

BEAVERCREEK CITY COUNCIL
REGULAR MEETING January 14, 2019 6:00 p.m.

CALL TO ORDER

Clerk Miscisin called the meeting to order followed by roll call

PRESENT: Council Member Curran, Council Member Litteral, Council Member Rushing, Council Member Upton, Council Member Vann

ABSENT: Vice Mayor Garcia, Mayor Stone

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

Council Member Vann MOVED to excuse Vice Mayor Garcia and Mayor Stone, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

MOTION TO APPOINT PRESIDING OFFICER OF MEETING

Council Member Curran MOVED to approve appoint Council Member Upton as the presiding officer for the January 14, 2019 Regular meeting in accordance with Section 31.12 of the Codified Ordinances, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

PLEDGE

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

APPROVAL OF AGENDA

Council Member Vann MOVED to amend the agenda by adding an Executive Session after Citizen Comments, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

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

PUBLIC HEARING – PUD 18-1 SSP#1 Dunking Donuts

Clerk Miscisin read an application filed by Gilligan Company, 3805 Edward Road, Suite 680, Cincinnati, OH 45209. The application requests approval of a specific site plan to allow for the development of a 2,215 square foot Dunkin Donuts on 0.6232 acres of land. The property is located on the northwest corner of Lantz Road and North Fairfield Road. The property is further described as Book 5, Page 5, part of Parcel 126 on the Greene County Property Tax Atlas.

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Applicant Presentation

Kara Burkhardt, 5335 Far Hills Ave, Dayton, Ohio

Ms. Burkhardt said they were requesting approval of a new Dunkin Donuts at the corner of North Fairfield Road and Lantz Road. She said it was a next generation store and they were very excited to be coming to Beaver creek.

Staff Presentation

Mr. Burkett summarized the staff report dated January 9, 2019 stating the applicant was seeking approval of a specific site plan to allow for the construction of a 2,215 square foot restaurant on .62 acres. He reviewed the location, surrounding zoning, the proposed site plan, permitted uses, buffer requirements, access, parking, architecture elevations, landscaping and signage. Planning Commission and staff recommended approval of this request.

Public Input

There being no public input, public input was closed.

Council Input

Council Member Litteral asked about lighting. Mr. Burkett explained the applicant had included a lighting plan and had addressed all of the conditions.

Council Member Rushing verified the properties to the north were zoned R1A and asked if there were plans for those properties according to the master plan in the future. Mr. Burkett explained the property to the north was a mix of single family residential/office.

Council Member Vann was concerned with headlights in the morning shining on the houses. She asked if the landscaping plan was adequate to block the light. Mr. Burkett reviewed the landscaping plans.

Council Member Upton questioned emergency access. Mr. Burkett said the plans had been forwarded to the fire department and they had no concerns.

Motion

Council Member Litteral for the purpose of taking administrative action, approval of a Specific Site Plan for Dunkin Donuts, 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 a Specific Site Plan as per §158.066 of the Zoning Code. Supplementary conditions required of this approval shall be as follows. Council

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Member Litteral further moved that this motion with all conditions be fully recorded in the minutes of this Council meeting.

1. The approved site and landscape plans shall be the plans dated "Received November 29, 2018" except as modified herein.
2. The approved architectural elevations shall be the plans dated "Received November 29, 2018" except as modified herein.
3. A PUD Agreement must be signed by the owner and a bond or letter of credit 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 Planning and Zoning Department.
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 final subdivision shall be recorded with the Greene County Auditor's office prior to the release of a zoning permit for the project.
6. A detailed landscape plan shall be reviewed and approved by the Planning Department prior to the execution of the required PUD Agreement and the release of a zoning permit for the building.
7. Final cut sheet details and photometric plans for the lighting of the site shall be reviewed and approved by the Planning Department, prior to the issuance of a zoning permit.
8. Maximum mounting height for any parking lot fixture shall be 16 feet, including the base. Lights in the parking lot shall be reduced to no greater than 25 percent illumination level within two hours after closing.
9. All pole-mounted lighting shall be located within a landscaped or concrete island and shall not be permitted to be located within any designated parking stall for the site. This shall be reflected on the photometric plan prior to the release of a zoning permit.
10. Debris and trash shall be routinely collected by the owner from the parking lot and grounds of all areas of the project including storm drainage facilities.

