

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING January 25, 2021 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 Schwartz, Vice Mayor Adams, Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: Randy Burkett, Planning and Development Director; Jeff Fiorita, Chief; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council; Mike Thonnerieux, Public Administrative Services Director

**PLEDGE**

Vice Mayor Adams led the pledge and a prayer.

**APPROVAL OF AGENDA**

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

**PUBLIC HEARING – PUD 21-1 Trinity Rezoning**

Clerk Miscisin read an application filed by United Church Homes Inc., Nathan Bollinger, 170 East Center Street, Marion, OH 43301. The application requests approval to rezone 36.085 acres from A-1 Agricultural and R-PUD 427 (R-2) Residential Planned Unit Development to R-PUD Residential Planned Unit Development. The properties are located at 3218 Indian Ripple Road further described as Book 6, Page 7 and Parcels 33, 8 and 3 on the Greene County Property Tax Atlas.

**Applicant Presentation**

Russ Garber, M+A Architects, 775 Yard Street, Ste. 325. Columbus, OH 43212

Mr. Garber explained the Trinity wanted to continue the mission of their product and the demographic that they service by adding an addition independent apartment style living building. He said the rezoning would allow for additional outdoor activities for all residents of the campus.

**Staff Presentation**

Mr. Burkett summarized the staff report dated January 20, 2021, stating the applicant is requesting to rezone 36.085 acres of land from A-1 Agriculture and PUD 427 to R-PUD Residential Planned Unit Development. He discussed the

January 25, 2021

location of the property, the surrounding zoning, the Land Use Plan, proposed permitted uses, buffers, setbacks and a few of the conditions. He said both staff and Planning Commission recommended approval.

**Public Input**

There being no public input, public input was closed.

**Council Input**

Council Member Bales thanked them for the continued investment in the community and said this would be a fantastic addition.

Council Member Duerr thanked them for their investment.

Council Member Curran was glad for the expansion.

Council Member Schwartz said this was an appropriate use and the addition would be great for the community.

Vice Mayo Adams agreed with everyone else and said this was a great asset for Beaver creek.

Mayor Stone asked if there was a secondary access plan. Mr. Burkett said that would be discussed with the site plan. Mayor Stone asked that be kept in mind. Mr. Garber said they have spoken to engineering and it would be addressed.

**Ordinance 21-04**

Council Member Curran MOVED Ordinance 21-04 to the second reading, seconded by Council Member Bales. Motion PASSED by majority voice vote.

**ORDINANCES, RESOLUTIONS AND PUDS**

**Resolution 21-05** Adopting Amended Greene County Solid Waste Management Plan

Clerk Miscisin read a Resolution approving the Amended Solid Waste Management Plan of the Greene County Solid Waste Management District.

Dana Doll, Manager, Greene County Environmental Services

Ms. Doll said the Ohio Revised Code requires the review and amendment of the Solid Waste Management Plan every five years. She said the plan focuses on recycling and outreach programs. She reviewed the members of the Policy Committee which included Tom Koogler, Pete Landrum, Don Hollister, Mark Issacson, Dave Dalton, Matthew McNelly and Ed Amrhein. She said the plan is rewritten every fifteen years with amendments every five. She said there are

January 25, 2021

recycling goals that have to be met. She said residential and commercial is currently at 31% with a state set goal of 25%. She said the mandated industrial goal is 60% with Greene County at 80%. She said the generation fee will remain at \$10 per ton. She reviewed the programs that would be available including the Recycling Complex and the addition of Outreach and Education programs. She said this process required a public comment period, November 12 through December 12, 2020 with a public hearing via Zoom on December 15, 2020 at 6:00 p.m. She said they did not receive any written comments or public comments at the public hearing. She said legislation action was now required by each of the jurisdictions by either resolution or ordinance within 90 days of distribution.

Council Member Curran thanked Ms. Dall for the presentation.

Council Member Schwartz thanked for the report and the summary.

Council Member Garcia thanked Ms. Doll for the materials provided as well as thanking Mr. Landrum for his work on this project.

Council Member Duerr thanked everyone for the thoroughness

Council Member Bales was glad to see there will be more public information in the future.

Council Member Adams asked if recycling was actually happening. Ms. Doll replied yes.

