

CITY COUNCIL
Regular Meeting - March 13, 2023 6:00 p.m.
Council Chambers

PROCLAMATION

- ◆ Girl Scout Week

- 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. February 21, 2023 Work Session Minutes
 - B. February 27, 2023 Regular Session Minutes
- VI. PRESCHEDULED SPEAKER - Chief Fiorita - Departmental Awards
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 23-7 Chapter 30 (As an Emergency)
 - B. Resolution 23-11 Opioid Settlement
 - C. Resolution 23-12 Local Government Fund
 - D. Resolution 23-13 BCAA Contract
 - E. Resolution 23-14 Approval of City Manager's Appointment of Public Service Director
- VIII. DECISION ITEM
 - A. Approval of Dayton Development Coalition D.C. Fly-In
- IX. COUNCIL TIME
- X. MAYOR'S REPORT
- XI. CITY MANAGER'S REPORT
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
COUNCIL WORK SESSION, February 21, 2023 5:00 p.m.

CALL TO ORDER

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

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

COUNCIL MEMBERS ABSENT: Council Member Schwartz and Mayor Stone

EXCUSE

Council Member Curran MOVED to excuse Council Member Schwartz and Mayor Stone, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Randy Burkett, Planning and Development Director; Katy Carrico, Communications Manager; Kim Farrell, Parks Recreation & Culture Superintendent; Jeff Fiorita, Beavercreek Police Chief; Debbie Haines, Clerk of Council; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer

APPROVAL OF AGENDA

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

DISCUSSION ITEMS

Park Naming

Mrs. Farrell outlined the steps taken to get to the naming of the new 148 park and the guidelines followed. She stated that the Park Board following their mission statement, vision and values narrowed the 143 submitted names down to 4 for Council's consideration and that list was increased to 7 at Council's request. She listed the names recommended by the Park Board as Deerfield Park, Hopewell Park, Shakertown Park and Spring House Park with Rolling Hills Park, The Groves Park and Apple Valley Park brought forth at Council's suggestion.

Council discussed the seven names, narrowing the list back to the first four original names brought forth by the Park Board.

Impact Fees

Mr. Moorman stated that the last increase in impact fees was in 2018 and he explained how the increase of 5.8% would help keep up with inflation with the increase of construction costs. He explained how the impact fees are used. He stated that If Council is interested in pursuing this increase, he would reach out to local developers.

Mr. Landrum added that impact fees were supposed to be reviewed every 2 years, so it was overdue. Mr. Moorman said hat the impact fees were used to aid traffic flow and he discussed different areas where those fees had been used recently.

AirBnb

Mr. Burkett stated that this was a subject that had been brought up a few times recently and he looked into what neighboring cities were doing. He found everything from doing nothing, charging fees, to prohibiting them or putting time constraints such as not being rented for less than 25 days.

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Council discussed time constraints, fees, taxes and how this would be enforced if Council desired any of these constraints or how fees would be collected and monitored. Council Member Garcia said she wants to make certain they are following all the guidelines.

Mr. Landrum asked if Council wanted Mr. Burkett to create language specifically for Beavercreek. Council agreed that they would like to see that.

COUNCIL COMMITTEE/EVENT UPDATES

Council Member Duerr asked about the local government fund. Mr. Landrum said that he had forwarded an email on the subject to Council.

There were no further updates

ADJOURNMENT

Council Member Curran MOVED to adjourn the meeting at 6:03 p.m., seconded by Council Member Bales. Motion PASSED by majority voice vote.

