



**CITY COUNCIL**  
**Regular Meeting – April 27, 2020 6:00 p.m.**  
**Council Chambers**

1368 Research Park Dr  
Beaver Creek, Ohio

***During Ohio's Stay-at-Home order, HB #197, the City of Beaver Creek will conduct public meetings virtually. Interested residents are welcome to view this work session via the city's YouTube channel: [City of Beaver Creek](#). (click on blue link)***

**Public Comments:**

***Public comments for legislation will be made through the YouTube "CHAT" feature during the meeting or prior to the meeting, please feel free to send an email to the Clerk of Council at: [miscisin@beavercreekohio.gov](mailto:miscisin@beavercreekohio.gov) or call (937) 320-7388. For comments to be read at this meeting, comments need to be received by 4:00 p.m., April 27, 2020. Please be very specific on what legislation you are addressing. Thank you.***

PROCLAMATIONS

◆ Older Americans Month - May

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Garcia
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
  - A. March 9, 2020 Regular Meeting Minutes
  - B. March 16, 2020 Work Session Minutes
- VI. ORDINANCES, RESOLUTIONS AND PUDS
  - A. Resolution 20-08 Authorize Ohio Department of Transportation (ODOT) to Proceed with North Fairfield Road Guard Rail Upgrade
  - B. Resolution 20-09 Authorize Agreement with Beaver Creek Township for Relocation of Repeater to Fire Station Radio Tower
  - C. Resolution 20-10 Memorandum of Understanding Between City and Fraternal Order of Police, Lodge #160 Sergeants and Patrol Officers
  - D. Ordinance 20-05 Convey Easement to Greene County Engineering (Second Reading)
  - E. Ordinance 20-07 Additional Appropriations (Single Reading)
- VII. COUNCIL TIME
- VIII. MAYOR'S REPORT
- IX. CITY MANAGER'S REPORT
- X. EXECUTIVE SESSION
- XI. DECISION ITEMS
  - A. Appointment to Council
    1. Resolution 20-11 Appointment to Fill Council Seat Vacancy
- XII. ADJOURNMENT

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING March 9, 2020 6:00 p.m.

**PROCLAMATIONS**

- ◆ Girl Scout Week

**PRESENTATIONS**

- ◆ Waves, First Lego League Team

**CALL TO ORDER**

Mayor Stone called the meeting to order followed by roll call

**PRESENT:** Council Member Bales, Council Member Curran, Council Member Garcia, Council Member Rushing, Council Member Schwartz, Vice Mayor Adams, Mayor Stone

**ABSENT:** None

**ALSO IN ATTENDANCE:** Randy Burkett, City Planner; Dennis Evers, Chief of Police; Theresa Hathaway, Assistant Finance Director; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

**PLEDGE**

Council Member Curran 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.

**APPROVAL OF MINUTES**

Council Member Curran **MOVED** to approve the February 10, 2020 Regular Meeting minutes, seconded by Council Member Rushing. Motion **PASSED** by majority voice vote. (Abstain – Council Member Schwartz)

Council Member Rushing **MOVED** to approve the February 18, 2020 Work Session minutes, seconded by Council Member Garcia. Motion **PASSED** by majority voice vote.

Council Member Bales **MOVED** to approve the February 24, 2020 Regular Meeting minutes, seconded by Vice Mayor Adams. Motion **PASSED** by majority voice vote. (Abstain-Council Member Garcia)

**PRESCHEDULED SPEAKERS**

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U.S. Census, Randy Burkett, Interim Planning & Development Director

Mr. Burkett said April 1<sup>st</sup> was U.S. Census Day. The federal government has been doing the Census every ten years since 1790. The data that everyone provides is 100% confidential and is protected by law. He explained the Census is important because there are \$675 billion allocated every year for grant programs. The allocation numbers are based on the U.S. Census. Some of this grant money is Medicare, Medicaid, federal student loan dollars and nutrition programs. The Census also justifies the congressional apportionment. The Census is also used as a research tool to provide studies for the public and Council. He reviewed the nine questions on the Census and the three ways to respond to the Census; online, mail or phone. He also reviewed special circumstances for those displaced because of natural disaster victims, military personnel and college students. For every person not counted in the State of Ohio it costs the state between \$1,200-\$1,800 per year in federal grant opportunities.

Alternative Revenue Income Tax, Bill Kucera, Financial Administrative Services Director

Mr. Kucera said at the last meeting Council heard a presentation from the Beavercreek Fairer Funding Committee (BFFC). He said for the past eighteen months this committee had been meeting to discuss alternative revenue sources for the city. He said they had a lot of variables and narrowed down their proposals, finalized their solution and presented their concept to council at the last meeting. Their proposal was an earnings tax for every person residing or earning and receiving income in the city limits. The proposal included a tax rate of 1% and a 100% credit for those residents paying earned income tax to other municipalities. Excluded from the earning tax would be retirement income, active duty military and other tax exempt income. The proposal also included an immediate rollback of the 3.4 mill levy that expires in 2021 and immediately reducing the city property taxes. He said the goal of the group was to distribute the funding of city services and infrastructure improvements between residents and non-residents, diversify the tax base and get the city away from being property tax dependent, provide residents a property tax relief now and in the future and address the backlog of infrastructure, capital improvements and maintenance projects that have been postponed due to the current tax structure. He reviewed the city's long term financial strategy goals and objectives which mirror the BFFC's goals and objectives. Mr. Kucera reviewed the timeline for the revenue options. He gave a comparison of the alternative city funding allocation methods which reflected non-residents generating some of the revenue by an income tax. He said both objectives between the BFFC and the city are in line and reviewed a proposed timeline for the income tax being placed on the November ballot with a proposed implementation for 2022.

