



AGENDA
CITY COUNCIL
Work Session – March 18, 2019 5:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. Regional Emergency Response Team (RERT)
 - B. Memorandum of Understanding (MOU) with WPAFB
 - C. Residential Animal Control
 - D. Invisible Fence
 - E. Greene County Grant
 - F. Peace Committee
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

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MEMORANDUM OF AGREEMENT (MOA) BETWEEN

88th SECURITY FORCES SQUADRON

AND THE

BEAVERCREEK POLICE DEPARTMENT

I. This Agreement, entered in to this ____ day of _____, 2019, by and between the Wright-Patterson Air Force Base and the Beavercreek, Ohio, Police Department (PD) for the purpose of security and to provide each the benefits of mutual aid in police services, is enacted under the authority of, and subject to the limitations found in, Department of Defense Instruction (DoDI) 3025.21, 27 February 2013, (Defense Support of Civilian Law Enforcement Agencies), 10 U.S.C. §§ 271-284 (Military Support for Civilian Law Enforcement Agencies), and AFI 10-801, 23 December 2015 (Defense Support of Civil Authorities). All provisions of this Agreement are subject to and limited by 18 USC §§ 112, 351, 831, 1116, 1751, and 1385 (also known as the "Posse Comitatus Act"); 10 USC §§ 271-284, and other applicable federal law and DOD regulations. Further, all assistance rendered to the Beavercreek PD will be in furtherance of the Installation Commander's responsibility to maintain good order and discipline on the installation. As such, it is agreed that:

(1) The 88th Security Forces Squadron (88 SFS) will:

(a) Under the inherent right of the U.S. Government, a sovereign national entity under the U.S. Constitution, to ensure the preservation of public order and the carrying out of government operations within its territorial limits, by force if necessary, provide Department of Defense police personnel to assist the Beavercreek PD, on an emergency basis, to prevent loss of life or wanton destruction of property and to restore governmental functioning and public order when sudden and unexpected civil disturbances, disasters, or calamities seriously endanger life and property and disrupt normal governmental functions to such an extent that duly constituted local authorities are unable to control the situation. This authority is reserved for unusual circumstances and will only be exercised IAW DoDI 3025.21 Encl 3, and AFI 10-801.

(b) Provide Beavercreek PD with information collected during the normal course of military operations if it pertains to criminal violations of any Federal or State Law within their jurisdiction.

(c) Provide Beavercreek PD with information relating to the identity, work location, supervisor, etc., of base personnel (military and/or civilian) when needed for an official Law Enforcement investigation or report, upon request.

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(d) Allow, in the event a crime is committed within the jurisdiction of Beavercreek PD and the perpetrator(s) flee(s) onto Wright-Patterson Air Force Base (WPAFB), Beavercreek Police Officers to pursue and arrest them on base, if necessary. The Beavercreek Police Officers in pursuit will be governed on the use of deadly force by their departmental policy. In all such cases, the 88 SFS Base Defense Operations Center (BDOC) must be notified immediately prior to entry. BDOC will advise Installation Entry Control Points to implement entry control procedures to deny entry to any person(s) who attempts to flee onto WPAFB while a member of the Beavercreek PD is in pursuit of said person(s). Further, members of the 88 SFS will assist in the implementation of procedures to facilitate the apprehension of said person(s) within the limits of prescribed "exclusive" jurisdictional boundaries while a member of the Beavercreek PD is in pursuit.

(e) Accompany Beavercreek PD Officers serving civil or criminal papers (e.g., subpoenas, warrants, summons, etc.) to persons residing and/or working on Wright-Patterson Air Force Base, in accordance with AFI 51-301, 2 October 2018 (Civil Litigation). The Beavercreek PD will report to BDOC, bldg 295, and provide the name of the person(s) they intend to serve papers on. The BDOC will call back to verify the request and then call the individual's duty section to verify the individual is available. If available, a time will be established for the individual's First Sergeant or Commander and the Beavercreek PD Officer(s) may report to the BDOC, 2586 Newark St., Bldg 295, WPAFB, and serve documents. For any service of process on base, the Beavercreek PD will complete Attachment 1 to this MOA, and provide Attachment 1 to the 88 Air Base Wing, Office of the Staff Judge Advocate (88 ABW/JA) prior to service of process. Individuals served shall be advised by 88 SFS, that if the information requested of them is received or obtained in their official government capacity, they must contact 88 ABW/JA to obtain permission to release said information.

(f) Provide updates to Priority Intelligence Requirement (PIR) listing as needed to Beavercreek PD.

(g) Subject to AFI 31-121, 2 May 2018 (Military Working Dog Program), provide a Military Working Dog (MWD) Team to search for explosives as the result of a bomb threat or for humanitarian purposes. The DoD and/or WPAFB will not accept responsibility for any damages resulting from the use of MWD teams. Handlers will not seize or retrieve evidence, assist in setting up, or maintaining chain of custody, nor engage in any other activities which could be considered as enforcing the law in connection with this support. Requests will be coordinated with Defense Force Commander (DFC), MWD Kennel Master, and Installation Commander or designee. All requests will be made through the BDOC.

