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

INTRODUCTIONS

- New Officer – David Ashworth

CALL TO ORDER
Mayor Stone called the meeting to order followed by roll call

PRESENT: Council Member Curran, Council Member Litteral, Council Member Rushing, Council Member Upton, Council Member Vann, Vice Mayor Garcia, Mayor Stone

ABSENT: None

ALSO IN ATTENDANCE: 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; Dianne Miscisin, Clerk of Council; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE
Council Member Vann led the pledge and a moment of silence.

APPROVAL OF AGENDA
Council Member Litteral MOVED to approve the agenda, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

APPROVAL OF MINUTES
Council Member Curran MOVED to approve the October 14, 2019 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote. Abstain – Council Member Litteral

Council Member Litteral MOVED to approve the October 21, 2019 Work Session, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

Because both public hearings were regarding the same property, the presentations were presented together by the applicant and staff.

PUBLIC HEARING – PUD 17-4 AMEND 9/19 Rock Drive MOB
Clerk Miscisin read an application filed by Yolo Development, 3500 Pentagon Blvd., Ste. 500, Beavercreek, OH 45431. The application requests approval of an amendment to add an additional 2.9354 acres of land to PUD 17-4. The properties are located on Rock Drive west of North Fairfield Road further described as Book

specific site plan to allow for the development of a medical office buildings on 9.3 acres. The properties are located on Rock Drive west of North Fairfield Road further described as Book 5, Page 5 Parcels 125, 129, 130, 131, 132, 133, 134, 135, 136, 139, 140, 141 and 142 on the Greene County Property Tax Atlas.

Public Input (PUD 17-4 SSP #1)
There being no input, the public input was closed.

Council Input
Council Member Vann asked to show what it would look like with the traffic light. Mr. Burkett said the applicant and St. Luke's were working together for the final details and design.

Council Member Vann asked if this connected to where the funeral home was. Mr. Burkett said the long term plan was for that to happen.

Council Member Upton expressed concerned with traffic backing up traffic on north bound North Fairfield. Mr. Burkett explained ultimately Lantz Road would be used as a by-pass for the Dayton-Xenia/North Fairfield intersection. Council Member Upton asked if there had been a traffic study. Mr. Moorman said they did a study and said it would have very little impact of delaying vehicles moving up and down North Fairfield Road.

Motion

Council Member Vann moved for the purpose of taking administrative action, approval of a Specific Site Plan for the Rock Drive MOB, 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 Vann further moved 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 September 25, 2019", except as modified herein.

2. The approved building elevations shall be those plans stamped "Received September 25, 2019" except where 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

12. 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 any building in this project.

13. All stormwater calculations and detention/retention plans shall be approved by the Engineering Department prior to the release of a zoning permit.

14. Aeration and water circulation devices and/or fountains are required for the retention pond(s), and shall be maintained by the owner in perpetuity.

15. Downspouts shall be internally mounted and shall not be visible on the exterior of the structure or on any structure within this development except as specifically approved by the Planning commission and/or Planning Department.

16. Material and color samples shall be submitted to the Planning Department for review and approved prior to the issuance of a zoning permit.

17. The approved ground sign and wall signs shall be limited to the sizes as shown on the approved plans. The ground sign shall be constructed on a brick base, utilizing architecturally comparable materials as the primary building.

18. The construction of a traffic signal at the intersection of Rock Drive and North Fairfield Road shall be contingent on the relocation of the entrance to St. Luke's Church. The final location and design of both the traffic signal and the relocated entrance to St. Luke's shall be reviewed and approved by the city Engineer prior to their construction. The said relocation shall occur before or at the same time as the construction of the traffic signal, unless otherwise permitted by the City Engineer.

19. This approval is contingent on the approval of C_PUD 17-4 Amend 9-19, and shall not become effective until the aforementioned PUD Amendment case becomes officially effective. Should C_PUD 17-4 Amend 9-19 be disapproved, this site plan shall be null and void.

20. All abandoned drive aprons on North Fairfield Road shall be removed and replaced with sidewalks and landscaping matching the adjacent right of way.

Seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Beavercreek to put in the toolbox. It has been one thing that has been missing over the years. It will give the City an opportunity to not only grow but also protect what we already have.

Vice Mayor Garcia questioned the one year term and asked if it would be more beneficial to have two year terms. Mr. McHugh said it was uncommon to have change out.

Council Member Curran MOVED Ordinance 19-23 to the second and third readings, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Ordinance 19-24 Beavercreek Development Corporation (BDC) Code of Regulations (First Reading)
Clerk Miscisin read an Ordinance approving and adopting the Code of Regulations of the Beavercreek Development Corporation and approving the designation of the Beavercreek Development Corporation as the designated development agency for the City of Beavercreek.

Mr. McHugh said based on the comments at the last work session, he revised section two of article three to provide for the mayor to be a member or a member of council appointed by council.

Council Member Litteral MOVED Ordinance 19-24 to the second and third readings, seconded by Vice Mayor Garcia. Motion PASSED by a majority voice vote.

Resolution 19-63 Authorize Priority Development and Advocacy Committee (PDAC) Grant Application
Clerk Miscisin read a Resolution to authorize the submittal of the Grange Hall Road at I-675 Interchange Project and Miami Valley Research Park Infrastructure Improvements for the prioritization through the Dayton Reginal Priority Development and Advocacy Committee (PDAC).

Mr. Moorman said PDAC applications were currently being accepted for new projects. He said they were recommending two projects for submittal. Those projects include the Grange Hall Road at I-675 Interchange Project and the Miami Valley Research Park Infrastructure Improvements Project.