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**ORDINANCES, RESOLUTIONS AND PUDS**

**Ordinance 20-05** Convey Easement to Greene County Engineering (First Reading)

Clerk Miscisin read an Ordinance to declare certain City owned property interests as surplus and to approve the conveyance of a water main easement on City owned property generally known as Overlook Reserve on the south side of Park Overlook Drive.

Mr. Moorman explained as part of the approval for the Homestead America project along the south side of Park Overlook Drive, Greene County Sanitary Engineering is requiring a water main connection between the dead end water main at the end of Spicer Drive and the existing 12 inch water main along Park Overlook Drive. The connection would help eliminate a dead end water main and enhance the public water system in this area. He said the easement was selected to minimize the disturbance to the existing trees and vegetative cover on the Overlook Reserve property.

Council Member Bales asked if the city had spoken to the residents that backup to the easement. Mr. Moorman replied he had not.

Council Member Bales MOVED Ordinance 20-05 to the second reading, seconded by Council Member Curran. Motion PASSED by majority voice vote.

**Resolution 20-07** Acceptance of Ohio Law Enforcement Body Armor Award

Clerk Miscisin read a Resolution to authorize the Beavercreek Police Department to accept the Ohio Law Enforcement Body Armor Program Grant.

Chief Evers said the State of Ohio Attorney General Office grant is to provide 75% reimbursement of the total costs of the city's purchase of 60 ballistic plates with 30 vest carriers. Total costs of the vest carriers and ballistic plates is \$19,984.40. The grant will reimburse \$14,988.30 with the city match requirement being \$4,996.10. The vests purchased with funding from this program will allow the police department to equip one vest in each marked and unmarked vehicle in the police fleet. This will allow officers to be able to wear these advanced body armor plates over their soft body armor to provide enhanced protection during active shooter or other critical incidents.

Council Member Garcia MOVED Resolution 20-07, seconded by Vice Mayor Adams. Motion PASSED by majority voice vote.

**Ordinance 20-06** Additional Appropriations (Single Reading)

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Clerk Miscisin was an Ordinance to approve supplemental appropriations and certify additional revenue and authorize inter fund transfers for the fiscal year beginning January 1, 2020 and ending December 31, 2020 and to amend Ordinance 19-30.

Ms. Hathaway said she was presenting supplemental appropriations and certification of additional revenue that effect four different funds. She said the first was the police levy fund regarding the grant the chief just explained regarding the grant for the ballistic plates and vest carriers. The total cost of the equipment is \$19,984 and the grant will pay for 75% of this, therefore the city needs to appropriate the entire cost of purchasing the equipment and then certify the grant revenue of \$14,988. The 25% city match would come from the fund balance within the police levy fund. Secondly, the city received its first reimbursement for debris removal from FEMA and Ohio EMA totaling over \$818,000 which represents 75% reimbursement from FEMA and 12.5% from Ohio EMA. This is the first installment of approximately \$3 million the city has expended relating to the May 27<sup>th</sup> tornado event. As required by the Auditor of State, a FEMA fund was established to receive the reimbursements. Once reimbursements are received into the FEMA fund, reimbursement can then be made to the fund that incurred the expenditures which in this case was the street levy fund. In order for the street levy fund to be reimbursed for the tornado related expenses the \$818,518 needs to be certified as reimbursement revenue. In 2019, the general fund advanced to the street levy fund \$250,000 to ensure it continued to meet the minimum fund balance requirement along with helping to cover the costs of the tornado related expenses. With receipt of the reimbursement from the city's FEMA fund the street levy fund is now in a position to payback the advance to the general fund. She said they are asking the city to appropriate the funds from the street levy fund as a transfer out, certify the revenue, which is a repayment of funds back to the general fund in the amount of \$250,000. She said in fund 750, the parks department has been accepting donations and rental revenue and depositing them into a designated fund for the long term care of Waringer Park. There are currently two cabins, Harshman House and Ankeny House that need repairs which include drywall, ceiling repair and door replacement. The city would like to utilize \$4,550 of designated funds to complete the repairs. Since this amount was not originally budgeted in 2020, the \$4,550 needs to be appropriated to complete the necessary repairs before spring. Also out of the 750 fund, the senior center needs to replace the commercial grade dishwasher which has been in use since the center opened in 2005. The cost is estimated at \$5,000. The funds to cover the replacement of the dishwasher would come from the senior center growth fund of which the \$5,000 would need to be appropriated. The Beaver Creek Enrichment Association (BEA) has agreed to cover \$2,500 of the cost of the new dishwasher. This money will be

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deposited back into the senior center growth fund and this \$2,500 amount needs to be certified as additional revenue for fund 750.

Council Member Schwartz MOVED to approve Ordinance 20-65, seconded by Vice Mayor Adams. Motion PASSED by a roll call vote of 7-0.

### **DECISION ITEMS**

**Boards and Commissions Appointments** – Greene County Board of Health  
Council Member Schwartz MOVED to appoint Andrew Root and Mark Walsh to the Greene County Board of Health for the term ending February 29, 2024, seconded by Council Member Bales Motion PASSED by majority voice vote.

**Boards and Commissions Appointments** – Community Reinvestment Area Housing Council (1 Vacancy)

Council Member Schwartz MOVED to unappoint Keith Ayers, John Compton, Shannon Graham, Loren Ross, Brian Smith and Zach Upton, seconded by Council Member Curran. Motion PASSED by majority voice vote.

Council Member Bales MOVED to open nominations for the Community Reinvestment Area Housing Council, seconded by Council Member Garcia. Motion PASSED by majority voice vote.

Council Member Bales nominated Zach Upton.

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

Council Member Bales MOVED to appoint Zach Upton to the Community Reinvestment Council for the term ending February 28, 2023, seconded by Council Member Rushing Motion PASSED by majority voice vote.