1 When an MWD team is authorized to support, the following applies:

a The dog and handler must be used together;

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b The handler will have exclusive control over the detection support effort and complete access to the search area;

c Handlers perform the sole task of working their dogs and will not take part in any other activity intended to support civil authorities unless specifically authorized by the Installation Commander or designee.

d Only the team's explosives detection capabilities will be used. The team will not track persons, seize evidence, search buildings or areas for personnel, or pursue, bite and hold, or in any way assist in apprehending, arresting, or detaining persons, except as authorized in this Agreement;

e The MWD team cannot be used to search persons.

f A representative of the Beavercreek PD must escort the team at all times while working;

g If the dog responds with a positive alert (i.e., sits without being prompted by the handler), the handler will advise the Beavercreek PD representative and withdraw or continue other disassociated detection support;

h The handler will not disarm or move any actual or suspected explosive device;

(h) Coordinate operations with Beavercreek PD Special Weapons and Tactics (SWAT) teams and assist as needed.

(i) Assist with training needs for SWAT team members within the limitations set forth by DoDI 3025.21. Training could include, but is not limited to:

1 Coordination of locations for training and familiarization of personnel, i.e. assigned aircraft, critical and/or high occupancy facilities, as requested;

2 Provision of perimeter security of sites.

(j) Assist in preparation of any initial report involving Beavercreek PD within our jurisdiction of an incident requiring up-channeling to Higher Headquarters. This applies to real-world incidents only.

(k) Be permitted to use the breath-testing device at the Beavercreek PD in the event 88 SFS breath-testing equipment is inoperable. The owning agency shall provide an operator. Maintenance records and testimony by the officer administering the test and/or maintaining equipment may be required in any court proceeding. Telephonic notification will be made prior to requesting use of the other department's equipment.

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(l) Make available equipment or facilities, in accordance with provisions of 10 U.S.C. 272, AFI 10-801, and DoDI 3025.21, and applicable provisions stated earlier in the agreement to the Beaver creek PD.

(2) The 88 SFS may:

(a) Provide training and expert advice to Beaver creek PD on the operation and maintenance of equipment made available.

(b) Provide training facility, classroom, public address system, cleaning room, maintenance facilities, and restrooms for department personnel. Ensure instructors and trainees are qualified on the weapons systems to be used, specific courses of fire, and firing range operations. Notify users of scheduling conflicts as soon as possible. Ensure Combat Arms NCOIC makes final decisions concerning Combat Arms Training Facility use.

(c) In the event of a crash or disablement of an aircraft, truck, or any other vehicle owned or under control of the United States, within the area for which Beaver creek PD has jurisdiction, the DFC or his/her representative may assume full command for the security of the aircraft, truck, or other vehicle, its components, and/or anything being carried by the aircraft/vehicle (i.e. weapons, munitions, classified material, etc.). If the senior military commander on-scene deems it necessary, he/she may declare the entire area of the crash or disablement a National Defense Area, in accordance with 43 U.S.C. 1341, 50 U.S.C. 797, and DoD Instruction 5200.8, December 10, 2005, Incorporating Change 1 May 19, 2010 (Security of DoD Installations and Resources and the DoD Physical Security Review Board (PSRB)). The area so designated is considered Federal Jurisdiction until the declaration is voided.

(d) In any incident regarding the theft of a nuclear, chemical, or biological weapon or component thereof, or any nuclear or classified material, pursue and stop, by using appropriate force IAW AFI 31-117, 2 February 2016 (Arming and Use of Force by Air Force Personnel), if necessary, any person perpetrating such crime and fleeing into areas within the jurisdiction of Beaver creek PD.

(3) The Beaver creek PD will:

(a) When wishing to use 88 SFS Combat Arms Range schedule personnel as far in advance as possible IAW AFI 36-2654, Combat Arms Program, Chapter 2, and AFI 31-117. Ensure trainees have valid training needs. Provide certified instructors, range safety personnel, targets, weapons, frangible lead-free ammunition (to include projectiles, powder, and primers), and related range equipment/supplies. Ensure firing is conducted in a safe manner and the firing range is properly maintained, policed, and repaired at user's expense. Beaver creek PD must

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provide its own equipment and supplies for training. 88 SFS will not provide ammunition or equipment. Combat Arms must approve the ammunition to be used prior to the scheduled training session. ONLY APPROVED LEAD-FREE FRANGIBLE AMMUNITION MAY BE USED. User's organization will be held responsible for funding hazardous material clean-up operations if leaded ammunition is used. Notify Combat Arms directly at (937) 257-7388 at least 24 hours prior to scheduled training if a trainee/unit will not attend training or the firing range is no longer needed. Range officials belong to the 88 SFS Combat Arms section.

(b) Provide the 88 SFS, Criminal Investigations Section, information regarding any criminal activity collected or learned during the normal course of Law Enforcement operations, if it pertains to criminal activity on WPAFB or involves active duty, reserve, or National Guard military personnel and/or a civilian Department of Defense employee(s).

(c) Provide the 88 SFS, through the BDOC, with information relating to all military personnel and civilian Department of Defense employees who have been detained, incarcerated and/or charged with a crime.

(d) Provide 88 SFS, through the BDOC, with information collected during the normal course of Law Enforcement operations if it pertains to items listed in the WPAFB Priority Intelligence Requirement (PIR) list found at Attachment 3 or is a threat to WPAFB personnel or property.

In any circumstances described in paragraph (2) (c) and/or (d) above, assist in security of the area, as manpower permits. Requests will be coordinated with DFC and the Mission Support Group Commander or Deputy Commander as delegated by the Installation Commander. All requests for Beaver Creek PD support will be by the BDOC.