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The City reserves the right to require more frequent collection as deemed necessary.

11. The building exterior shall not be painted or altered in any way that varies from the approved elevations unless otherwise approved by the Planning Department or, if required, by the City Council and/or Planning Commission.
12. All man and service doors shall be painted to match the adjacent building materials per the approval of the Planning Department.
13. All trash collection containers shall be enclosed within a building or screened from view through the use of a permanent dumpster enclosure designed to match the building by using the same materials as those found on the building. All ground mounted mechanical equipment shall be screened from view per the review and approval of the Planning Department.
14. All concerns of the City Engineer, Fire Department, Sanitary Engineer, Planning Department and the Beavercreek Police Department shall be addressed prior to the issuance of a permit for the project.
15. All roof top mechanical units shall be completely screened from view from all directions with architectural features (roof forms or parapets).
16. The parking lot shall be kept in good condition. The City Engineer reserves the right to determine if the parking lot pavement condition is in disrepair and has not been maintained in a commercially acceptable condition, and that improvements are required. Those improvements shall be completed in a timely manner to the City Engineer's satisfaction.
17. No portion of this building may be occupied for the first time or reoccupied later until and unless an application of a Certificate of Use Compliance has been submitted to the City by the property owner or by a prospective occupant. No such occupancy may occur until the application of Certificate of Use Compliance has been approved and issued by the City.
18. Any portion of the site disturbed by grading and on which no construction occurs within three months after completion of the site grading shall be planted with appropriate ground cover and properly maintained.
19. Exterior construction hours shall be limited to Monday thru Saturday 7AM to 7PM.

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20. There shall be a maximum of one ground sign for this project. The ground sign, which shall include a minimum 1-foot tall, consistent with building design and materials, shall be a maximum of 5 feet tall and have a maximum 25 square feet per sign face. The final design and location shall be subject to review and approval by the Planning Department prior to release of a permit for the sign. Any ground sign shall be set in a base that shall be constructed of the same brick as used to construct the principal structure.
21. The final stormwater plan shall be reviewed and approved by the City Engineer, and bonding shall be put in place, prior to the release of a zoning permit.

Seconded by Council Member Rushing. Motion PASSED by majority voice vote.

PUBLIC HEARING – PUD 18-3 SSP#1 Dollar General

Clerk Miscisin read an application filed by Beaver Creek DOHP, 9010 Overlook Boulevard, Brentwood, TN 37027. The application requests approval of a specific site plan to allow for the development of a 29,100 square foot retail store on 3.41 acres. The property is located at 3867 Dayton-Xenia Road further described as Book 2, Page 11, Parcels 140, 141, 144, 145 and 146 on the Greene County Property Tax Atlas

Applicant Presentation

Alex Kinzy, Steck Beck Engineering, PA

Mr. Kinzy said he was the design engineer for the project and he was there to answer any questions regarding the plan.

Staff Presentation

Mr. Burkett summarized the staff report dated January 9, 2019 stating the applicant was seeking approval of a specific site plan to allow for the construction of a 9,100 square foot Dollar General retail store. He reviewed the location, surrounding zoning, proposed site plan, permitted uses, buffer requirements, access, parking, architecture elevations, landscaping, grading for stormwater, lighting, and signage. He explained staff was asking to add to Condition #13 that the enclosure be fitted with a closable, lockable gate, which shall be constructed of either vinyl planks or treated lumber planks. Planning Commission and staff recommended approval of this request.

Public Input

Bob Stanton, 1519 Longview Drive, Beaver Creek

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Mr. Stanton said he did not see any evergreen screening in the back and wanted to request that to block the view of the building site from his house. He said there was holly brush and deciduous trees which you could see through. He also questioned the lighting at the back of the building.

There being no more input, public input was closed.

Council Input

Council Member Curran thought the five parcels had a natural access point to go back out to Longview. He said the access on Dayton-Xenia had two hills on either side of it plus there was a road expansion occurring in 2020. Dollar General would be starting construction in earlier spring.