### **COUNCIL TIME**

Council Member Curran read to students at Primrose. He participated in the Mayor's First Thursday. The Greene County Park District had their pancake breakfast on Saturday.

Council Member Schwartz participated in the high school robotics league last week.

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Council Member Garcia also read to the students at Primrose. She thanked the Girl Scouts and Waves for attending the meeting. She attended the MVRPC meetings where they talked about the long term recovery. She encouraged people who still need help is to call United Way at 211.

Council Member Rushing said Gene Fischer would be holding a town hall regarding the sales tax increase on Wednesday at 6:30 at the Fairborn Senior Center.

Council Member Bales thanked the Girls Scouts and Waves for attending the meeting.

Vice Mayor Adams thanked Waves for coming to the meeting to show what they do. Greenebucs Visibility Day was fun as he watched the receivers of the trikes ride around. Please exercise your right to vote next Tuesday. Congratulations to Chief Evers for being chosen as Beaver creek Employee of the Year.

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

Mayor Stone also read to the students at Primrose. The Chamber Awards was being held on March 11<sup>th</sup>. He and Vice Mayor Adams attended the state wide tournament at BeaverVu Bowl.

#### **CITY MANAGER'S REPORT**

Mr. Landrum said the chipping and hauling of the tornado debris is complete. There will be an open house regarding the 2020 Land Use Plan Update on Thursday, March 12<sup>th</sup> from 5:00-7:00 p.m. Shakertown Road will be closed at U.S. 35 starting Monday, March 16<sup>th</sup>. The Fourth of July committee is seeking sponsors for the event. For more information please visit [www.beavercreekohio.gov/604/4th-of-july](http://www.beavercreekohio.gov/604/4th-of-july).

#### **CITIZEN COMMENTS**

Samuel Schmitz, 4097 Summerfield Drive, Beavercreek, Ohio

Mr. Schmitz said he's been looking at buying a house in Beavercreek however with the proposed income tax he has started to look elsewhere. He said last week's presentation that the Beavercreek Fairer Funding Committee (BFFC) gave they did not source any of their numbers. They said over 75% of the jobs in Beavercreek are held by non-residents. He said he could not find this number anywhere. He said this is a number that a lot of news organizations have run with however no one has cited a source. When he went to college, writing classes tell you to cite your sources when writing an argumentative paper otherwise they mean nothing. He said it's not fair to propose an income tax that doesn't affect everyone. What they are proposing is retired people don't get taxed – they only have to pay

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the 1% property tax, military people only have to pay the 1% property tax but all of us future workers and all of us who are currently working are going to be forced with that burden on us by us having to pay that tax until the end of time. Taxes never get replaced. Taxes are only created, they never go away and they're only increased. If you look at the history of a federal income tax, the first was created by President Lincoln in 1861 to pay for the civil war. In 1872, after the war was over it was repealed but later on Congress brought it up. When it was created it went to a 5% income tax and then a 10% income tax. Once Herbert Hoover and Franklin D. Roosevelt became president, Roosevelt raised the top rate to 79% and then to 90%. In 1941, Roosevelt proposed a 99.5% rate on all incomes over \$100,000. Mr. Schmitz said this was his fear with what will happen to the city. Last week when one of the members of the BFFC said that Beaver Creek in her time has gone from 25% retired to 75% retired people. He did not know if that number was true as he could not find any sources for that number. He assumed it was not true and if it was not a real number then they should apologize for giving out false numbers and provide real numbers. He said if this is true, that means the burden would be on the 25% that are working which was not fair. He said the problem is once a government incorporates an income tax it never goes away and only grows larger. Another issue of the proposed income tax is that the city would be forcing people who don't live in Beaver Creek to pay taxes in Beaver Creek which goes against what the Founding Fathers fought for, taxation without representation. Our Founding Fathers fought against the British Stamp Tax which forced the colonists to pay a tax on all printed materials and force them to print all materials in England instead of the United States. The Founding Fathers thought it was unfair because they had no representation in British Parliament and the representation that they sent was not recognized by the British Colonies and why the Revolutionary War started. He said if we incorporate an income tax anyone who pays income tax in Beaver Creek should be allowed to vote. If someone works in Bellbrook and comes to Beaver Creek and Beaver Creek has an income tax and they're paying Beaver Creek income tax they should have the right to vote. They have the right to their representation if they are being taxed. If we incorporate an income tax it would punish those who work and succeed in their careers. The more I move up in the chain at work, the more money I make and I'm going to have to give more money to the city. That's essentially saying the city knows how to spend my money better than I do. He said it also removes incentives for people to donate money to organizations, charities and to the city because they are being forced to pay more in taxes. It also rewards those who don't work and unfairly gives the retired and military more benefits than the working citizen. They get to pay less taxes and get the same representation that he does. Their vote counts for the exact same as his does but he is paying more in taxes.

Mary Bradley, 1399 Townhall Rd, Beaver Creek



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Ms. Bradley said she was the one who gave the 75/25 percent which was an incorrect statement. She said this was the percentage of people who live in Beavercreek with kids in school and who didn't have kids in school. She said this is what has switched in the last 40 years. 40 years ago it was 75% of the people who lived here had kids in school and now it has switched to 25%.

Michael Hall, 2647 Big Woods Trail, Beavercreek

Mr. Hall said what excited him about Beavercreek was relatively lower property taxes and no city income tax. He has seen his property taxes have gone up from \$2,400 per year to now \$3,900 per year. He looked at the numbers from last month's meeting and even with the rollback his family would be paying \$60 more per month. However, even if he saved money with the new proposal he would still rather pay more property taxes and not have an income tax. He said every time a property tax comes up for a vote, it causes him to research and judge merit of that spending and discuss it with his family. He said we have a choice and a vote. If we go to an income tax his family loses a lot of that opportunity.