Joanna Garcia, Vice Mayor

ATTEST:

Debbie Haines
Clerk of Council
Cmin02212023 Work Session

BEAVERCREEK CITY COUNCIL
REGULAR MEETING February 27, 2023 6:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call

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

ABSENT: Council Member Schwartz

Vice Mayor Garcia MOVED to excuse Council Member Schwartz, seconded by Council Member Adams. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Katy Carrico, Communications Manager; Kim Farrell, Park, Recreation & Culture Superintendent; Jeff Fiorita, Police Chief; Debbie Haines, Clerk of Council; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer

PLEDGE

Vice Mayor Garcia led the pledge and a moment of silence for the first responders that jumped into action when the tornado struck.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Bales MOVED to approve the February 13, 2023 Work Session Minutes, seconded by Council Member Adams. Motion PASSED by majority voice vote; Mayor Stone abstained.

Council Member Bales MOVED to approve the February 13, 2023 Regular Meeting Minutes, seconded by Council Member Curran. Motion PASSED by majority voice vote; Mayor Stone abstained.

PRESCHEDULED SPEAKER

Pete Landrum, City Manager - Updated Staffing Management Plan

Mr. Landrum stated that change is inevitable and this updated staff Management Plan, which had been scheduled for 2024 was being moved up due to retirements and departures. He pointed out that the plan did not change services or functions of the City. He outlined 4 significant staffing losses that had just occurred or would be taking place over the next two years. He stated that the Engineering Division changes would include the addition of an associate city engineer. He said that the additional position was necessary due to the numerous grants

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engineering has brought in, totaling \$117,852,793.80 since 1997, for City projects.

He said that the biggest changes were to the Public Services Department splitting the responsibilities that were formerly under the PASD. He said that the third change would be to add an assistant city manager with HR reporting to them and an upgrade from Human Resource Manager to Human Resources Director, a Finance Director from Financial Services Administrative Director and Executive Assistant to the City Manager job having some changes to the job description.

He outlined the financial analysis of the proposed changes and said that by the end of 2024 these changes will be cost negligible citywide.

He stated that the next steps would be to bring Ordinance Chapter 30 before Council, and if approved the appointment of Jeff Moorman as Public Services Director/City Engineer.

COUNCIL INPUT

Mayor Stone asked Mr. Landrum to go over the cost negligible aspect. Mr. Landrum stated that the city engineer would be the cost issue, but they have pulled in 7 out of 7 grants they applied for and that department needed additional help to manage all the projects made possible by those grants.

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 23-6 Additional Appropriations (Single Reading)

Clerk Haines read an ordinance to approve supplemental appropriations and certify additional revenue for Fiscal Year beginning January 1, 2023, and ending December 31, 2023 and to amend Ordinance 22-32

Mr. Kucera outlined the supplemental appropriations for the Street Levy Fund certifying additional grant funds received, Opioid Settlement Fund receiving \$16,314, which was more than the first payment; Golf Course Fund generated \$19,800 for used golf carts, with \$5,200 being used for windshields and covers on the utility vehicles for staff safety. He said that the Misc. Trust Fund utilizing a portion or \$1,600 of the \$4,000 for an employee incentive program and the MVRPC was looking for sponsors to for updating the bicycle maps and BANTAC wanted to contribute \$750.

INPUT

There was no citizen input

COUNCIL INPUT

There was no council input.

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Council Member Duerr MOVED to approve Ordinance 23-6, seconded by Vice Mayor Garcia. Motion PASSED by roll call vote, 6-0.

Resolution 23-9 Ohio BWC Safety Intervention Grant

Clerk Haines read a Resolution to authorize the application for the Ohio BWC Safety Intervention Grant Program on behalf of the Beavercreek Public Service Division.

Mr. Moorman stated that the purpose of this grant was for safety interventions and only applies to equipment, which would consist of a hydraulic demolition hammer that mounts on the excavator and a lift gate for a work truck. He stated that this was a 75%/25% grant and with a total cost for the equipment of \$13,973.95, the grant would fund \$9,315.97 with the City's responsibility being \$4,657.98, and he pointed out that the City's 25% was already in the budget.

He stated that staff recommends approval.

COUNCIL INPUT

Council Member Bales asked if staff knew the time frame for the grant being awarded. Mr. Moorman replied that he thought this summer with a three-month window to purchase the equipment.