(e) When requested, assist members of the 88 SFS by stopping and arresting any person(s) who flees or enters Beaver Creek's jurisdiction while being pursued by a member of the 88 SFS.

(f) Provide police personnel to assist the 88 SFS in enforcing the law and maintaining order in areas of concurrent jurisdiction. Support includes, but is not limited to, assistance during demonstrations, riots, pursuits, terrorist threats, and/or attacks. It is understood by signing parties that the level of support granted is contingent upon available resources at the time of the request.

(g) The Beaver Creek PD will be permitted to use the SFS breath-testing device when the Fairborn PD equipment is inoperable.

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(h) In the event a military aircraft crashes off-base or a military vehicle carrying hazardous materials is involved in a serious accident off-base:

1 Secure the crash/accident site as manning permits;

2 Keep unauthorized personnel out of and away from the area. Aircraft crashes are very hazardous and may contain hydrazine which is extremely toxic if inhaled. Only emergency vehicles and personnel will be authorized to enter the cordon area through ECP.

3 Refer all questions from media personnel to the 88 Air Base Wing Public Affairs (88 ABW/PA) office at 937-522-3252.

4 Should there be exposed classified material at the site, the items should be secured and immediately turned over to the military authorities and,

5 Information concerning appropriate cordon size will be provided by WPAFB security forces and/or fire department.

(i) Provide SWAT and Hostage Negotiations Teams (HNT) as part of the Area Regional SWAT Support Team to the 88 SFS to respond to critical incidents, (e.g. barricaded suspect, hostage situation, anti-hacking) provided adequate resources are available.

1 Provide support, as requested by the DFC, when a critical incident occurs on WPAFB and available resources are not available.

2 Requests for SWAT/ support will be coordinated with the DFC and/or the Installation Commander. All requests for response will be initiated through the BDOC to the Beavercreek PD.

3 Beavercreek PD SWAT and HNT team members/leaders of the Regional SWAT will maintain command and control of assigned personnel. Such personnel will not fall under the direct authority of the DFC or Installation Commander.

4 The SWAT field supervisor and hostage negotiation coordinator work hand in hand. The DFC will ensure all recommendations to the incident commander are first routed through the SWAT and HNT.

5 The Installation Commander may direct SWAT to a course of action through the 88 MSG/CC, DFC, and Regional SWAT field supervisor. The Beavercreek PD retains final authority to approve or deny such requests and SWAT will be deployed only for situations which

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exceed the capabilities of on-duty security forces. SWAT may be notified to address the following non-exhaustive categories of incident at any time:

- a Active Shooter.
 - b Hostage situations.
 - c Sniper incidents.
 - d Barricaded subjects, with or without hostages.
 - e Apprehension of extremely dangerous persons.
 - f Terrorist activities.
 - g Serve high risk warrants.
 - h Distinguished visitor protection (augmentation requested by AFOSI).
 - i Mass apprehensions in conjunction with confrontation management (e.g., riots, demonstrations).
 - j Threatened suicide rescue.
 - k Hijack of military aircraft (coordination when requested by FBI or TSA).
- 6 Be responsible for organizing, training, and managing all SWAT operations.
- 7 Respond to the affected area and make contact with the incident commander when requested to do so by the DFC or designee.
- 8 Provide information regarding all incidents falling under paragraph I(3)(i)(5) above to the DFC or designee for preparation of report to be forwarded through command channels within 24 hours.
- 9 Once the incident commander recommends SWAT deployment, the SWAT field supervisor, squad leader, and team leader will assume full tactical control of the team until withdrawn or the situation is resolved. Withdrawal may be directed by the SWAT entry team based on the situation or directed by the SWAT field supervisor, based on input from the incident commander or directed by the DFC or Installation Commander.

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(j) On an available basis provide Dog Team support to search for explosives and narcotics as the result of a bomb threat or drug case. The Beavercreek PD will not accept responsibility for damages resulting from the use of detector dog teams. The Beavercreek Chief of Police is the approval/disapproval authority for requests of this nature. Requests will be coordinated with the DFC or Installation Commander and initiated through the BDOC.

1 When a detector dog team is authorized to support, the following applies:

a The dog and handler must be used together;

b The handler will have exclusive control over the detection support effort and complete access to the search area;

c Handlers perform the sole task of working their dogs and will not take part in any other activity intended to support military authorities unless specifically authorized;

d Only the team's detection capabilities will be used. The Team will not track persons, seize evidence, search buildings or areas for personnel, or pursue, bite and hold, or in any way assist in apprehending, arresting or detaining persons;

e The team will not be used to search persons;

f A representative of the 88th Security Forces Squadron must escort the team at all times while working;

g If the dog responds with a positive alert (i.e., sits without being prompted by the handler), the handler will advise the Beavercreek PD representative and withdraw or continue other disassociated detection support;

h The handler will not disarm or move any actual or suspected explosive device;

i Handlers will not seize or retrieve evidence, assist in setting up, or maintaining chain of custody, nor engage in any other activities considered as enforcing the law in connection with this support;

j The handler may, if necessary, testify in civilian or military court. Testimony may be limited to explaining the training received, the past success rates of the dog(s), the events leading to employment in this particular detection support, and the results of that detection support.

II. Any transfer of equipment must be done on a cost reimbursable basis and pursuant to appropriate authority. This Agreement does not make any commitment of funds. Nothing in this Agreement obligates 88 SFS, 88 ABW or the United States Air Force to expend appropriations or enter into any contract or other binding obligation. Each Party is responsible for all costs of its

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personnel, including pay and benefits, support, and travel. Each Party is responsible for supervision and management of its personnel.

III. This MOA may be terminated by either Party by giving at least 180 days for MOAs involving reimbursement; use any appropriate number of days for MOAs not involving reimbursement written notice to the other Party. The MOA may also be terminated at any time upon the mutual written consent of the Parties. In the case of a change of Command in 88 SFS or Beavercreek PD, the Agreement will be routed for review by the new commander within 180-days. A change in command shall not, on its own, revoke this Agreement. The agency with the change must notify the other agency. This MOA will be reviewed annually on or around the anniversary of its effective date for financial impacts and triennially in its entirety. This Agreement, when signed, shall supersede previous agreements between the 88 SFS and the Beavercreek PD. This MOA takes effect beginning on the day after the last Party signs.

All parties, having reached an understanding for providing mutual support have executed this MOA, each by a duly authorized representative as indicated by signature and date signed.

FOR City of Beavercreek, OH:

FOR Wright-Patterson AFB, Ohio

BY: _____
City Manager (Date)

AARON W. RITTGERS, Lt Col, USAF (Date)
Commander, 88th Security Forces Squadron

APPROVED: _____
Beavercreek Chief of Police (Date)

APPROVED: _____
THOMAS P. SHERMAN, Colonel, USAF (Date)
Commander, 88th Air Base Wing

APPROVED AS TO FORM
AND CORRECTNESS:

Law Director (Date)

Staff Judge Advocate (Date)

Attachment 1

PROCESS SERVICE INFORMATION FORM

Name of the parties: _____ vs _____

Case No. _____

Name and Location of Court Involved: _____

Name of Process Served: Subpoena, Summons, Warrant, other.

Date of Requested Appearance: _____

Name of Party Making Request, etc.: _____

Type of Action, Subject Matter and relevance of information (if any) requested.

DRAFT

Attachment 2

WPAFB Jurisdiction

A.2. Jurisdiction: The following jurisdiction areas (including SF authority and actions) exist on Wright-Patterson AFB. Maps depicting Jurisdictions of WPAFB are located below.

A.2.1. The boundaries of Wright-Patterson AFB are delineated by Type "A" fencing.

A.2.2. Exclusive Jurisdiction: These areas are under the complete control of the US Government. 88 SFS has complete authority to enforce all laws, both federal and state, and make apprehensions as appropriate. No other civil police agency has jurisdiction in the area unless allowed in this agreement.

A.2.2.1. All areas of Wright-Patterson AFB within the perimeter fence.

A.2.2.2. The Prairies at Wright Field and Woods at Wright Field Military Housing complexes.

A.2.2.3. The off-base radio transceiver site, Huffman Dam site, located approximately one mile southwest off State Route 4.

A.2.2.4. Tillman Pit Area, fenced area approximately 300 feet north of the Woodman Drive/Airway Road intersection, directly across Woodman Drive from the US Army Reserve Center.

A.2.2.5. The Huffman Prairie Flying Field. However, PL 102-419, 16 October 1992, Dayton Aviation Heritage Preservation Act of 1992, 106 Statute 2141-2143, now codified at 16 USC. §§410ww, et seq., established the Dayton Aviation Heritage National Historical Park and Huffman Prairie Flying Field, located within WPAFB boundaries, as a unit of the national park and authorizes National Park Service (NPS) to enter into cooperative agreements with federal agencies for use and management of NPS properties. Through a Memorandum of Agreement with the NPS, the Huffman Prairie Flying Field and Wright Memorial Hill (dependent on conditions of WPAFB) are generally open to the public. The 88 SFS may coordinate with the NPS Park Rangers to assist with exercising Law Enforcement duties within the Huffman Prairie Flying Field and the Wright Memorial Hill.

A.2.3. Concurrent jurisdiction. These areas are owned by the US Government, however, by mutual agreement between the US Government and other affected entities, numerous civil law enforcement agencies also have jurisdiction. The areas are public highways and may be considered as any highway where the general public may proceed.

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A.2.3.1. Area A:

A.2.3.1.1. State Route 444:

A.2.3.1.1.2. Beginning approximately 300 feet northeast of the intersection of Kauffman Avenue and State Route 444. The west side of the highway is state jurisdiction both lanes, east side of the highway is concurrent in both lanes for 3,500 feet where the outermost west side lane continues state jurisdiction for another 2,750 feet. From this point, concurrent jurisdiction applies to the entire highway northeast until the Fairborn City limit sign. Concurrent jurisdiction continues on the west side of State Route 444 until Wright Avenue at the southwest corner of Area A.

A.2.3.2. State Route 235:

A.2.3.2.1. Beginning at a point where State Route 235 intersects and crosses the eastern boundary line of WPAFB, being approximately 1,700 feet north of the intersection of State Route 235 and State Route 444, then westerly to the intersection of Haddix Road and State Route 235. From this intersection-continuing west, the north side of roadway is state jurisdiction and the south side is concurrent to the WPAFB boundary, which is identified as the west side of the bridge crossing the Mad River.

A.2.3.3. Johnston Street:

A.2.3.3.1. Beginning at the intersection of Johnston Street and State Route 235 then northerly to Haddix Road.

A.2.3.4. Sandhill Road:

A.2.3.4.1. Beginning at the intersection of Sandhill Road and the eastern boundary line of WPAFB, being the western boundary of the abandoned Cincinnati and Lake Erie Railroad, then westerly to State Route 235.

A.2.3.5. Lower Valley Pike:

A.2.3.5.1. Beginning approximately 500 feet north of the last entrance to the Metro Park, at the intersection of the southwest boundary line of WPAFB (Area A) and Upper Valley Pike, then northeasterly for approximately 1,600 feet. **Note:** Lower Valley Pike's concurrent jurisdiction runs from the southwest corner boundary 900 feet northeast to the Lower Valley Pike/Union Road intersection where a barrier exists. The remaining portion of Lower Valley Pike is abandoned and continues 700 feet until the road ends. The entire area of concurrent jurisdiction on Lower Valley Pike is on the east half of the road only.

A.2.3.6. Upper Valley Pike:

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A.2.3.6.1. From the northbound entrance off of State Route 4, 1,400 feet northeast and east half of the road only.

A.2.3.7. State Route 4:

A.2.3.7.1. From a point 900 feet north of the State Route 4 and Union Road intersection, 900 feet to the turnaround break, east half of the northbound lane only. From the Bath Road/State Route 4 intersection 2,250 feet, both lanes northbound to the State Route 4/Upper Valley Pike intersection.

A.2.3.8. Haddix Road.

A.2.3.8.1. (East half): Beginning at the intersection of Haddix Road and State Route 235 then northeasterly to the Clark-Greene County line.

A.2.3.9. Area B:

A.2.3.10. Springfield Pike:

A.2.3.10.1. Beginning at Huberville Ave, approximately three thousand feet northeast of the intersection of Harshman Road and Springfield Pike, then northeast to the Cleveland, Cincinnati, Chicago and St Louis Railroad underpass.

A.2.3.11. Kauffman Avenue:

A.2.3.11.1. Beginning at the intersection of State Route 444 and the southern right-of-way of the Cleveland, Cincinnati, Chicago and St Louis Railroad east to a point 180 feet west of the Kauffman Avenue/VanDorn Street intersection.

A.2.3.12. National Road:

A.2.3.12.1. Beginning at a point approximately two hundred feet north of the intersection of Colonel Glenn Highway and National Road. North for 4,400 feet to a point where the WPAFB boundary crosses the road, being the west half of the road only to this point, then continuing north to the intersection with Kauffman Ave, the full width of the road.

A.2.3.13. Colonel Glenn Highway:

A.2.3.13.1. Beginning at the east 22B interchange ramp of Colonel Glenn Highway, then in a westerly direction to a point 800 feet east of Cobb Drive. For a period of 200 feet west of this point the state has full jurisdiction on the entire roadway. After the 200 feet, the state has

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jurisdiction on the southern half of the roadway and WPAFB maintains concurrent jurisdiction on the northern half for the next 1,000 feet.

A.2.3.14. Spinning Road:

A.2.3.14.1. Beginning at the intersection of Spinning Road and Colonel Glenn Highway and proceeding in a southerly direction until the road leaves Page Manor, the west half only.

A.2.3.15. Woodman Drive:

A.2.3.15.1. Beginning at a point which is located adjacent to the southwest corner of the fence line boundary of the US Army Reserve Center proceeding north for approximately 1,000 feet in both lanes.

A.2.3.16. Glendean Avenue:

A.2.3.16.1. Beginning at the intersection of Glendean Avenue with the north right-of-way of the Baltimore and Ohio Railroad, then northerly with the east half of Glendean Avenue, a distance of approximately 1,700 feet to the reservation boundary.

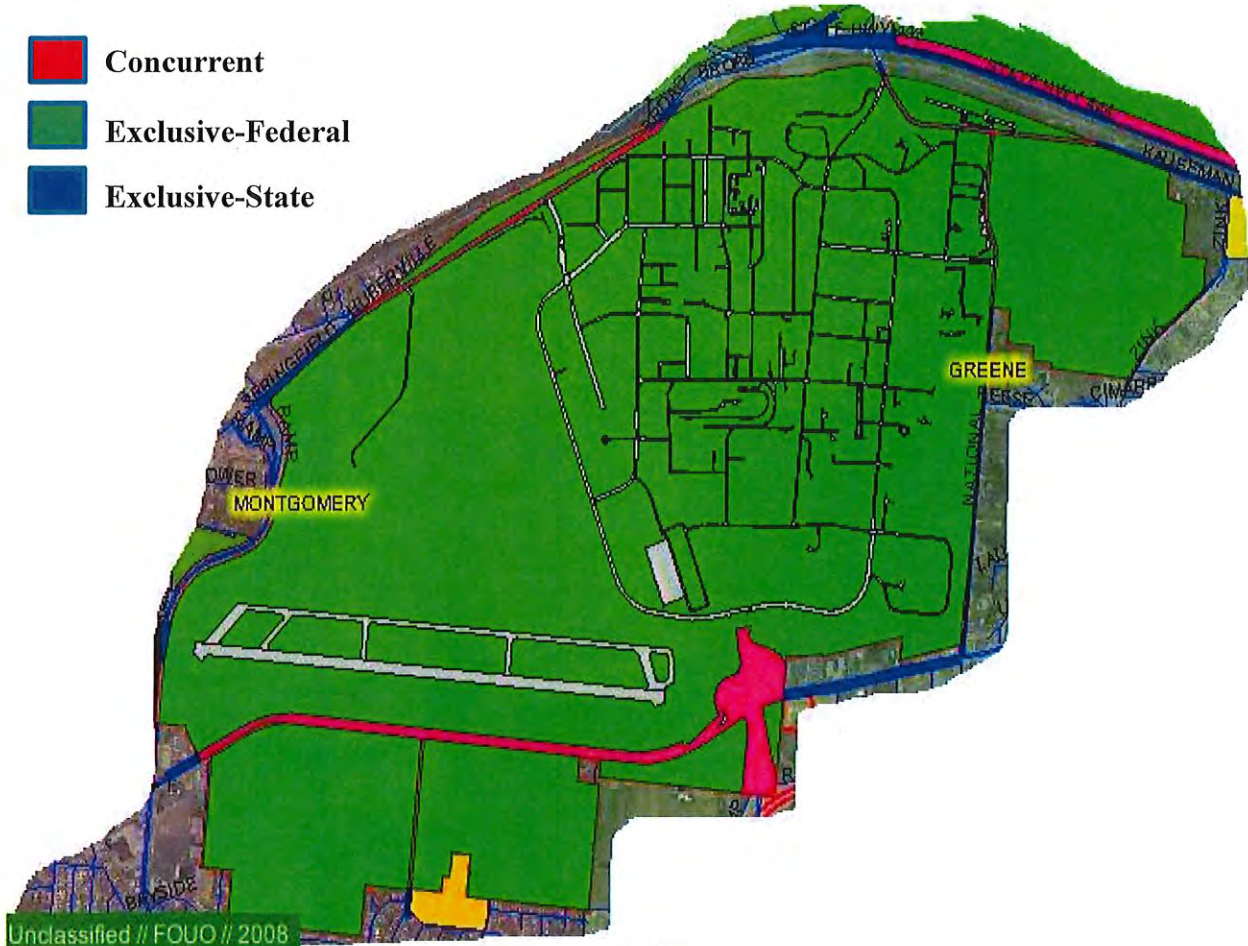
A.2.3.17. Zink Road:

A.2.3.17.1. Beginning at the intersection of Zink Road and Cimarron Circle proceeding north approximately 1,400 feet to the WPAFB boundary fence line of Woods at Wright Field, west half of roadway only.

A.2.4. Proprietary jurisdiction: The US Government exercises the right as a property owner only. The US Government exercises no criminal jurisdiction over the area concerning civilians.

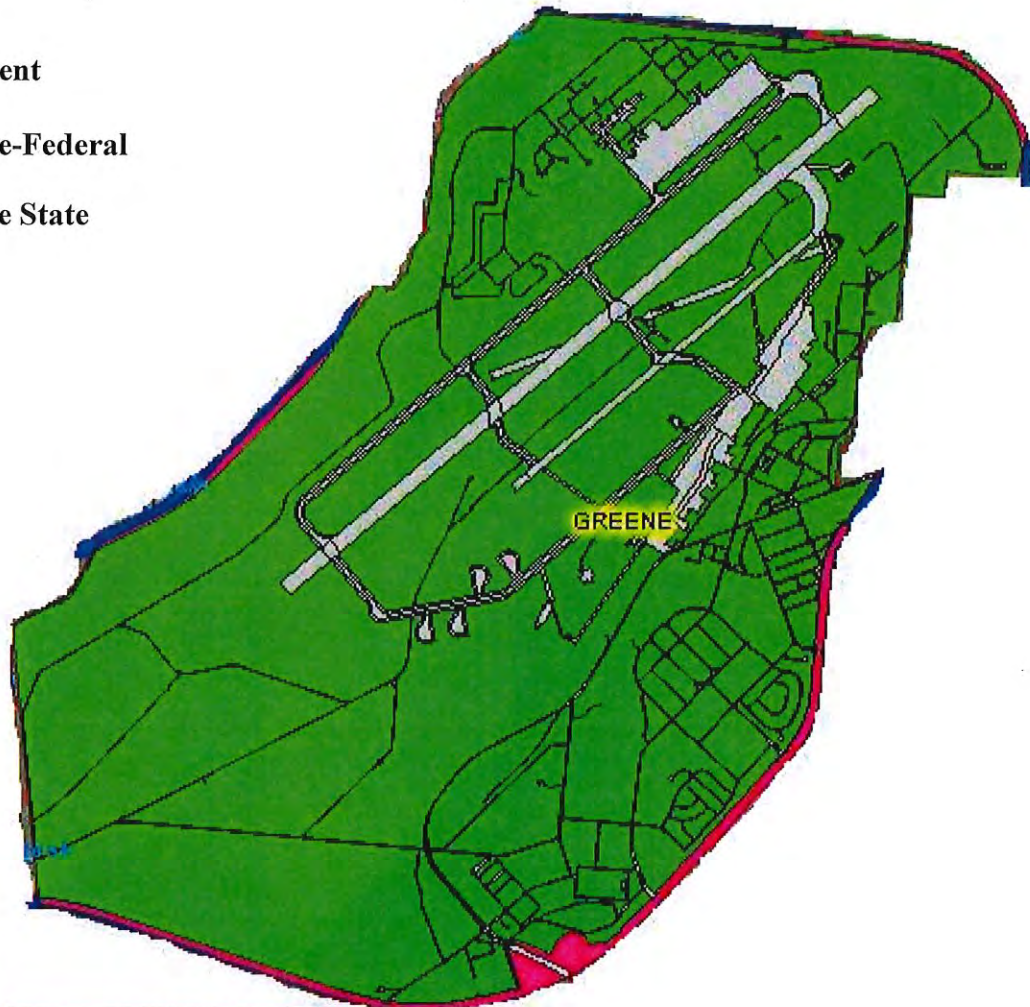
A.2.4.1. Building 6933, Prairies Youth Activities Center/STARBASE and its surrounding grounds bordered by Hickman Drive and Spinning Road.

- Concurrent
- Exclusive-Federal
- Exclusive-State






Area A:

-  Concurrent
-  Exclusive-Federal
-  Exclusive State



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Kittyhawk and Sand Hill:

-  Concurrent
-  Exclusive-Federal
-  Exclusive-State



Attachment 3

Civilian Police Department Priority Intelligence Requirements (PIR)

PURPOSE: These PIRs support WPAFB's Antiterrorism (AT) Plan. The PIRs are current as of 04 February 2010 and will be reviewed at least annually. This plan contains For Official Use Only (FOUO) Information and may not be released further without approval of originator.

Summarized list of reportable actions/items:

- Suspicious activity associated with radical, extremist or terrorist groups. For example: Recent arrests, hate mail, phone calls, reported meetings, etc., as related to extremist or hate groups.
- Suspected safe houses, strange meetings by large groups of people, etc., as related to terrorist, extremist or hate groups.
- Any seized information referencing anti-government, WPAFB, military, etc., maps, schedules, ID cards, names, uniforms.
- Possible surveillance of Base facilities from off-base. This includes surveillance of locations that have or could act as probable surveillance locations.
- Theft or inquiries of large vehicles that could be used to hold explosives or theft of official vehicles that regularly visit base. For example: FEDEX, UPS, USPS, Police cars, School buses, City buses, etc.
- Unusual incidents of vehicles modified to handle heavier loads.
- Unusual reports of new/stolen/purchased crop-dusters or ultra-light aircraft.
- Incidents of purchases/thefts of unusual amounts of chemicals or chemical dispersion systems.
- Reports of unusual odors or unexplained animal deaths or lack of insect/plant life.
- Theft or attack on WPAFB personnel resulting in loss of ID cards/uniforms/base passes.
- Purchases/thefts of large amounts of pre-cursor elements. For example: ball bearings, bulk canvas, containers, hydrogen peroxide (greater than 35% concentration), sulfuric acid, acetone, fertilizer, explosives, etc.
- Suspicious individuals requesting flight training.
- Purchases of large quantities of ammo or weapons.

ORDINANCE NO. _____

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER _____ ON THE _____ DAY OF _____, 2019

AN ORDINANCE ADOPTING NEW SECTION 91.30 "KEEPING OF PETS AND ANIMALS" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES

WHEREAS, City staff recommended adopting a new section of the City of Beavercreek Code of Codified Ordinances to address the keeping of Pets and Animals within the City of Beavercreek, and to codify general procedures and standards for the same within the City of Beavercreek; and

WHEREAS, Council accepts these recommendations and herein adopts New Section 91.30 of the City of Beavercreek Code of Codified Ordinances.

NOW, THEREFORE, THE CITY OF BEAVERCREEK, COUNTY OF GREENE, OHIO, HEREBY ORDAINS:

SECTION I.

New Section 91.30 ("Keeping of Pets and Animals") is hereby adopted as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION II.

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

SECTION III.

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

PASSED this _____ day of _____, 2019.

MAYOR

ATTEST:

CLERK OF BEAVERCREEK COUNCIL

PREPARED BY: PLANNING DEPARTMENT

SUMMARY

THIS ORDINANCE ADOPTS NEW SECTION 91.30 "KEEPING OF PETS AND ANIMALS" OF THE CITY OF BEAVERCREEK CODE OF CODIFIED ORDINANCES.

EXHIBIT A

§ 91.30 KEEPING OF PETS AND ANIMALS

(A) The keeping of animals is permitted, subject to the following conditions:

- (1) No such person shall maintain upon his premises such number of household pets or other animals as will create a nuisance;
- (2) No person shall keep or maintain upon any one premises in the City more than _____ () adult dogs or _____ () adult cats. This provision shall not apply to premises which are properly zoned and licensed as a kennel pursuant to Section 91.24 of these Ordinances;
- (3) Whoever violates this Section is guilty of a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day during which an offense continues.

(B) *Definitions.* Within this Section words with specific defined meanings are as follows:

ADULT CAT: Any cat over the age of twelve (12) months;

ADULT DOG: Any dog over the age of twelve (12) months;

HOUSEHOLD PETS: Any dog, cat or other specie of animal, fish, fowl, amphibian or reptile which species is commonly deemed in this City to be tame and domesticated, or that is commonly accepted in this City as a pet kept inside a residence. A household pet is not kept for food production or agricultural value.

KENNEL OR CATTERY: Any permitted commercially zoned lot or premises, on which four or more dogs, cats or other domesticated household animals more than six months of age are bred and/or boarded for commercial purposes. Such uses are not permitted on lots used or zoned for residential purposes.

ORDINANCE NO. _____

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER _____ ON THE _____ DAY OF _____, 2019

AN ORDINANCE ADOPTING NEW SECTION 91.20(A)(1) UNDER "DOGS RUNNING AT LARGE" OF THE CITY OF BEAVERCREEK CODE OF ORDINANCES

WHEREAS, City staff recommended adopting a new section of the City of Beaver Creek Code of Codified Ordinances to address the standards and requirements for the use of underground electronic fences for the containment of dogs within the City of Beaver Creek, and to codify general procedures and standards for the same within the City of Beaver Creek; and

WHEREAS, Council accepts these recommendations and herein adopts New Section 91.20(A)(1) of the City of Beaver Creek Code of Codified Ordinances.

NOW, THEREFORE, THE CITY OF BEAVERCREEK, COUNTY OF GREENE, OHIO, HEREBY ORDAINS:

SECTION I.

New Section 91.20(A)(1) is hereby adopted as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION II.

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

SECTION III.

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

PASSED this _____ day of _____, 2019.

MAYOR

ATTEST:

CLERK OF BEAVERCREEK COUNCIL

PREPARED BY: PLANNING DEPARTMENT

SUMMARY

THIS ORDINANCE ADOPTS NEW SECTION 91.20(A)(1) UNDER "DOGS RUNNING AT LARGE" OF THE CITY OF BEAVERCREEK CODE OF CODIFIED ORDINANCES.

EXHIBIT A

§ 91.20(A)(1)

A1. “Adequate fence” shall mean to include an underground electronic fence (“invisible fence”) provided the owner, keeper, harbinger or handler of the dog assures:

- a. The underground electronic fence system is in working order;
- b. The dog is trained in accordance with the fencing system;
- c. The dog is wearing a functioning fence collar;
- d. Dogs confined to residential properties by an electronic fence collar are not allowed to be closer than ten (10) feet to any public sidewalk or property line;
- e. Any dog found to be at-large while being restrained by underground electronic fencing shall no longer be allowed to be restrained in such manner;
- f. Underground electronic fencing is prohibited for vicious dogs as defined in Section 91.22.
- g. This section shall apply to any underground electronic fence installed after May _____, 2019.
- h. Whoever violates this section is guilty of a minor misdemeanor. If the offender has previously been convicted of a similar offense in this city within the previous 12 months, such offender who violates this section shall be guilty of a misdemeanor of the fourth degree.

(B) *Definitions.* Within this Section words with specific defined meanings are as follows:

UNDERGROUND ELECTRONIC FENCE: A fence and dog collar combination system that controls the movement of a dog by emitting an electrical shock when the animal wearing the collar nears the boundary of the owner’s, keeper’s or harbinger’s property.

(C) All existing underground electronic fencing systems installed prior to May _____, 2019 or any underground electronic fencing systems installed on or after May _____, 2019, shall be clearly and prominently marked indicating the existence of the underground electronic fencing system with a minimum of one (1) sign on each side of the property to which the fence is applied that abuts a public right of way (i.e. sidewalk, roadway) indicating that the fence system is in operation.



CITY COUNCIL
Regular Meeting – March 25, 2019 6:00 p.m.
Council Chambers

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Vann
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING – PUD 18-4 SSP #1 Indian Ripple Retail
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VII. PUBLIC HEARING – PUD 18-2 SSP #1 Holiday Inn Express
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VIII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 19-02 Council Compensation (Second Reading)
 - B. Ordinance 19-03 Additional Appropriations (Single Reading)
 - C. Resolution 19-22 Authorize Tax Exempt Leasing Agreement
 - D. Resolution 19-___ Memorandum of Understanding (MOU) with Wright Patterson Air Force Base
- IX. LIQUOR PERMITS
 - A. El Toro of Beavercreek LLC DBA El Toro Mexican Bar & Grill (New)
- X. COUNCIL TIME
- XI. MAYOR'S REPORT
- XII. CITY MANAGER'S REPORT
- XIII. CITIZEN COMMENTS
- XIV. ADJOURNMENT

CITY COUNCIL
Regular Meeting – April 8, 2019 6:00 p.m.
Council Chambers

PROCLAMATIONS

- ◆ National Public Safety Telecommunicators' Week

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE - Vice Mayor Garcia
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. PUBLIC HEARING – PUD 06-5 SSP #3 Beavercreek Business Park
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 19-02 Council Compensation (Third Reading)
- VIII. COUNCIL TIME
- IX. MAYOR'S REPORT
- X. CITY MANAGER'S REPORT
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT

PLANNING DEPARTMENT STATUS REPORT

March 7, 2019

CITY COUNCIL

March 11, 2019

- PUD 06-6 SSP #3, NOAH'S Event Venue, public hearing

March 25, 2019

- PUD 18-2 SSP #1, Holiday Inn Express, public hearing
- PUD 18-4 SSP #1, Indian Ripple Retail, public hearing

April 8, 2019

- PUD 06-5 SSP #3, Beaver creek Business Park, public hearing

Tabled / Delayed / Pending

- PC 19-3, Thoroughfare Plan, public hearing

PLANNING COMMISSION

April 3, 2019

- PUD 19-1, IH Credit Union- Beaver Creek Branch, public hearing
- PUD 06-3 SSP #4, Homestead Village, public hearing

Tabled / Delayed / Pending

- PC 19-2 ASRA, Zip's Car Wash, public hearing (Tabled indefinitely)

Commercial Permits Submitted and Under Review

- Dollar General

BOARD OF ZONING APPEALS

February 13, 2019

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Currently Tabled or Delayed

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