Chad Whilding, 2428 Brown Bark Drive, Beavercreek

Mr. Whilding said we've been through this before and we learn from each other and hope we listen. We've only talked about the need and we haven't talked about how. He said just because Ohio did it wrong decades ago doesn't mean we continue down this road. He said this is taxation without representation. The people that are taxed do not get to vote on how this money is spent. He said the last time we voted it was at least 69% of the people understood that they preferred property tax taxation because they get to control how the money is spent. He said there is an impact to the earning population if done incorrectly that would give no credit to what he is trying to do to save for his future. A future that is in jeopardy because of the way federal government has structured some of the finances. He wanted to be sure when the numbers are put out, it is known the communities around us are going to be impacted. He said we care because they are going to lose money. He did not want to see a spiraling increase in taxes in the entire region which would then impact our community. We know our community is one of the richest in the area and those employees will bear the brunt of that if the increase impacts the communities around us. We have to be very careful in saying there would be no impact on your income because there will. He did not know which community had the largest concentration of workers that would be affected by this but we people that work in those communities as well. He asked council to please consider that as they deliberate in the next few months.

Bob Baker, 2608 Brown Bark Drive, Beavercreek

Mr. Zimmer said one of the main reasons this income tax has failed before is because of accountability. No one has ever come out and said this is what we

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need it for and this is how we are going to spend it. We have asked for an allocation to show us what percentage of the income tax goes to what funds. We want a clear accountability. The legislation needs to say how we are going to spend the money

Judy Padak, 2919 Crone Road, Beaver creek

Ms. Padak agreed with Mr. Baker. She said she had been speaking Mr. Jarvis and Mr. Perales and she said the city needs to put it in the Charter how the funds would be allocated if we do an income tax. She said the Charter would have to be done first and implemented before putting the income tax on the ballot in November.

Public Input was closed.

**ADJOURNMENT**

Council Member Curran MOVED to adjourn the meeting at 7:28 p.m., seconded by Council Member Garcia. Motion PASSED by majority voice vote.

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Bob Stone, Mayor

ATTEST:

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Dianne Miscisin  
Clerk of Council  
Cmin03092020

BEAVERCREEK CITY COUNCIL  
COUNCIL WORK SESSION, March 16, 2020 5:00 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 Rushing, Vice Mayor Adams, Mayor Stone

ABSENT: Council Member Garcia

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

ALSO IN ATTENDANCE: Randy Burkett, City Planner; Dennis Evers, Chief of Police; Bill Kucera, Financial Administrative Services Director; Pete Landrum, City Manager; Dianne Miscisin, Clerk of Council; Mike Thonnerieux, Public Administrative Services Director

**APPROVAL OF AGENDA**

Council Member Curran MOVED to amend the agenda by adding COVID-19 update, seconded by Council Member Rushing. Motion PASSED by majority voice vote.

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

**DISCUSSION ITEMS**

**Decision point, Alternative Revenue Income Tax**

Mr. Kucera summarized the proposed income tax. He said 1% was estimated to generate approximately \$18 million. He reviewed potential timelines to put it on the ballot and implementation.

Mr. McHugh reviewed the key points of the proposed income tax. There was discussion of credit and who would facilitate questions and the collection of the tax.

**COVID-19 UPDATE**

Mr. Landrum gave an overview of the city's closed buildings and canceled events. He reviewed a conference call with the Greene County Public Health Department and area city managers. Some localities have declared a state of emergency, some are waiting to see what happens, some have closed their offices and giving employees full pay, and some are open but closed to the public.

**COUNCIL COMMITTEE/EVENT UPDATES**

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Council discussed events they had attended and anything they scheduled in the near future.

**ADJOURNMENT**

Council Member Curran MOVED to adjourn the meeting at 6:23 p.m., seconded by Council Member Rushing. Motion PASSED by majority voice vote.

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Bob Stone, Mayor

ATTEST:

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Dianne Miscisin  
Clerk of Council  
Cmin03162020WorkSession

**CITY OF BEAVERCREEK  
CITY COUNCIL  
AGENDA ITEM REPORT**

PEC

<b>Meeting Date:</b> <u>April 27, 2020</u>	<b>Reference Topic:</b> N. Fairfield Road Guardrail Upgrades; PID No. 111482
<b>Agenda Reference No.:</b> <u>VI. A.</u>	Resolution 20-08

<b>ACTION REQUESTED</b>		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

<b>RESPONSIBLE DEPARTMENT OR AGENCY</b>		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

**BACKGROUND AND STAFF SUMMARY:**

The Ohio Department of Transportation (ODOT) is planning a project for the summer of 2021 that includes upgrades to guardrails along portions of N. Fairfield Road. This work will primarily involve the replacement of older guardrail end treatments to meet current standards.

All costs associated with this project will be paid by ODOT.

**STAFF RECOMMENDATION:**

It is therefore recommend that City Council approve the attached resolution authorizing ODOT to proceed with the planned guardrail improvements.

**CITY OF BEAVERCREEK  
RESOLUTION NO. 20-08**

SPONSORED BY COUNCIL MEMBER \_\_\_\_\_ ON THE 27<sup>TH</sup> DAY OF  
APRIL, 2020.

**A RESOLUTION GIVING CONSENT TO THE DIRECTOR OF THE OHIO  
DEPARTMENT OF TRANSPORTATION TO PROCEED WITH  
GUARDRAIL UPGRADES ALONG N. FAIRFIELD ROAD; PID NO.  
111482.**

WHEREAS, the State has identified the need for the described project:

The District wide replacement of type A anchor assembly guardrail on  
NHS local routes, to include a portion of CR 9 (N. Fairfield Road) in the  
City of Beavercreek.