Council Member Duerr clarified that it was a 25% matching grant. Mr. Moorman replied that it was.

There was no further Council input.

Council Member Curran MOVED to approve Resolution 23-9, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Resolution 22-10 Park Renaming

Clerk Haines read a Resolution naming the new 148 acres of park land along Grange Hall Road in between Shakertown Road and E. Patterson Road.

Mrs. Farrell stated that the park naming had been in the works since Fall of 2022. She went over the park naming policy with three different methodologies and other considerations. She said in the Fall of 2022 they put out information and asked for input from citizens and received 243 submissions. After eliminating duplicates or ones that didn't meet the criteria, they had 148 to choose from. The Park Board narrowed the list down and brought four to Council who asked for three additional

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names. The choices had now been narrowed down to three names; Spring House Park, Shakertown Park and Deerfield Park.

COUNCIL INPUT

Council Member Duerr thanked the residents for their input and the Park Board for their efforts.

There was no further Council input.

Council did a vote with Deerfield Park getting one vote, Shakertown Park getting one vote and Spring House Park getting 4 votes.

Vice Mayor Garcia MOVED to amend Resolution 23-10 inserting Spring House Park, seconded by Council Member Duerr. Motion PASSED by majority voice vote

Council Member Bales MOVED to approve Resolution 23-10 as amended, seconded by Council Member Curran. Motion PASSED by majority voice vote.

DECISION ITEMS

Boards and Commission Appointments

Planning Commission (2 Vacancies)

Vice Mayor Garcia MOVED to open nominations for the Planning Commission, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Council Member Curran nominated Nicholas Loftis and Johnathan Meyer.

There were no further nominations.

Vice Mayor Garcia MOVED to close nominations for the Planning Commission, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Council Member Bales MOVED to appoint Nicholas Loftis and Johnathan Meyer to the Planning Commission for the term March 1, 2023 - February 28, 2026, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Board of Zoning Appeals (2 Vacancies)

Vice Mayor Garcia MOVED to open nominations for the Board of Zoning Appeals, seconded by Council Member Bales. Motion PASSED by majority voice vote.

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Vice Mayor Garcia nominated Collin Rust. Council Member Duerr nominated Alexander Cloonan. Council Member Bales nominated Michelle Hudnell.

There were no further nominations.

Council Member Adams MOVED to close nominations for the Board of Zoning Appeals, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Council voted Collin Rust, six votes; Alexander Cloonan, three votes; Michelle Hudnell, three votes. Council did a second vote to break the tie between Cloonan and Hudnell; Alexander Cloonan, three votes; Michelle Hudnell, three votes.

Council discussed the two tied nominees. Council Member Bales gave his reasoning for nominating and voting for Michelle Hudnell. Mayor Stone stated that on the other side Council usually looked closely at the suggestion of staff that worked closely with these boards and committees. Mr. Landrum added that Mr. Cloonan had only been on the Board of Zoning Appeals since last September and he performed well with two difficult cases. Vice Mayor Garcia said that she didn't think new perspective was necessarily a bad thing, but also appreciated those serving and being willing to come back.

Council did a third vote; Alexander Cloonan, three votes; Michelle Hudnell, three votes. Mayor Stone stated that obviously without their seventh member they weren't going to be able to make this second appointment. He thanked the applicants for their interest.

Council Member Curran MOVED to appoint Collin Rus to the Board of Zoning Appeals for the term March 1, 2023 - February 28, 2026, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Community Reinvestment Area Housing Council CRA (2 Vacancies)
Vice Mayor Garcia MOVED to open nominations for the Community Reinvestment Area Housing Council (CRA), seconded by Council Member Curran. Motion PASSED by majority voice vote.

Council Member Bales nominated Keith Ayers. Council Member Adams nominated Zach Upton

There were no further nominations.

