No one from Centerville City attended the meeting to discuss the Cornerstone TIF.

Mr. Henry motions, baring no additional information is brought up to cast doubt the Cornerstone project is continuing on pace, to continue the TIF. Penelope Rucker seconds. Mr. Graham calls for a vote, motion passes unanimously.

Mr. Graham discusses moving the meetings later in the year, to be further discussed at next year's meeting. Mr. Graham motions to adjourn, Penelope Rucker seconds.

MEETING ADJOURNED.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David A. Graham", written over a horizontal line.

David A. Graham, Secretary

DAG/mw

Greene Town Center Project
Greene County Cooperative Economic Development Agreement Dated February 1, 2005
As of December 31, 2019

Issue Date		BAN or Bond Issue Amount	Actual & Projected TIF Revenue (Note 1)	Annual County Contribution (Note 2)	Total Revenue for Debt Service	\$7.8M 2011 Debt Service Payments	Fund Balance & Estimated Annual Surplus or (Deficit)
12-2005	Initial County Bond Anticipation Notes Issue	\$ 14,800,000					
9-2007	Issued tax-exempt general obligation bonds (supported by special assessment and letter of credit)	\$ 6,000,000					
2008	TIF Revenue & County contribution - Note 3		\$ 120,683	\$ 300,000	\$ 420,683		
2009	TIF Revenue & County contribution - Note 3		\$ 131,245	\$ 300,000	\$ 431,245		
2010	TIF Revenue & County contribution - Note 3		\$ 198,833	\$ 300,000	\$ 498,833		
2011	TIF Revenue & County contribution - Note 3		\$ 224,940	\$ 300,000	\$ 524,940		
11-2011	Issued tax-exempt general obligation bonds (supported by TIF, County contribution & letter of credit)	\$ 7,800,000	(First payment due 6-1-2012)				
2012	Actual TIF revenue & Debt Service Payment		\$ 236,846	\$ 300,000	\$ 536,846	\$ (533,926)	\$ 2,920
2013	Actual TIF revenue & Debt Service Payment		\$ 245,393	\$ 300,000	\$ 545,393	\$ (533,925)	\$ 11,468
2014	Actual TIF revenue & Debt Service Payment		\$ 234,336	\$ 300,000	\$ 534,336	\$ (532,103)	\$ 2,233
2015	Actual TIF revenue & Debt Service Payment		\$ 267,904	\$ 300,000	\$ 567,904	\$ (530,015)	\$ 37,889
2016	Actual TIF revenue & Debt Service Payment		\$ 279,785	\$ 300,000	\$ 579,785	\$ (532,815)	\$ 46,970
2017	Actual TIF revenue & Debt Service Payment		\$ 283,998	\$ 300,000	\$ 583,998	\$ (534,565)	\$ 49,433
2018	Actual TIF revenue & Debt Service Payment		\$ 288,889	\$ 300,000	\$ 588,889	\$ (531,065)	\$ 57,824
2019	Actual TIF revenue & Debt Service Payment		\$ 321,899	\$ 300,000	\$ 621,899	\$ (532,440)	\$ 89,459
12-31-2019	Fund Balance - Note 4						\$ 850,569
2020	Estimated revenue excluding hotel - Note 5		\$ 321,899	\$ 300,000	\$ 621,899	\$ (528,565)	\$ 93,334
2021	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (529,115)	\$ 93,334
2022	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (533,940)	\$ 92,784
2023	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (532,390)	\$ 87,959
2024	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (535,540)	\$ 89,509
2025	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (533,240)	\$ 86,359
2026	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (535,115)	\$ 88,659
2027	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (535,978)	\$ 86,784
2028	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (540,790)	\$ 85,922
2029	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (539,340)	\$ 81,109
2030	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (537,365)	\$ 82,559
2031	Estimated revenue excluding hotel - Note 5 & 6		\$ 321,899	\$ 300,000	\$ 621,899	\$ (539,240)	\$ 84,534
	Totals (2013-2031)		\$ 6,021,838	\$ 6,000,000	\$ 12,021,838	\$ (10,681,471)	\$ 1,903,415

Tickmarks and Footnotes:

- Note 1 Net of County Auditor Collection Fees
- Note 2 County contribution is \$300,000 annually.
- Note 3 Revenue collected prior to 2011 was used to pay-down principal and BAN financing.
- Note 4 Fund Balance in Debt Service Fund as of 12-31-2018 confirmed with escrow account.
- Note 5 New hotel or other projects in the TIF area will provided additional revenue.
- Note 6 Redemption option for bond series payable after December 1, 2019.
- Note 7 Estimates were based on the collections for 2019 at \$321,899 per year.