Council Member Litteral thanked staff for the continued grant work.

Chief Evers said they received police notification from the Ohio Division of Liquor Control of a request to transfer a D5 and D6 liquor permit from DBDB Beavercreek LLC, DBA DBDB Bar & Grill, 2495 Commons Blvd, and Patio, Suite A, Beavercreek, Ohio 45431 to WTPADS LLC, DBA DBDB Bar & Grill, 2495 Commons Blvd., & Patio, Suite A, Beavercreek, Ohio 45431. The background checks required by the Department of Commerce – Division of Liquor Control were conducted on the business officer(s)/shareholder(s) for this application request. Staff is recommending this application request move forward without comment

Council Member Litteral MOVED to accept without comment, seconded by Vice Mayor Garcia. Motion PASSED by a majority voice vote.

DECISION ITEMS

Acceptance of City Logo

Mr. Landrum reviewed the project of the re-branding which began in January 2018. He said there have been several presentations before Council at work sessions and many committee meetings regarding the project. He thanked all those involved. Mr. Landrum introduced Dan Schlegel of Schlegel Creative Resources (SCR) to present the logo design and guidelines.

Mr. Schlegel said they had worked on this project for some time. He expressed the importance of consistency. He reviewed the logo design and guidelines.

Council Member Curran asked if there was a flag. Beavercreek does not have flag.

Council Member Litteral asked if the public had seen this. Mr. Landrum said no.

Council Member Vann said she was okay with the logo but not the tag line.

Council Member Upton appreciated everyone's work put into this project.

Vice Mayor Garcia said they had a good time on the committee and was happy with the outcome

Vice Mayor Garcia MOVED to accept the city logo redesign as presented, seconded by Council Member Litteral. Motion PASSED by a majority voice vote.

COUNCIL TIME

Council Member Curran enjoyed the retirement party for Lee Duteil from the Senior Center and congratulated him on his retirement.

should be registering contractors but this would be a policy decision. She said it was great that Mayor Stone had a post on Facebook last week the said "Leadership is not being in charge, it's about taking care of the people in your charge." She said here we are, the City Council, wanting to take care of our citizens. We care about our citizens. She said they need to be ready so they can take care of them. She said she wanted to further discuss the position and go forward. She said there were people in the audience that could talk about how the tornado hit their neighborhood and what they might need done. She said Council could listen to them now or wait until Citizen Comments at the end. Mayor Stone said they would follow the agenda. Council Member Vann said she would like to see some options. That was the bottom line.

Council Member Rushing thanked the Greene County Auditor, David Graham, who hosted a presentation on how property taxes work. He said Mr. Graham and State Representative Perales was currently working on a bill that would allow county auditors the ability to adjust the values of damaged homes.

Council Member Litteral asked people to be careful during Halloween. The time change is coming up this weekend.

Vice Mayor Garcia congratulated Creek Cheer Varsity Squad and Game Day Squads who were heading to nationals in February. She congratulated the boys and girls cross country teams who qualified for state. She thanked the Beavercreek Police Department and the COPPs for all the work they did regarding the accident that occurred on Grange Hall Road.

MAYOR'S REPORT

Mayor Stone said Grace Hope Church had a fundraiser at Shaw Elementary for the tornado victims. He said they raise $1,200. The Tru by Hilton had their grand opening. The International Officers were hosted by the City last week. Pizza Dive and the businesses along Dayton-Xenia Road had a kick-off for Halloween. They served 3,000 slices of pizza. Those children in costumes were served pizza for free. He acknowledged Council Member Vann's comments and said they were certainly valid. He said we had a disaster and have to deal with it the best we can. He believed, although there was always new ways to look at things, they were doing everything they could. He said there were staff members attending numerous different meetings to try to figure out ways to help. He understood there were people attending the meeting who were going to speak to Council which was what gets Council's attention. He said it didn't matter if it was tornado relief or a stop sign. The people need to come and let us know what they need.

CITY MANAGERS REPORT

was pray. She said things were hitting from every direction and you completely lose your orientation. It's a horrifying experience. She said she has the ability to go through that and come out without PTSD. She said her ten year old grand-daughter does not; she is terrified. She said there were a lot of services who are offering mental health and they have sought some of those for her. Shaw Elementary has a special space, called their sensory room, where kids can go during storm time at school. The grand-daughter had been to the sensory room twice this fall. She said the community has things they are going to be facing. This is the storm that never quits giving.

Reed Lloyd, 3112 Stolle Ct., Beavercreek, Ohio gave his three minutes to Ms. Pulliam.

Ms. Pulliam said all of a sudden she had an oil leak in her car. She said when the storm hit a giant birch tree fell on top of her car with some of it shoved underneath her car and broke the oil filter. She said this went unnoticed. She said there are things people need after the storm. She said the rescue people came in, they were awesome but this thing keeps on giving. She said they have yards that will never be bare foot grass again because the debris, including glass, shingles, wood, steel, aluminum and nails were driven in one inch pieces into the ground. She said the dogs can't walk in the grass and the children can't ever play in a sprinkler again. She said they need a crew to come out in the spring to help find the debris. She had eleven trees before the storm and has one left. She appreciated the debris cleanup and benefited greatly. She said she had to pay $3,000 last week to get more of it removed. She said they need help. There was emotional trauma that hasn't ended and other stuff that needs to be done. She said we can't walk in their yards and look for every piece of glass. She said they need a crew to come out and help them.

Citizen Comments was closed.

ADJOURNMENT

Council Member Curran MOVED to adjourn the meeting at 7:30 p.m., seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Bob Stone, Mayor