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Vice Mayor Garcia MOVED to close nominations for the Community Reinvestment Area Housing Council, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Duerr MOVED to appoint Keith Ayers and Zach Upton Community Reinvestment Area Housing Council for the term March 1, 2023 - February 28, 2026, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Tax Incentive Review Council (1 Vacancy)

Vice Mayor Garcia MOVED to open nominations for the Tax Incentive Review Council seconded by Council Member Curran. Motion PASSED by majority voice vote.

Council Member Curran nominated Katie Herbert.

There were no further nominations.

Vice Mayor Garcia MOVED to close nominations for Tax Incentive Review Council, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales MOVED to appoint Katie Herbert to the Tax Incentive Review Council for the term March 1, 2023 - February 28, 2026, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Parks, Recreation & Culture Board (1 Vacancy)

Vice Mayor Garcia MOVED to open nominations for the Parks, Recreation & Culture Board, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales nominated Matt Schmidt.

There were no further nominations.

Council Member Adams MOVED to close nominations for the Parks, Recreation & Culture Board, seconded by Council Member Bales. Motion PASSED by majority voice vote.

Council Member Adams MOVED to appoint Matt Schmidt to the Parks, Recreation & Culture Board for the term March 1, 2023 - February 28, 2026, seconded by Council Member Bales. Motion PASSED by majority voice vote.

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Bikeway and Non-Motorized Transportation Advisory Board (2 Vacancies)

Vice Mayor Garcia MOVED to open nominations for the Bikeway and Non-Motorized Transportation Advisory Board, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Council Member Curran nominated Michael Jones and Mary Jackson.

There were no further nominations.

Vice Mayor Garcia MOVED to close nominations for the Bikeway and Non-Motorized Transportation Advisory Board, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales MOVED to appoint Michael Jones and Mary Jackson to the Bikeway and Non-Motorized Transportation Advisory Board for the term March 1, 2023 - February 28, 2026, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Tree Advisory Board (2 Vacancies)

Vice Mayor Garcia MOVED to open nominations for the Tree Advisory Board, seconded by Council Member Bales. Motion PASSED by majority voice vote.

Council Member Adams nominated Jeanne Kunay and Don Shipley.

There were no further nominations.

Vice Mayor Garcia MOVED to close nominations for the Tree Advisory Board, seconded by Council Member Bales. Motion PASSED by majority voice vote.

Council Member Adams MOVED to appoint Jeanne Kunay and Don Shipley to the Tree Advisory Board for the term March 1, 2023 - February 28, 2026, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Youth Development Committee (4+ Vacancies)

Council Member Bales MOVED to open nominations for Youth Development Committee, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

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Council Member Curran nominated Heather Vest, Chris Hadley and Kendric Ellerbee for two-year terms.

There were no further nominations.

Council Member Adams MOVED to close nominations for the Youth Development Committee two-year terms, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Council Member Bales MOVED to appoint Heather Vest, Chris Hadley and Kendric Ellerbee to two-year terms to the Youth Development Committee for the term March 1, 2023 - February 28, 2025, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales MOVED to open nominations for Youth Development Committee one-year terms, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Council Member Bales nominated Sierra Peacock, Terri Dalton and Sarah Hamilton to one-year terms.

There were no further nominations.

Council Member Adams MOVED to close nominations for the Youth Development Committee one-year terms, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Council Member Bales MOVED to appoint Sierra Peacock, Terri Dalton and Sarah Hamilton to one-year terms to the Youth Development Committee for the term March 1, 2023 - February 29, 2024, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Environmental Advisory Board (5 Vacancies)

Vice Mayor Garcia MOVED to open nominations for the three-year terms on the Environmental Advisory Board, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales nominated John Koerner and Edward Bogden.

There were no further nominations.