City of Beavercreek
Greene Towne Center TIF Revenue Analysis - Fund 601

<u>Date</u>	<u>TIF Collections</u>	<u>Auditors Fee</u>	<u>Net TIF Collections</u>	<u>Annual TIF Collections</u>	<u>TIF Cummulative</u>
3/21/2008	61,111.05	765.00	60,346.05		60,346.05
8/8/2008	61,111.05	774.05	60,337.00	120,683.05	120,683.05
3/19/09	66,186.03	274.07	65,911.96		186,595.01
8/17/2009	66,165.96	832.66	65,333.30	131,245.26	251,928.31
3/31/2010	100,656.23	1,223.56	99,432.67		351,360.98
8/31/2010	100,656.14	1,256.11	99,400.03	198,832.70	450,761.01
3/23/2011	113,932.21	1,452.62	112,479.59		563,240.60
8/11/2011	113,932.13	1,471.72	112,460.41	224,940.00	675,701.01
3/31/2012	119,199.30	1,057.61	118,141.69		793,842.70
8/13/2012	119,199.22	494.59	118,704.63	236,846.32	912,547.33
3/18/2013	123,203.11	504.07	122,699.04		1,035,246.37
8/12/2013	123,203.11	509.43	122,693.68	245,392.72	1,157,940.05
3/21/2014	117,649.73	479.20	117,170.53		1,275,110.58
8/31/2014	117,649.91	484.48	117,165.43	234,335.96	1,392,276.01
3/17/2015	134,501.55	546.55	133,955.00		1,526,231.01
8/17/2015	134,501.55	552.51	133,949.04	267,904.04	1,660,180.05
3/13/2016	140,459.51	566.82	139,892.69		1,800,072.74
8/23/2016	140,459.51	566.82	139,892.69	279,785.38	1,939,965.43
3/17/2017	142,577.45	574.13	142,003.32		2,081,968.75
8/23/2017	142,577.45	582.43	141,995.02	283,998.34	2,223,963.77
3/15/2018	144,525.48	581.17	143,944.31		2,367,908.08
8/8/2018	145,540.47	595.41	144,945.06	288,889.37	2,512,853.14
3/14/2019	169,894.23	1,399.25	168,494.98		2,681,348.12
8/6/2019	154,717.33	1,313.24	153,404.09	321,899.07	2,834,752.21



CITY COUNCIL
Regular Meeting – October 12, 2020 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

This meeting will be held in the Council Chamber. Social distancing will be observed and it is asked that anyone wishing to attend the meeting in person to please wear a face mask.

Public Comments:

All persons present shall be given an opportunity to be heard on proposed legislation during a public hearing. Citizen Comments is also an opportunity to be heard regarding any topic. For those not wishing to appear in person but wish to make a public comment, please feel free to send an email to the Clerk of Council at: miscisin@beavercreekohio.gov or call (937) 320-7388. Comments must be received by 4:00 p.m., Monday, September 28, 2020 to be considered for the meeting. Please be very specific on which legislation you are addressing or if your comment is to be heard during the Citizen Comment section of the meeting. Thank you

INTRODUCTIONS

- ◆ New Officers – Sean Powers and Dyllan Saintignon

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Vice Mayor Adams
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. ORDINANCES, RESOLUTIONS AND PUDS
- VII. COUNCIL TIME
- VIII. MAYOR'S REPORT
- IX. CITY MANAGER'S REPORT
- X. CITIZEN COMMENTS
- XI. ADJOURNMENT



CITY COUNCIL
Work Session – October 19, 2020 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. Parks ADA Study
 - B. Road Construction Update
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT

PLANNING DEPARTMENT STATUS REPORT

September 24, 2020

CITY COUNCIL

September 28, 2020

- PC 20-9 ASRA, 4085 Executive Drive Addition, Resonant Sciences, public hearing

Tabled / Delayed / Pending

PLANNING COMMISSION

October 7, 2020

- No cases

Tabled / Delayed / Pending

-

Commercial Permits Submitted and Under Review

- Trinity
- WesBanco

BOARD OF ZONING APPEALS

October 14, 2020

- V-20-2, Charles Brackenhoff, 2823 Maginn Drive