Council Member Vann agreed with this stating Knollwood Gardens has had problems with their Dayton-Xenia Road access. She was not happy there is no egress on Longview.

Council Member Litteral had concerns with traffic and this was not a workable solution in her opinion. She asked if the applicant looked at any of the empty buildings. Mr. Kinzy said the company liked to have their own style building and he was not involved with the initial hunting of properties. Council Member Litteral asked if there was a way to alleviate this issue. Mr. Burkett said there was concern of the steepness and the proximity to the residential properties. He said they were trying to keep away from the residential.

Council Member Curran asked if there could be a deceleration lane on Dayton-Xenia. Mr. Burkett said they had talked about it initially but because of the 2020 road expansion plan it would be torn out.

Council Member Upton questioned the larger retention pond close to the road. Mr. Burkett said they had those throughout the city. Council Member Upton asked what the drop off was. Mr. Burkett said it was about five-six feet. Mr. Kinzy said the big reason for the detention ponds was a way to remove pollutants from the run off from the parking lot and have a second area of treatment. He said it gives ways to clean and trap pollutants.

Council Member Vann asked if there was a fountain in the pond. Mr. Kinzy said it was designed to release all the water within 72 hours and be mowable grass most of the time.

Council Member Upton asked about adding to the landscaping at the existing tree line. Mr. Burkett said it would be no problem to add evergreens.

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Council Member Vann asked if there could be a one lane exit to Longview. Mr. Kinzy said they spent a good day to try to make that work. He said to make it work for trucks and fire trucks it would have involved removing the brush and traffic going very close to the residential property. He said it would have four to five feet from the residential property line.

Council Member Vann asked if there was any other way to improve the egress from the site. Mr. McGrath said there will be a left turn lane. He said they would talk with engineers regarding the road expansion.

Council Member Curran MOVED to add condition #26 that the applicant shall work with the city engineer and planning staff to analyze the creation and implementation, if feasible, of an eastbound deceleration lane to be paid for by the applicant, amend condition #6 Additionally, evergreen trees shall be added to the southeast corner of property to provide screening to the residential property, and amend condition #13 The enclosure shall be fitted with a closable, lockable gate, which shall be constructed of either vinyl planks or treated lumber planks, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

Motion

Council Member Curran for the purpose of taking administrative action, approval of a Specific Site Plan for Dollar General, 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 a Specific Site Plan as per §158.066 of the Zoning Code. Supplementary conditions required of this approval shall be as follows. Council Member Curran further moved that this motion with all conditions be fully recorded in the minutes of this Council meeting.

1. The approved site and landscape plans shall be the plans dated "Received December 21, 2018" except as modified herein.
2. The approved architectural elevations shall be the plans dated "Received November 12, 2018" except as modified herein.
3. A PUD Agreement must be signed by the owner and a bond or letter of credit 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

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letter of credit must meet the requirements of the Planning and Zoning Department.

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 final subdivision shall be recorded with the Greene County Auditor's office prior to the release of a zoning permit for the project.
6. A detailed landscape plan shall be reviewed and approved by the Planning Department prior to the execution of the required PUD Agreement and the release of a zoning permit for the building. Additionally, evergreen trees shall be added to the southeast corner of property to provide screening to the residential property.
7. Final cut sheet details and photometric plans for the lighting of the site shall be reviewed and approved by the Planning Department, prior to the issuance of a zoning permit.
8. Maximum mounting height for any parking lot fixture shall be 16 feet, including the base. Lights in the parking lot shall be reduced to no greater than 25 percent illumination level within two hours after closing.
9. All pole-mounted lighting shall be located within a landscaped or concrete island and shall not be permitted to be located within any designated parking stall for the site. This shall be reflected on the photometric plan prior to the release of a zoning permit.
10. Debris and trash shall be routinely collected by the owner from the parking lot and grounds of all areas of the project including storm drainage facilities. The City reserves the right to require more frequent collection as deemed necessary.
11. The building exterior shall not be painted or altered in any way that varies from the approved elevations unless otherwise approved by the Planning Department or, if required, by the City Council and/or Planning Commission.