Council Member Adams MOVED to close nominations for the Environmental Advisory Board three-year terms, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

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Council Member Bales MOVED to appoint John Koerner and Edward Bogden to the Environmental Advisory Board for terms March 1, 2023 - February 28, 2026, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Vice Mayor Garcia MOVED to open nominations for the two-year terms on the Environmental Advisory Board, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales nominated Bryant Martin for a two-year term on the Environmental Advisory Board.

There were no further nominations.

Vice Mayor Garcia MOVED to close nominations for the Environmental Advisory Board two-year term, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales MOVED to appoint Bryant Martin the Environmental Advisory Board for an unexpired term March 1, 2023 - February 28, 2025, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Vice Mayor Garcia MOVED to open nominations for the one-year term on the Environmental Advisory Board, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Curran nominated Wes Eversole for a one-year term.

There were no further nominations

Vice Mayor Garcia MOVED to close nominations for the Environmental Advisory Board one-year term, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Council Member Bales MOVED to appoint Wes Eversole to the Environmental Advisory Board for terms March 1, 2023 - February 29, 2024, seconded by Council Member Adams. Motion PASSED by majority voice vote.

Personnel Board (1 Vacancy)

Vice Mayor Garcia MOVED to open nominations for the Personnel Board, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

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Council Member Adams nominated Chris Williams. Council Member Bales nominated Craig Kigar.
There were no further nominations.

Vice Mayor Garcia MOVED to close nominations for the Personnel Board, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Council Member Adams stated that he nominated Chris Williams who had been active in the City for years and was a retired police officer and active with the schools. Council Member Bales stated that Craig Kigar was the incumbent who had served on the committee for many years and was active in the Optimist Club.

Council voted Chris Williams 3; Council voted Craig Kigar 3 in the first vote. Council voted Chris Williams 2 and Craig Kigar 4 in the second vote.

Council Member Bales MOVED to appoint Craig Kigar to the Personnel Board for the term March 1, 2023 - February 28, 2026, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Impact Fee (5 Vacancies)

Mayor Stone stated that staff indicated that there were no applicants choosing this committee as their first choice and having never been used it was staff's recommendation to not fill any seats on the Impact Fee Appeals Board.

Vice Mayor Garcia MOVED to table the final appointment to the Board of Zoning until seven Council Members are present, Council Member Bales seconded. Motion PASSED by majority voice vote.

Council Appointments to Local Agencies.

Council wished to continue the appointments that they are currently holding.

Council Member Curran moved to maintain the present Local Agency Appointments, seconded by Council Member Bales. Motion PASSED by majority voice vote.

COUNCIL TIME

Council Member Curran wished Officer Williams the very best on his retirement after 33 years with the City and our HR manager that's leaving. He said that Project Emerge made a nice presentation of a wonderful project at Rotary. He visited the Day of Caring that helped those in need, at the Senior Center and thanked the youth for their involvement..

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Council Member Bales welcomed Mayor Stone back. He congratulated the High School swim and hockey teams for their fantastic efforts in the State tournaments. He said that on the City website he was searching for opportunities for his kids this summer and found dozens of opportunities and activities and he encouraged parents to go to the website

Council Member Duerr thanked Vice Mayor Garcia for her opening comments as we approach the fourth anniversary of the tornado and all the first responders and the bus drivers that worked hard to protect our students during that time. He had the opportunity to attend a Council on Foreign Affairs webinar and given the proximity of Wright Patterson AFB it was nice to see the connections between local and state government that can connect us to businesses abroad.

Council Member Adams stated that he attended the ribbon cutting at the Wright Group. He stated that there would be a retirement for Officer Spicer's retirement Friday and his service would be missed. He attended a Blue Star Families event that assists service members families when they are deployed. He was able to represent Mayor Stone at the Techumseh Boy Scouts Eagle Scout Award Ceremony with 10 of the recipients being from Beavercreek. He and Mayor Stone attended the Global Alliance Meeting and received information on how they are attracting businesses.