Mayor Stone thanked Ms. Doll for her hard work along with all the help during the tornado.

Council Member Bales MOVED to approve Resolution 21-05, seconded by Council Member Duerr. Motion PASSED by majority voice vote

**Ordinance 21-01** PUD 20-1 The Creek Stop Rezoning (Second Reading)  
Clerk Miscisin read an Ordinance amending the Zoning Map, by rezoning 0.9425 acres from I-1 Light Industrial to C-PUD Commercial Planned Unit Development, further described as Book 5, Page 7, Parcel 31 on the Greene County Property Tax Atlas.

Mr. Burkett said at the last Council meeting there was discussion of adding a few additional prohibited uses in the PUD. He explained staff reviewed the B-2 uses and proposed to eliminate the following uses: gas stations, funeral services. Shooting ranges, skating rinks and veterinary clinics.

January 25, 2021

Council Member Curran MOVED to amend the Ordinance as suggested above, seconded by Council Member Bales. Motion PASSED by majority voice vote.

Council Member Curran MOVED to approve Ordinance 21-01 as amended, seconded by Council Member Bales. Motion PASSED by majority voice vote

**Ordinance 21-02** PUD 20-2 Unison Industries LLC Rezoning (Second Reading)  
Clerk Miscisin read an Ordinance amending the Zoning Map by rezoning 53.75 acres from RP-1 Research Park District to I-PUD Industrial Planned Unit Development further described as Book 2, Page 5, Parcel 2 on the Greene County Property Tax Atlas.

Council Member Schwartz MOVED to approve Ordinance 21-02, seconded by Vice Mayor Adams. Motion PASSED by majority voice vote

**Ordinance 21-05** Chapter 137 of Codified Ordinances Weapons Control Update (First Reading)

Clerk Miscisin read an Ordinance repealing Chapter 137 "Weapons Control" of the City of Beavercreek Code of Ordinances and Adopting New Chapter 137 "Weapons Control" of the City of Beavercreek Code of Ordinances.

There being no public input, public input was closed.

Council Member Garcia asked for an update from Mr. McHugh. Mr. McHugh explained the Ohio Revised Code (ORC) was modified by legislature. It has been determined that municipalities have to follow the state's law. This legislation would bring the City in compliance with the ORC.

Mayor Stone said this change was to protect the taxpayer. He said it was needed to bring the code into compliance with the ORC.

Council Member Curran MOVED Ordinance 21-05 to the second reading, seconded by Vice Mayor Adams. Motion PASSED by majority voice vote

**Resolution 21-06** Placement of a 3.4 Mills Renewal Levy on the May 4, 2021 Ballot (Continuous)

Clerk Miscisin read a Resolution by Beavercreek City Council to proceed to levy a renewal tax in excess of the ten-mill limitation, in accordance with R.C. 5705.19 and subsection 5705.19(G), as amended, for constructing, reconstructing, resurfacing, and repairing streets, roads and bridges, as authorized by the Ohio Revised Code, which levy shall be three and four tenths (3.4) mills, which is a renewal levy to run

January 25, 2021

for a continuing period of time, and declaring that the question of the renewal tax levy shall be submitted to the electors at the election to be held May 4, 2021.

Mr. Thonnerieux said they were requesting this levy be placed on the ballot. He explained at the previous meeting Council passed by Resolution to have the County Auditor certify the millage which is the first step in placing this on the ballot. He said the County has provided the information which states the 3.4 mill renewal levy will generate \$4.7 million. He said this question would be on the May 4, 2021 ballot and the levy represents approximately 76% of the street levy fund. He said this is the operation portion that allows the staff to do the work that needs to get done. He said this renewal is not an increase in residents' taxes and would cost \$88.93 per \$100,000 valuation. He said it allows the public service division to maintain the 250 centerline miles of roadway from street lighting, signs, traffic signals, and pavement markings along with street sweeping, pavement repairs, mowing, landscaping, salting and snow removal. He expressed this levy is critical to the operation of the city's street department and maintaining its infrastructure.

Council Member Duerr MOVED to approve Resolution 21-06, seconded by Council Member Schwartz. Motion PASSED by a roll call vote of 7-0.