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12. All man and service doors shall be painted to match the adjacent building materials per the approval of the Planning Department.
13. All trash collection containers shall be enclosed within a building or screened from view through the use of a permanent dumpster enclosure designed to match the building by using the same materials as those found on the building. All ground mounted mechanical equipment shall be screened from view per the review and approval of the Planning Department. The enclosure shall be fitted with a closable, lockable gate, which shall be constructed of either vinyl planks or treated lumber planks.
14. All concerns of the City Engineer, Fire Department, Sanitary Engineer, Planning Department and the Beavercreek Police Department shall be addressed prior to the issuance of a permit for the project.
15. All roof top mechanical units shall be completely screened from view from all directions with architectural features (roof forms or parapets).
16. The parking lot shall be kept in good condition. The City Engineer reserves the right to determine if the parking lot pavement condition is in disrepair and has not been maintained in a commercially acceptable condition, and that improvements are required. Those improvements shall be completed in a timely manner to the City Engineer's satisfaction.
17. No portion of this building may be occupied for the first time or reoccupied later until and unless an application of a Certificate of Use Compliance has been submitted to the City by the property owner or by a prospective occupant. No such occupancy may occur until the application of Certificate of Use Compliance has been approved and issued by the City.
18. Any portion of the site disturbed by grading and on which no construction occurs within three months after completion of the site grading shall be planted with appropriate ground cover and properly maintained.
19. No outdoor speakers shall be installed or used on this site.

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20. There shall be a maximum of one ground sign for this project. The ground sign, which shall include a minimum 1-foot tall, brick and/or stone base and wrap, shall be a maximum of 5 feet tall and have a maximum 25 square feet per sign face. The final design and location shall be subject to review and approval by the Planning Department prior to release of a permit for the sign. Any ground sign shall be set in a base that shall be constructed of the same brick as used to construct the principal structure.
21. The parking lot shall be curbed, as required by the City Engineer.
22. No fence is required but if the fence is constructed it should be made of vinyl.
23. The final location and design of the spur sidewalk from the parking lot to the future sidewalk along Dayton-Xenia Road shall be reviewed and approved by the City Engineer prior to the release of the zoning permit.
24. External downspouts shall be prohibited.
25. The final architectural plans shall include a cornice cap similar to the one shown in Exhibit A on the north, east and west elevations, as well as two windows on the northern elevation.
26. The applicant shall work with the city engineer and planning staff to analyze the creation and implementation, if feasible, of an eastbound deceleration lane to be paid for by the applicant.

Seconded by Council Member Vann. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTION AND PUDS

Ordinance 18-27 PUD 18-4 Indian Ripple/Harbert Rezoning (Third Reading)
Clerk Miscisin read an Ordinance rezoning 4.6 acres from C-PUD 96-4 to C-PUD 18-4, further described as Book 3, Page 19, Parcels 95, 97, 98 and 105 on the Greene County Property Tax Atlas.

Council Member Curran MOVED to approve Ordinance 18-27, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

Resolution 19-01 Authorize Finance Director to Request the Auditor of Greene County for Advance of Real Estate and Public Utility Taxes

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Clerk Miscisin read a Resolution authorizing the City Manager or his designee the Financial Administrative Services Director to request advance draws upon the amounts collected by the Greene County Auditor for the City of Beavercreek 2018 real estate and personal property taxes collected during calendar year 2019.

Mr. Kucera explained the ORC states the auditor to send our property taxes in March and August. He said by passing this Resolution it allowed them to send it a little earlier. He said they use this for operations capital and invest the money to generate approximately \$6-7,000 additional in interest.

Council Member Upton asked if this was a common practice with other communities. Mr. Kucera said he would hope so, with interest rates climbing, it is important to get the additional cash flow and additional interest return.

Council Member Rushing MOVED to approve Resolution 19-01, seconded by Council Member Vann. Motion PASSED by majority voice vote.