Vice Mayor Garcia welcomed Mayor Stone back. She thanked all the volunteers who we are incredibly grateful to have to help the City run smoothly. She said that this Sunday a few of them would be attending the Girl Scouts Gold Award ceremony. She said the MVRPC monthly meeting was upcoming and she would have an upcoming update for Council.

MAYOR'S REPORT

Mayor Stone stated that he appreciated his fellow Council Members keeping things running smoothly while he was on vacation.

CITY MANAGER REPORT

Mr. Landrum congratulated Officer James Spicer on his retirement after 33 years with the Beavercreek Police Department.

He said that the 2023 Street Resurfacing and Curb Replacement Program had \$2.5 million dedicated in the budget. He said that even with costs going up the city will resurface 8.54 centerline miles. He said more information can be found by visiting our website at www.beavercreekohio.gov/engineering or by calling 937-427-5513.

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He stated that the Senior Transportation Program was made possible by wonderful volunteers, but the program is in need or more. He said that no special license was needed just a desire to help. He said that Parks was also looking for volunteers to help clean up playgrounds and spread mulch. He said that information can be found at www.beavercreekohio.gov/volunteer

He said that the City was accepting applications for many seasonal and part-time positions, as well as interns and applications were available at www.beavercreekohio.gov/jobs

Mayor Stone thanked Vice Mayor Garcia for filling in for him.

CITIZEN COMMENTS

There were no citizen comments.

ADJOURNMENT

Council Member Adams MOVED to adjourn the meeting at 7:34 p.m., seconded by Council Member Duerr. Motion PASSED by majority voice vote.

Joanna Garcia, Vice Mayor

ATTEST:

Debbie Haines
Acting Clerk of Council
Cmim02272022

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 23-7

SPONSORED BY COUNCIL MEMBER _____ ON THE
____ DAY OF _____, 2023.

AN ORDINANCE BY BEAVERCREEK CITY COUNCIL REPEALING THE CURRENT CHAPTER 30 “GOVERNMENTAL ORGANIZATION” OF THE CODIFIED ORDINANCES OF THE CITY OF BEAVERCREEK AND ENACTING A NEW CHAPTER 30 “GOVERNMENTAL ORGANIZATION” TO THE CODIFIED ORDINANCES OF THE CITY OF BEAVERCREEK TO UPDATE AND IMPROVE GOVERNMENTAL ORGANIZATION IN THE CITY OF BEAVERCREEK AND DECLARING AN EMERGENCY.

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, City Council has determined that certain provisions of the current Chapter 30 (“Governmental Organization”) of Title III (“Administration”) require revision in order to update and improve governmental organization; and

WHEREAS, City Council has determined that the current Chapter 30 (“Governmental Organization”) should be repealed in its entirety and replaced with a new Chapter 30 (“Governmental Organization”); and

WHEREAS, for the preservation of the peace, health, safety, and welfare of the citizens of the City of Beavercreek, and to maintain orderly governmental operations, it is necessary that this Ordinance take immediate effect.

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

The current Chapter 30 (“Governmental Organization”) of the Codified Ordinances of the City of Beavercreek be and hereby is repealed in its entirety.

SECTION II.

A new Chapter 30 (“Governmental Organization”) of the Codified Ordinances of the City of Beavercreek be and hereby is adopted to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference, with additions in **bold** and underlined and deletions in ~~strikethrough~~.

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.

In order to protect and promote the public health, safety, and welfare of the citizens of the City of Beavercreek and to maintain orderly governmental operations by allowing the process of filling key positions to proceed in a timely and efficient manner, it is necessary that this Ordinance take immediate effect.

SECTION V.

This Emergency Ordinance shall take effect immediately on adoption.

PASSED this _____ day of _____, 2023.