**Resolution 21-07** Public Safety Information Sharing Network with Greene County (PSISN) Agreement

Clerk Miscisin read a Resolution authorizing the City Manager to execute a new Public Safety Information Sharing Network (PSISN) Interagency Agreement.

Chief Fiorita explained the first Greene County Public Safety Information Sharing Network (PSISN) Interagency Agreement, outlining participants' share of contribution to the system maintenance costs, was executed in 2008. He said the original participants and their contribution shares consisted of Greene County (40%), City of Fairborn (20%), City of Xenia (20%), City of Beavercreek (10%) and Beavercreek Township (10%). He said this collaborative project enhances public safety through the establishment of a countywide records management system and has resulted in more efficient information sharing throughout Greene County. The maintenance agreement was renewed in 2015. He said as we enter into a new five-year maintenance agreement with the software vendor, New World Systems, also known as Tyler Technologies, a new Interagency Agreement between the participants must be executed. He said the total maintenance cost and contribution share by the original participants for the new five-year agreement will remain unchanged at \$180,000 a year, with the City of Beavercreek's share at \$18,000 per year. He said in addition to the annual maintenance cost share, the City of Beavercreek's cost share of the System Hardware Maintenance Fund will

January 25, 2021

be \$6,000 and the Contingency Fund cost share will be \$2,500. He said all of the anticipated cost share amounts were approved in the 2021 budget.

Council Member Garcia MOVED to approve Resolution 21-06, seconded by Council Member Curran. Motion PASSED by a roll call vote of 7-0.

### **DECISION ITEMS**

#### **Approval of Council Member Attending Ohio Parks and Recreation Association Annual Conference**

Council Member Bales requested reimbursement for attending the upcoming Ohio Parks and Recreation Association Annual Conference. He said it is to be held in April pending COVID and cancelations. He said he has attended the conference in the past and felt it was good to have a city representative to be there. He said the often talk about legislation updates, trends and leadership development. He said he is a strong advocate for our parks.

Council Member Garcia MOVED to approve Council Member Bales to participate in the 2021 Ohio Parks and Recreation Annual Conference, seconded by Council Member Duerr. Motion PASSED by majority voice vote.

### **COUNCIL TIME**

Council Member Garcia thanked Ms. Doll from Greene County and Mr. McHugh for all the documents included in the packet. She thanked staff for all their hard work.

Council Member Schwartz said this is restaurant week. She said many are doing carryout this year and asked residents to support the local businesses. She said the City of Toledo lost an officer in the line of duty and asked people to reflect and keep first responders in our thoughts and prayers.

Council Member Curran encouraged everyone to get their COVID shot.

Council Member Duerr thanked our first responders for their professionalism. He thanked Mayor Stone for inviting a Cub Scout troop to talk with Council before the meeting.

Council Member Bales thanked Scout Pack 263 for their questions they presented. He said they passed a Resolution tonight to put levy on the ballot. He said we need your support of this levy for our streets. He asked everyone to please be diligent with your masks and get your shot.

January 25, 2021

Vice Mayor Adams was pleased to see the scout troop this evening. He said this Friday at 2:00 at the Fairfield there would be a ribbon cutting for the Wright B Flyer display.

#### **MAYOR'S REPORT**

Mayor Stone said he was glad to see the scouts tonight while keeping the social distancing. Ohio Mayors Alliance had a recent meeting with primary discussions of COVID and broadband across the state. He encouraged everyone to get the shot when you have the opportunity.

#### **CITY MANAGER REPORT**

Mr. Landrum gave some winter safety tips while driving on the streets. Boards and Commission applications are currently being taken. Snowflake search at our parks is currently going on through January 29<sup>th</sup>. Day of Caring 365 on Saturday February 27<sup>th</sup> will be drive through this year from 9-11. Minimum donation is \$5 per ticket. There will be more information forthcoming.

#### **CITIZEN COMMENTS**

There were no comments.

#### **ADJOURNMENT**

Council Member Curran MOVED to adjourn the meeting at 7:05 p.m., seconded by Vice Mayor Adams. Motion PASSED by majority voice vote.



Bob Stone, Mayor

ATTEST:



Dianne Miscisin

Clerk of Council

Cmim01252021