Resolution 19-02 Declaring Necessity of Levying a 2 Mills Renewal and Requesting County Auditor to Certify (Continuous)

Clerk Miscisin read a Resolution by Beavercreek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for construction, reconstructing, resurfacing, and repairing streets, roads, and bridges as authorized by the Ohio Revised Code which levy shall be two mills (2.0) which is a renewal levy to run for a continuing period of time, pursuant to Section 5705.19 and subsection 5705.19(G) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Mr. Thonnerieux discussed Resolutions that were to be certified with the auditor. It was a requirement to allow these levy to be placed on the ballot. Only one would be placed on the ballot for each levy.

Council Member Curran MOVED to approve Resolution 19-02, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Resolution 19-03 Declaring Necessity of Levying a 2 Mills Renewal and Requesting County Auditor to Certify (5 Year)

Clerk Miscisin read a Resolution by Beavercreek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for construction, reconstructing, resurfacing, and repairing streets, roads, and bridges as authorized by the Ohio Revised Code which levy shall be two mills (2.0) which is a renewal levy to run for five years, pursuant to Section 5705.19 and subsection

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5705.19(G) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Because the legislation provided to council was for a continuing period of time an amendment needed to be made.

Council Member Vann MOVED to amend the Resolution 19-03 to state is was for a five (5) year term, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Council Member Vann MOVED to approve Resolution 19-03 as amended, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

Resolution 19-04 Declaring Necessity of Levying a .9 Mills Renewal and Requesting County Auditor to Certify (Continuous)

Clerk Miscisin read a Resolution by Beaver creek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for parks and recreational purposes as authorized by the Ohio Revised Code which levy shall be nine tenths mills (0.9) which is a renewal levy to run for a continuing period of time, pursuant to Section 5705.19 and subsection 5705.19(H) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Council Member Curran MOVED to approve Resolution 19-04, seconded by Council Member Vann. Motion PASSED by majority voice vote. Litteral opposed

Resolution 19-05 Declaring Necessity of Levying a .9 Mills Renewal Plus .2 Mills Increase and Requesting County Auditor to Certify (Continuous)

Clerk Miscisin read a Resolution by Beaver creek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for parks and recreational purposes as authorized by the Ohio Revised Code which levy shall be one and one tenth (1.1) mills which is a renewal of an existing levy of nine tenths mills (0.9) plus an increase of two tenths mills (0.2) to run for a continuing period of time, pursuant to Section 5705.19 and subsection 5705.19(H) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Council Member Curran MOVED to approve Resolution 19-05, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

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Resolution 19-06 Declaring Necessity of Levying a .9 Mills Renewal Plus .3 Mills Increase and Requesting County Auditor to Certify (Continuous)

Clerk Miscisin read a Resolution by Beaver Creek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for parks and recreational purposes as authorized by the Ohio Revised Code which levy shall be one and one tenth (1.2) mills which is a renewal of an existing levy of nine tenths mills (0.9) plus an increase of three tenths mills (0.3) to run for a continuing period of time, pursuant to Section 5705.19 and subsection 5705.19(H) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Council Member Curran MOVED to approve Resolution 19-06, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

Resolution 19-07 Declaring Necessity of Levying a .9 Mills Renewal and Requesting County Auditor to Certify (Five Year)

Clerk Miscisin read a Resolution by Beaver Creek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for parks and recreational purposes as authorized by the Ohio Revised Code which levy shall be nine tenths mills (0.9) which is a renewal levy to run for five (5), pursuant to Section 5705.19 and subsection 5705.19(H) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Council Member Litteral MOVED to approve Resolution 19-07, seconded by Council Member Curran. Motion PASSED by majority voice vote.

Resolution 19-08 Declaring Necessity of Levying a .9 Mills Renewal Plus .2 Mills Increase and Requesting County Auditor to Certify (Five Year)

Clerk Miscisin read a Resolution by Beaver Creek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for parks and recreational purposes as authorized by the Ohio Revised Code which levy shall be one and one tenth (1.1) mills which is a renewal of an existing levy of nine tenths mills (0.9) plus an increase of two tenths mills (0.2) to run for five (5) years, pursuant to Section 5705.19 and subsection 5705.19(H) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Council Member Litteral MOVED to approve Resolution 19-08, seconded by Council Member Vann. Motion PASSED by majority voice vote.