Bob Stone, Mayor

ATTEST:

Debbie Haines, Clerk of Council

SUMMARY

THIS ORDINANCE REPEALS CURRENT CHAPTER 30 ("GOVERNMENTAL ORGANIZATION") OF THE CODIFIED ORDINANCES OF THE CITY OF BEAVERCREEK AND ADOPTS A NEW CHAPTER 30 ("GOVERNMENTAL ORGANIZATION") TO UPDATE AND IMPROVE GOVERNMENTAL ORGANIZATION IN THE CITY OF BEAVERCREEK AND DECLARING AN EMERGENCY.

EXHIBIT A

CHAPTER 30: GOVERNMENTAL ORGANIZATION

Section

30.01 Governmental organization

§ 30.01 GOVERNMENTAL ORGANIZATION.

The city government shall be organized into the following offices, departments, and divisions:

(A) City Council.

(1) Clerk of Council.

(B) City Manager.

(C) ~~Financial Administrative Services Department.~~ **Finance Department.**

(1) Finance Division.

(2) Information Services Division.

~~(3) Human Resources Division.~~

(D) Planning and Development Department.

(E) ~~Public Administrative Services Department.~~ **Public Services Department.**

(1) Engineering Division.

~~(2) Parks, Recreation and Culture Division.~~

~~(3)~~ **2**) Public Services Division.

~~(4) Golf Course Division.~~

(F) Police Department.

(1) Operations Division.

(2) Support Services Division.

(3) Special Services Division.

(G) Assistant City Manager.

(1) Human Resources Division.

(2) Parks, Recreation, and Culture Division.

(3) Golf Course Division.

RESOLUTION NO. 23-11

SPONSORED BY COUNCIL MEMBER _____ ON THE _____ DAY OF _____, 2023.

A RESOLUTION BY THE BEAVERCREEK CITY COUNCIL TO ACCEPT THE PROPOSED OPIOID SETTLEMENT WITH RETAILERS

WHEREAS, the City of Beavercreek, Ohio is a municipal corporation duly formed and organized pursuant to the Ohio Constitution and the laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio are seeking to hold Teva, Allergan, CVS, Walgreens and Walmart accountable for the damage caused by their misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State has notified the City of a proposed settlement; and

WHEREAS, Council understands that the purpose of this resolution is to authorize the City Manager to accept the settlement.

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

SECTION I: The City Manager is authorized to accept settlement.

SECTION II: 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 III: This Resolution shall take effect and be in full force from and after the date of its passage.

PASSED this _____ day of _____ 2023.

MAYOR

ATTEST:

DEBBIE HAINES, CLERK OF COUNCIL

PREPARED BY: CITY ATTORNEY

SUMMARY

**A RESOLUTION BY THE BEAVERCREEK CITY COUNCIL TO ACCEPT
THE PROPOSED OPIOID SETTLEMENT WITH RETAILERS**

RESOLUTION NO. 23-12

STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS

WHEREAS, the Local Government Fund was reduced in 2011 by 50% during Gov. Kasich's Administration from 3.68% of General Revenue Funds to its current level of 1.66% of General Revenue Funds; and

WHEREAS, past Ohio General Assemblies have repeatedly decreased funding and revenue sharing in recent years in addition to significantly reducing the Local Government Fund, including eliminating the Estate Tax and phasing out the Tangible Personal Property Tax; and

WHEREAS, these reductions have resulted in an estimated loss of revenue of \$970,496 in 2022 using the current funding level, and since 2011 the City of Beavercreek has lost an estimated \$3.7 million in local government funds; and

WHEREAS, this sudden revenue loss has made it increasingly difficult to provide basic services, rebuild infrastructure, and bolster public safety services; and

WHEREAS, when municipalities experience success in fostering safe communities, building sound infrastructure, and increasing economic development, the State of Ohio reaps the benefits as well; and

WHEREAS, a reinvestment in the Local Government Fund would aid the state in its goal of lowering taxes on the individual by enabling municipalities to decrease the local tax burden.