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

SECTION I.

Being in the public interest, the City of Beavercreek gives consent to the Director  
of the Ohio Department of Transportation to complete the above described project.

SECTION II.

The City of Beavercreek shall cooperate with the Director of the Ohio Department  
of Transportation in the above described project as follows:

The State shall assume and bear 100% of all costs associated with the  
development and construction of the above described project.

The City of Beavercreek agrees to pay 100% of the costs of those  
features requested by the City of Beavercreek which are determined by  
the State and Federal Highway Administration to be unnecessary for the  
Project.

SECTION III.

The City of Beavercreek agrees that all right-of-way required for the described  
project will be made available in accordance with current State and Federal regulations.  
The City of Beavercreek also understands that right-of-way costs include eligible utility  
costs and that all utility accommodation, relocations and reimbursements will comply  
with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION IV.

The City Manager of said City of Beavercreek is hereby empowered on behalf of the City of Beavercreek to enter into contracts with the Director of the Ohio Department of Transportation necessary to complete the above described project.

SECTION V.

Upon completion of the Project, and unless otherwise agreed, the City of Beavercreek shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI.

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

SECTION VII.

This Resolution shall become effective immediately upon its passage.

THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio this 27<sup>th</sup> day of April, 2020.

\_\_\_\_\_  
Bob Stone, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Miscisin, Clerk of Council

pkc

CITY OF BEAVERCREEK  
CITY COUNCIL  
AGENDA ITEM REPORT

<b>Meeting Date:</b> 4-27-20	<b>Reference Topic: Enter into agreement with Beavercreek Township for public safety communications equipment</b>
<b>Agenda Reference No.:</b> VI. B.	Resolution 20-09

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input checked="" type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> Other Cemetery_____

**BACKGROUND AND STAFF SUMMARY:**

As part of the Columbarium project at Mt. Zion Park Cemetery staff assessed the radio tower that currently holds the City of Beavercreek radio repeater equipment used for public service and parks for communication. In an assessment completed as part of the project it was found that the structure holding the equipment was found to be in disrepair and in need of replacement. Staff began reviewing potential options for replacing or relocating the repeater.

The City of Beavercreek reached out to Beavercreek Township to determine if any space existed on their fire station tower on Station 64 on Indian Ripple Road, which is in close proximity to the existing tower at Mt. Zion Park Cemetery.

It was determined that the Township had capacity and was willing to allow the City to co-locate our radio repeater on their existing tower for a one dollar (\$1.00) per year lease. This is the most cost effective and astatically pleasing solution.

**STAFF RECOMMENDATION:**

Staff recommends approval of this Resolution authorizing the City Manager to enter into the agreement with the Township.



**RESOLUTION NO. 20-09**

SPONSORED BY COUNCIL MEMBER \_\_\_\_\_ ON THE 27<sup>TH</sup> DAY OF APRIL, 2020.

**A RESOLUTION BY THE BEAVERCREEK CITY COUNCIL TO ENTER INTO AN AGREEMENT WITH BEAVERCREEK TOWNSHIP FOR THE LOCATION AND USE OF A TOWNSHIP COMMUNICATIONS TOWER FOR PUBLIC SAFETY COMMUNICATIONS EQUIPMENT**

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

**WHEREAS**, the Communications Tower currently holding the City of Beavercreek’s radio repeater equipment has been determined to be inadequate to continue holding such equipment; and

**WHEREAS**, Beavercreek Township (“Township”) has a Communications Tower (“Township Tower) located at Fire Station 64, having a physical address of 3633 Indian Ripple Rd., Beavercreek, Ohio; and

**WHEREAS**, The City currently has a need to relocate its radio repeater equipment; and

**WHEREAS**, The City has the desire to co-locate its radio repeater equipment on the Township Tower for the purposes of transmitting and receiving public service communications; and

**WHEREAS**, the City has determined it is in the best interest of the City to co-locate their radio equipment on the Township Tower; and

**WHEREAS**, Council wishes to enter into an Agreement with the Township for the housing of its radio equipment.

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

**SECTION I.** Council hereby approves and authorizes the City Manager, on behalf of the City of Beavercreek, Ohio to enter into the Agreement, attached hereto as Exhibit A, between the City of Beavercreek and Beavercreek Township for the housing and locating of the City’s radio equipment.

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

**SECTION III:** This Resolution shall become effective immediately upon its passage.

This Resolution is adopted by the Council of the City of Beavercreek, Ohio on this 27<sup>th</sup> day of April, 2020.

\_\_\_\_\_  
Bob Stone, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Miscisin, Clerk of Council

PREPARED BY: CITY ATTORNEY

**SUMMARY**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BEAVERCREEK TOWNSHIP REGARDING THE LOCATION AND HOUSING OF RADIO EQUIPMENT**

**AGREEMENT FOR USE OF TOWER**  
**FOR PUBLIC SAFETY COMMUNICATIONS EQUIPMENT**

This is an agreement by and between the City of Beavercreek ("City") 1368 Research Park Drive, Beavercreek, Ohio, and Beavercreek Township ("Township"), 851 Orchard Lane, Beavercreek, Ohio, entered into on the date of the final approval of this Agreement by both parties.

WHEREAS, The Township has a Communications Tower (Tower) located at Fire Station 64, having a physical address of 3633 Indian Ripple Road, Beavercreek, Ohio; and,

WHEREAS, the City currently has the desire to co-locate its radio repeater equipment on said Tower for the purposes of transmitting and receive public service communications; and,

WHEREAS, The Township has determined that it is in the best interest of the communities to allow the City to co-locate their radio equipment on the Tower;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the Township and the City hereby agree as follows:

1. The Township will allow the City to co-locate its radio communications equipment on the Tower at a rate of one dollar (\$1.00) annually. In addition, The Township will provide:
  - a) Utilities (e.g. electricity) necessary to run the equipment; and
  - b) Access to a router. All cabling necessary for the operation of the equipment shall be provided for by the City at their own expense.
  
2. The City intended co-location radio communications equipment on the Tower will be subject to prior approval by the Township. Prior to installation, a written request and compatibility study (to prevent interference with existing equipment) must be submitted to the Township, with the following information: manufacturer's specifications for all equipment to be installed (including but not limited to, radios, dishes, antenna, cabling, and grounding equipment) and a sketch of the proposed equipment location and height. Submission should be made from the City to the Township with enough time for review prior to scheduling work to be completed. Submission shall include all engineering and technical data necessary for the Township to make an informed decision on approval. Said engineering and technical data costs shall be the responsibility of the City. Prior to installation, a structural analysis may be required by the Township to ensure that the Tower is not overloaded. All installed equipment will be grounded to meet or exceed the Motorola R56 standard. The City shall name a contractor, or contractors, which will install and maintain City of Beavercreek owned tower equipment for review by Beavercreek Township and to maintain on file as authorized service providers. The contractor shall be bonded and insured

and must agree, in writing, that any damage caused to existing equipment by the contractor shall be repaired or replaced by the contractor at the contractor's expense. Said contractor shall be trained in appropriate OSHA and ANSI standards for tower climbing. The contractors shall wear and use appropriate safety equipment at all times.

3. The Township retains all control of physical access to the Tower. The City's designated contractor(s) may only access the tower for maintenance purposes after express consent of the City and prior notification to the Township by the City. All approved access to the tower for work on behalf of the City for the installation or maintenance of equipment owned or operated by the City shall be scheduled with at least 24 hours advance notice except in the event of the need for emergency service and will be supervised by a Township employee. In the event emergency service is needed the City shall notify the Township as soon as possible and the Township shall provide a duly authorized point of contact to permit immediate access to the tower.
4. The Township retains all control of physical access to the Tower equipment room. The City's designated contractor(s) may only access the tower equipment room for maintenance purposes after express consent of the City and prior notification to the Township by the City. All approved access to the tower for work on behalf of the City for the installation or maintenance of equipment owned or operated by the City shall be scheduled with at least 24 hours advance notice except in the event of the need for emergency service and will be supervised by a Township employee. In the event emergency service is needed the City shall notify The Township as soon as possible and the Township shall provide a duly authorized point of contact to permit immediate access to the tower equipment room.
5. In the event the City wishes to remove its equipment and to terminate this agreement, it will notify the Township of its intentions no later than 90 days prior to removal and termination of this agreement. The City will be responsible for costs for removing their equipment.
6. The City assumes all risk of any type damage to any the City equipment and property located on or attached to the Tower or which may result from damage to the City equipment or property located on or attached to the Tower which damages may be caused by any type of peril, event or conduct except the negligence of a Township contractor or employee.
7. This Agreement is a full integration of any and all discussions and agreements between the parties pertaining to co-locating radio communications equipment on Township's Tower. This Agreement may only be amended in writing after approval by the Board of Trustees of Beaver Creek Township or its Township Administrator on their behalf and City Council or the City Manager on their behalf.

**IN WITNESS THEREOF**, the parties have set their hands as of the day and year below their respective signatures and by their signature agree to be bound by the promises, obligations, covenants and duties contained herein.

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**Beavercreek Township Administrator**

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**Date**

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**Beavercreek City Manager**

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**Date**

PBC

CITY OF BEAVERCREEK  
CITY COUNCIL  
AGENDA ITEM REPORT

Meeting Date: April 27, 2020	Memorandum of Understanding between City and Fraternal Order of Police, Lodge #160/ Sergeants and Patrol Officers.
Agenda Reference No: VI. C.	
Resolution 20-10	

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other

**BACKGROUND AND STAFF SUMMARY:**

The City of Beavercreek and members of the Fraternal Order of Police Lodge #160 have a contract that expires on December 31, 2021. Due to the current schedule being utilized in patrol operations, it is the desire of both parties to adjust the following hour requirements for shift differentials and minimum staffing while the current schedule is being utilized:

- Shift Differential eligibility hours are modified from 1500 - 0700 hours to 1400 - 0600 hours.
- Weekend Differential eligibility hours are modified from 0700 Saturday to 0700 Monday to 0600 Saturday to 0600 Monday.
- Minimum Manning for Safety will be modified to: Between 2200 and 0600 and 0600 and 1400 the City will maintain two (2) Communications Operators, four (4) patrol officers and one (1) supervisor. Between the hours of 1400 and 2200 the City will maintain a minimum of five (5) patrol officers and one (1) supervisor.

**STAFF RECOMMENDATION:**

Staff is recommending the approval of this resolution.

**CITY OF BEAVERCREEK, OHIO  
RESOLUTION 20-10**

**SPONSORED BY COUNCILMEMBER \_\_\_\_\_ ON THE 27th DAY  
OF APRIL, 2020.**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO  
EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE  
FRATERNAL ORDER OF POLICE LODGE #160 COVERING  
SERGEANTS AND PATROL OFFICERS.**

**WHEREAS**, the City of Beavercreek and the Fraternal Order of Police, Lodge No. 160 are parties to a three year collective bargaining agreement effective January 1, 2019 through December 31st 2021 ; and

**WHEREAS**, due to the current patrol operations schedule being utilized the City and the FOP agree to modify the hours for shift differential eligibility (Article 20.07 Shift Differential) and staffing requirements (Article 22.03 Minimum Manning for Safety);

**NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY RESOLVES:**

**SECTION I.**

Council hereby authorizes the City Manager, on behalf of the City of Beavercreek, Ohio, to execute a Memorandum of Understanding modifying Article 20.07 Shift Differential and Article 22.03 Minimum Manning for Safety of the current collective bargaining agreements which expire December 31<sup>st</sup>, 2021 for the Patrol Officer and Supervisor collective bargaining units.

**SECTION II.**

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

**SECTION III.**

This Resolution shall take effect immediately.

**THIS RESOLUTION IS ADOPTED BY THE Council of the City of Beavercreek, Ohio  
this 27<sup>th</sup> day of April, 2020.**

\_\_\_\_\_  
Bob Stone, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Miscisin, Clerk of Council

**RESOLUTION 20-10**

**SUMMARY**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE MEMORANDUM OF UNDERSTANDING (MOU) MODIFYING THE CURRENT CONTRACTS WITH THE PATROL OFFICERS AND SUPERVISORS REFLECTING CHANGES TO ARTICLE 20.07 SHIFT DIFFERENTIAL AND ARTICLE 22.03 MINIMUM MANNING FOR SAFETY OF THE CITY OF BEAVERCREEK'S COLLECTIVE BARGAINING AGREEMENTS WITH THE FRATERNAL ORDER OF POLICE LODGE #160.**



# MEMORANDUM OF UNDERSTANDING

## Shift Differentials and Minimum Manning for Safety

The following Memorandum of Understanding (MOU) between the City of Beavercreek and the Fraternal Order of Police Lodge No. 160 is entered into on \_\_\_\_\_. The provision modifications listed will apply only while the current 8 hours, 5-on 2-off schedule is being utilized for patrol operations. Management reserves the right to change the schedule and defer to the original contract language in the event the schedule changes during the term of the current Agreement which expires December 31<sup>st</sup>, 2021.

These modifications apply to the following bargaining units only:

SERB Case # 2018-MED-09-0978 (Patrolman)

SERB Case # 2018-MED-09-0979 (Supervisors)

### ARTICLE 20

#### WAGES, ACTING SUPERVISOR PAY, SHIFT DIFFERENTIAL

##### Section 20.07 Shift Differential

- A. **Night-time:** A differential of \$.70 per hour will be accorded to Employees performing the patrol function between the shift hours of **1400 to 0600**. This differential will not apply to training and benefit time.
- B. **Weekend:** A differential pay of \$.50 per hour will be accorded to Employees performing the patrol function between the hours of **0600** on Saturday up to **0600** on Monday. This differential will not apply to training and benefit time.

**\*\*PARAGRAPH C OF SECTION 20.07 CONTINUES UNCHANGED\*\***

### ARTICLE 22

#### MISCELLANEOUS

Section 22.03 Minimum Manning for Safety: The City and the Lodge recognize that the absence of a certain level of staffing on any shift may constitute a potential risk to the Employees as well as the public. The safety of the Employees and the public are of the utmost concern and each shift will maintain a sufficient level of staffing that will provide for the safety of the Employees and the efficient and effective service to the public.

The City will maintain a minimum of two (2) Communications Operators at all times.

Between the hours of **2200** and **1400**, (referred to as the 1<sup>st</sup> and 2<sup>nd</sup> Watches) the City will maintain four (4) patrol officers and one (1) supervisor. Between the hours of **1400** and **2200**, (referred to as the 3<sup>rd</sup> Watch) the City will maintain five (5) patrol officers and one (1) supervisor.

CITY OF BEAVERCREEK

FRATERNAL ORDER OF POLICE  
BEAVERCREEK LODGE NO. 160

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Pete Landrum, City Manager

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Brad T. Piasecki, President

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Michael Hummel, Supervisor Representative

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Dennis L. Evers, Chief of Police

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Justin Tolley, Patrol Representative

Agenda Item VI. D.  
Second Reading

**CITY OF BEAVERCREEK, OHIO  
ORDINANCE NO. 20-05**

SPONSORED BY COUNCIL MEMBER \_\_\_\_\_ ON THE 9<sup>TH</sup> DAY OF  
MARCH, 2020.

**AN ORDINANCE TO DECLARE CERTAIN CITY OWNED  
PROPERTY INTERESTS AS SURPLUS AND TO APPROVE THE  
CONVEYANCE OF A WATER MAIN EASEMENT ON CITY  
OWNED PROPERTY GENERALLY KNOWN AS OVERLOOK  
RESERVE ON THE SOUTH SIDE OF PARK OVERLOOK DRIVE.**

WHEREAS, the City of Beavercreek (the "City") owns real property and such property is commonly known as "Overlook Reserve", and

WHEREAS, the construction of a water main and related facilities requires the conveyance of a water main easement on the Overlook Reserve property to Greene County ("County"), and

WHEREAS, the City's property interests in the water main easement on the Overlook Reserve property, as proposed to be conveyed to the County, is currently not a vital property interest for the City and is no longer needed or required for municipal purposes, and thus said same property interests can be declared a surplus;

NOW THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

The property interests to be conveyed to the County for the purposes of a water main easement, as such property interests are described in Exhibit "A" attached hereto and incorporated herein, shall be and hereby are determined and declared by this Council as surplus property and this Council conveys same property interests pursuant to law.

SECTION II.

The City Manager is hereby authorized to sign, on behalf of the City, an easement deed conveying the certain water main easement to the County and which an unsigned copy of said easement deed is attached hereto as Exhibit "A".

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

ADOPTED by the Council of the City of Beavercreek, Ohio this 27<sup>th</sup> day of April, 2020.

\_\_\_\_\_  
Bob Stone, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Miscisin, Clerk of Council

#### SUMMARY

THIS ORDINANCE DECLARES CERTAIN WATER MAIN EASEMENT PROPERTY INTERESTS IN THE CITY, SITUATED AT THE OVERLOOK RESERVE PROPERTY ALONG THE SOUTH SIDE OF PARK OVERLOOK DRIVE, AS SURPLUS PROPERTY, AND APPROVES A CONVEYANCE OF SAME SURPLUS PROPERTY INTERESTS TO GREENE COUNTY. THIS IS NOT AN EMERGENCY ORDINANCE AND WILL BECOME EFFECTIVE 30 DAYS AFTER ADOPTION.

CITY OF BEAVERCREEK  
CITY COUNCIL  
AGENDA ITEM REPORT

PEL

<b>Meeting Date:</b> April 27, 2020  <b>Agenda Reference No.:</b> VI-E	<b>Reference Topic:</b> Ordinance No. 20-07 TO APPROVE SUPPLEMENTAL APPROPRIATIONS AND CERTIFY ADDITIONAL REVENUE FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2020, AND TO AMEND ORDINANCE 19-30 and 20-06.
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ACTION REQUESTED		
<input checked="" type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other Motion _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Human Resources
<input type="checkbox"/> Parks, Recreation & Culture	<input checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Golf Course
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager

**BACKGROUND AND STAFF SUMMARY:**

**Street Maintenance Fund (204)**

The City has an agreement with Synergy for the construction of a new traffic signal at N. Fairfield Road and Rock Drive in the amount of \$30,000. The agreement calls for Synergy to deposit the cost for design and construction with the City, which they have already done. As part of the agreement the City will administer the contract for the traffic signal. Therefore, the City must appropriate additional expenditures in the amount of \$30,000 (204-585100-0817 N Fairfield Rd @ Rock Rd.) and certify additional revenue in the amount of \$30,000 (204-497000 Refunds and Reimbursements.)

**STAFF RECOMMENDATION:** Staff recommends adoption of Ordinance 20-07

**CITY OF BEAVERCREEK, OHIO  
ORDINANCE NO. 20-07**

SPONSORED BY COUNCIL MEMBER \_\_\_\_\_ ON THE 27<sup>th</sup> DAY OF APRIL, 2020.

**TO APPROVE SUPPLEMENTAL APPROPRIATIONS AND CERTIFY ADDITIONAL REVENUE FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2020, AND TO AMEND ORDINANCES 19-30 AND 20-06.**

WHEREAS, the annual appropriations for 2020 was authorized in Ordinances 19-30 and 20-06 it is now the desire to supplement and amend these appropriations and certify additional revenue, and

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

That to provide for current expenses and other expenditures of the City of Beavercreek during said fiscal year ending December 31, 2020, the following amounts appropriated in Ordinance 19-30 and 20-06 are hereby amended and the recertification of additional revenue, while preserving all other appropriations as previously approved.

<b>REVENUE FUND (FUND #)</b>	<b>INCREASE REVENUE CERTIFICATIONS</b>
STREET MAINTENANCE (204)	\$ 30,000
<b>TOTAL:</b>	<b><u>\$ 30,000</u></b>

<b>EXPENSE FUND (FUND #)</b>	<b>INCREASE/DECREASE APPROPRIATIONS</b>
STREET MAINTENANCE (204)	\$ 30,000
<b>TOTAL:</b>	<b><u>\$ 30,000</u></b>

SECTION II.

In order to conform to the amendments detailed in Section I with the schedule of 2020 annual appropriations previously approved, the Financial Administrative Services Director is hereby directed to prepare and certify a restatement of annual appropriations reflecting all approved appropriations and certify the above noted revenue.

SECTION III.

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

limited to, Section 121.22 of the Ohio Revised Code.

**SECTION IV.**

This supplement to the Annual Appropriation Ordinance shall take effect upon adoption, in accordance with Sections 10.04 and 10.10 of the Beavercreek City Charter.

PASSED this 27<sup>TH</sup> day of April, 2020.

\_\_\_\_\_  
Bob Stone, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Miscisin, Clerk of Council

**ORD 20-07**

**SUMMARY**

An Ordinance to approve supplemental appropriations, certify additional revenue and authorize inter fund transfers for the Fiscal Year ending December 31, 2020.

This is a supplement to the Annual Appropriation Ordinance and in accordance with Sections 10.04 and 10.10 of the Beavercreek City Charter will become effective immediately upon its passage.

**CITY OF BEAVERCREEK  
RESOLUTION NO. 20-11**

SPONSORED BY COUNCIL MEMBER \_\_\_\_\_ ON THE 27<sup>TH</sup> DAY OF APRIL, 2020.

**RESOLUTION TO FILL VACANCY ON THE BEAVERCREEK  
CITY COUNCIL AND TO DECLARE THAT THE NEW  
APPOINTEE SHALL SERVE UNTIL THE BALANCE OF THE  
UNEXPIRED TERM TO WHICH THE RESIGNING COUNCIL  
MEMBER WAS PREVIOUSLY ELECTED**

Be it resolved by the City Council of Beavercreek, Greene County, Ohio, that:

SECTION I.

The following person is hereby appointed as a member of the Beavercreek City Council to fill the vacancy created through the resignation effective March 31, 2020 of a Council Member: \_\_\_\_\_.

SECTION II.

The person named above shall serve until the balance of the unexpired term to which the resigning Council Member was previously elected.

SECTION III.

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

SECTION IV.

This Resolution shall be in full force and go into effect from and immediately after the earliest period allowed by law.

ADOPTED by the Council of the City of Beavercreek, Ohio this 27<sup>th</sup> day of April, 2020.

\_\_\_\_\_  
Bob Stone, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Miscisin, Clerk of Council