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Resolution 19-09 Declaring Necessity of Levying a .9 Mills Renewal Plus .3 Mills Increase and Requesting County Auditor to Certify (Five Year)

Clerk Miscisin read a Resolution by Beavercreek City Council determining the necessity of levying a renewal tax in excess of the ten-mill limitation for parks and recreational purposes as authorized by the Ohio Revised Code which levy shall be one and one tenth (1.2) mills which is a renewal of an existing levy of nine tenths mills (0.9) plus an increase of three tenths mills (0.3) to run for five (5) years, pursuant to Section 5705.19 and subsection 5705.19(H) as amended, of the Ohio Revised Code, and requesting the County Auditor to certify matters in connection therewith.

Council Member Curran MOVED to approve Resolution 19-09, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

DECISION ITEMS

Mall at Fairfield Commons Community Entertainment District Mayor Recommendation

Mr. McGrath explained the process to establish an entertainment district. He said this was done previously at the Greene.

Council Member Litteral stated having received and reviewed the Mayor's memo recommending the Mall at Fairfield Commons be designated a Community Entertainment District MOVED pursuant to Ohio Revised Code Section 4301.80 that the Clerk of Council cause notice to be advertised on or about January 18, 2019 and January 25, 2019 of the filing of the application and the public's opportunity to review the application in the Clerk of Council's office and to address City Council on February 11, 2019 at the regularly scheduled City Council meeting, seconded by Council Member Vann. Motion PASSED by majority voice vote.

LIQUOR PERMITS

Venetian Nail Spa #2 LLC Venetian Nail Spa (New)

Chief Evers said the Ohio Division of Liquor Control sent notification of a request regarding a new D5J liquor permit for Venetian Nail Spa #2 LLC DBA Venetian Nail Spa, 4425 Walnut St., Beavercreek, OH 45440. The records checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the business officers/shareholders for this application request. Staff is recommending this application request move forward with no comment.

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

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Osaka Steakhouse Inc., DBA Osaka Japanese Steakhouse (Transfer)

Chief Evers said the Ohio Division of Liquor Control sent notification of a request regarding a change of corporate stock on a D5I and D6 liquor permit for Osaka LLC DBA Osaka, 2476 Commons Blvd., STE G, Beavercreek, OH 45432 to Osaka Steakhouse Inc., DBA Osaka Japanese Steakhouse, 2476 Commons Blvd., Beavercreek, OH 45432. The records checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the business officers/shareholders for this application request. Staff is recommending this application request move forward with no comment.

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

MAYOR'S REPORT

No report

COUNCIL TIME

Council Member Curran commented on the great job by public service department getting the snow removed.

Council Member Litteral Rotary pancake breakfast was scheduled for Saturday, January 19th at the high school. This event supports both the Rotary and Beavercreek Bands.

Council Member Rushing thanked the public service department for a great job. He attended the inaugural event of the inductions of the governor.

Council Member Vann said there was a good write-up on Beavercreek in the Dayton Business Journal.

Council Member Upton said the Green Optimist Club has a program called Avenue of Flags where you pay \$50 per year and they will place a flag in front of your home or business on major holidays.

CITY MANAGERS REPORT

Mr. Landrum reviewed the snow event. If there is damage to your mailbox please contact the public service department. Please send your snowman photo for the snowman contest now through February 11th to parks@beavercreekohio.gov. City hall will be closed on Monday, January 19th in observance of Martin Luther King Day. Lofino Plaza Palooza will be held January 29th from 6:00 -7:30 p.m. at Lofino Plaza, Senior Center.

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CITIZEN COMMENTS

There being no comments, Citizen Comments was closed.

EXECUTIVE SESSION

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

Council Member Vann MOVED to adjourn executive session at 7:46 p.m., seconded by Council Member Rushing. Motion was PASSED by roll call vote of 5-0

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


ADJOURNMENT

Council Member Curran MOVED to adjourn the meeting at 7:47 p.m., seconded by Council Member Litteral. Motion PASSED by majority voice vote.



Bob Stone, Mayor

ATTEST:



Dianne Miscisin
Clerk of Council
Cmin011419