NOW, THEREFORE, BE IT RESOLVED by the (Council, Commission) of the (insert municipality name here), Ohio that:

Section 1. The Ohio General Assembly should restore the Local Government Fund to pre-recession levels, ensuring that local communities are able to provide crucial services and improvements in infrastructure and public safety.

Section 2. This Council does hereby declare its opposition to any further cuts to the Local Government Fund or the future diversion of revenues from the Local Government Fund.

Passed by the Council on the ____ day of _____ 2023;

Effective Date:

AUTHENTICATION:

Clerk of Council

Mayor

CITY OF BEAVERCREEK, OHIO
RESOLUTION NO 23-13

SPONSORED BY COUNCIL MEMBER ON THE 13th DAY OF March, 2023.

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A LEASE AGREEMENT WITH THE
BEAVERCREEK COMMUNITY ATHLETIC
ASSOCIATION

WHEREAS, the City of Beavercreek and Beavercreek Community Athletic Association desire to enter into an agreement which will allow BCAA to use E.J. Nutter Park; and

WHEREAS, the City of Beavercreek and Beavercreek Community Athletic Association entered into a comparable agreement commencing in 1995 and seek to continue their relationship.

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

SECTION I.

The Council authorizes the City Manager to sign on behalf of the City of Beavercreek the Agreement for Beavercreek Community Athletic Association Lease Agreement.

SECTION II.

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 meeting 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 resolution shall become effective immediately upon passage.

Passed this _____ day of _____, 2023.

Bob Stone, Mayor

Attest:

Debbie Haines, Clerk of Council

RESOLUTION NO. 23-14

SPONSORED BY COUNCIL MEMBER _____ ON THE _____ DAY OF _____, 2023.

A RESOLUTION BY THE BEAVERCREEK CITY COUNCIL TO ACCEPT THE PROPOSED OPIOID SETTLEMENT WITH RETAILERS

WHEREAS, the City of Beavercreek, Ohio is a municipal corporation duly formed and organized pursuant to the Ohio Constitution and the laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio are seeking to hold Teva, Allergan, CVS, Walgreens and Walmart accountable for the damage caused by their misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State has notified the City of a proposed settlement; and

WHEREAS, Council understands that the purpose of this resolution is to authorize the City Manager to accept the settlement.

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

SECTION I: The City Manager is authorized to accept settlement.

SECTION II: 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 III: This Resolution shall take effect and be in full force from and after the date of its passage.

PASSED this _____ day of _____ 2023.

MAYOR

ATTEST:

DEBBIE HAINES, CLERK OF COUNCIL

PREPARED BY: CITY ATTORNEY

SUMMARY

**A RESOLUTION BY THE BEAVERCREEK CITY COUNCIL TO ACCEPT
THE PROPOSED OPIOID SETTLEMENT WITH RETAILERS**

CITY COUNCIL
Work Session, Tuesday, March 20, 2023 5:00 p.m.
Council Chambers

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA

- IV. DISCUSSION ITEMS
 - A. Draft Spring House Park Master Plan
 - B. Golf Food and Beverage Options
 - C. Electric Underground
 - D. BDC Agreement Land Use

- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT

CITY COUNCIL
Regular Meeting - March 27, 2023 6:00 p.m.
Council Chambers

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE - Council Member Bales
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. February 21, 2023 Work Session Minutes
 - B. February 27, 2023 Regular Session Minutes
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Resolution 23-15 Interagency Agreement for Greene County Public Safety Information Sharing Network (PSISN)
 - B. Resolution 23-16 LPA Agreement with ODOT for the Indian Ripple Road Widening Project
 - C. Resolution 23-17 LPA Agreement with ODOT for the Indian Ripple Road Widening Project
 - D. Resolution 23-18 LPA Agreement with ODOT for the Shakertown Road Sidepath
- VII. DECISION ITEM
- VIII. COUNCIL TIME
- IX. MAYOR'S REPORT
- X. CITY MANAGER'S REPORT
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT