

BEAVERCREEK CITY COUNCIL
REGULAR MEETING April 22, 2019 6:00 p.m.

PROCLAMATIONS

- ◆ Arbor Day
- ◆ Older Americans' Month

PRESENTATIONS

- ◆ UES Fourth of July Donation, Lisa Oxendine and Ruth Carpenter
- ◆ Vault 6936 Robotics Team

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call

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

ABSENT: None

ALSO IN ATTENDANCE: Dennis Evers, Chief of Police; Pete Landrum, City Manager; Jeff McGrath, Planning & Development Director; Steve McHugh, Legal Counsel; Dianne Miscisin, Clerk of Council; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

Mayor Stone led the pledge and a moment of silence.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Litteral MOVED to approve the March 25, 2019 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to approve the April 8, 2019 Regular Meeting Minutes, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTIONS AND PUDS

Resolution 19-26 Authorizing City Manager to Sign Fraternal Order of Police Agreements

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Clerk Miscisin read a Resolution authorizing the City Manager to execute collective bargaining agreements with the Fraternal Order of Police Lodge #160 covering sergeants, patrol officers and civilian employees.

Chief Evers said the City of Beavercreek and members of the Fraternal Order of Police Lodge #160 had a contract that expired on December 31, 2016. Subsequently, the FOP and City mutually extended the contract for two additional years with minor modifications through a Memorandum of Understanding that extended the contract through December 31, 2018. As such, formal negotiations occurred between the parties culminating with an agreed settlement that was ratified by the members of the three collective bargaining units within the FOP. These agreements are for a three year period beginning January 1, 2019 and ending December 31, 2021. The proposed agreements include the following: effective 01/01/2019, a wage increase of 2.75%, a 2.5% increase effective 01/01/2020 and a 2.5% increase effective 01/01/2021; effective 01/01/2019, the night shift differential increases from 50 cents to 70 cents per hour; effective 01/01/2019, the employee insurance contribution increases from 17% to 17.5%. Thereafter language has been added to cap any future increases to 18.5% during the term of this agreement.

Council Member Litteral thanked the staff and the FOP for working together and coming to a resolution.

Council Member Vann said it is difficult to negotiate contracts and thanked everyone for their work.

Council Member Litteral MOVED to approve Resolution 19-26, seconded by Council Member Vann. Motion PASSED by a majority voice vote.

Resolution 19-27 Community Reinvestment Act (CRA) Affirmation

Clerk Miscisin read a Resolution reaffirming Resolution No. 18-44 as amended, which implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, established and described the boundaries of a Community Reinvestment Area in the City of Beavercreek, Ohio, designated a Housing Officer to administer the program and created a Community Reinvestment Housing Council and a Tax Incentive Review Council

Mr. McGrath said this was an affirmation of something that was already approved as a Resolution in September 2018 to create the district. He said the application was sent to the state who had some comments and revisions. He said this was one of the most complete packets that state had ever seen. However, it was now past the 60 days of the initial approval of the Resolution. He said the Ohio

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Department of Development supplied a sample Resolution to affirm the original decision.

Council Member Curran MOVED to approve Resolution 19-27, seconded by Council Member Upton. Motion PASSED by a majority voice vote.

Resolution 19-28 PACE (Property Assessed Clean Energy) Resolution of Necessity

Clerk Miscisin read a Resolution approving a petition for special assessments for special energy improvement projects, a plan for public improvements, and the articles of incorporation for the creation and governance of an energy special improvement district under Ohio Revised Code Chapter 1710; and declaring the necessity of acquiring, constructing, and improving certain public improvements described in the plan for public improvements in cooperation with the Beavercreek Energy Special Improvement District.

Mr. McHugh explained there were three pieces of legislation, all of which were part of one transaction. This was a PACE transaction which is a way to fund clean energy. It creates a citywide ESID (Energy Special Improvement District). He explained by using PACE and the ESID it would allow special assessments to be used to pay for clean energy and allow property owners to upgrade and improve the efficiency and quality of energy usage and equipment in a building. He said they would be able to pay for this through assessments and does not take tax revenue from the city. He said this application would be for 25 years for Home 2 Suites for an estimated \$2.5 million with annual assessment at \$125,000. He said at the third reading, depending on interest rates and certification of the improvements there may be some changing of the amount. He said each time there is an application this would be the same process with a Resolution and two Ordinances. He also said there was no cost to the city of doing this.

Council Member Vann asked if something bad would happen to this hotel what would happen. Mr. McHugh said the assessments would still be there. He said this was a financing arrangement between PACE Equity, which is the bank, the owner of the hotel and the city. He said the city was the vehicle that allows this financing to occur. Because of the lower tax rate and lower interest rate it encourages owners and developers to make improvements. The city would not be responsible or liable.

Council Member Vann MOVED to approve Resolution 19-28, seconded by Council Member Litteral. Motion PASSED by a roll call vote of 7-0.

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Ordinance 19-04 PACE (Property Assessed Clean Energy) Ordinance to Proceed (First Reading) (Adopt as Emergency on Third Reading)

Clerk Miscisin read an Ordinance determining to proceed with the acquisition, construction and improvement of certain public improvements in the City of Beaver Creek, Ohio, in cooperation with the Beaver Creek Energy Special Improvement District and declaring an emergency.

Mr. McHugh explained this Ordinance was the Ordinance to proceed which basically says start the process and make these improvements. The next piece of legislation would be to assess the cost. He said it was like a construction loan where the money would be held in escrow. As the improvements occur they would be able to apply and receive money from this fund.

Council Member Litteral MOVED to move Ordinance 19-04 to the second and third readings, seconded by Council Member Curran. Motion PASSED by a majority voice vote.

Ordinance 19-05 PACE (Property Assessed Clean Energy) Levying Assessments (First Reading) (Adopt as Emergency on Third Reading)

Clerk Miscisin read an Ordinance levying special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Beaver Creek, Ohio, in cooperation with the Beaver Creek Energy Special Improvement District; authorizing and approving an energy project cooperative agreement by and among the City of Beaver Creek, Ohio, the Beaver Creek Energy Special Improvement District, Greene Innkeepers LLC, and PACE Equity LLC providing for the financing of those public improvements; authorizing and approving a special assessment agreement by and between the City of Beaver Creek Ohio, the County Treasurer of Greene County, Ohio, PACE Equity, LLC, the Beaver Creek Energy Special Improvement District, and PACE Equity LLC regarding those special assessments; and declaring an emergency.

Council Member Upton MOVED to move Ordinance 19-05 to the second and third readings, seconded by Council Member Litteral. Motion PASSED by a majority voice vote.

DECISION ITEMS

Board Appointments – CRA Housing Council

Council Member Upton MOVED for the renewal of the previous question of appointments to the Community Reinvestment Area (CRA) Housing Council, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

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Council Member Litteral MOVED to open nominations for Community Reinvestment Area (CRA) Housing Council, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Council Member Litteral nominated Shannon Graham. Council Member Vann nominated Pat Barton. Council Member Rushing nominated Brian Smith. Council Member Vann nominated John Compton. Mayor Stone nominated Keith Ayers.

Council Member Curran MOVED to close nominations for Community Reinvestment Area (CRA) Housing Council, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Vote 1 by show of hands: Keith Ayers, 6; Pat Barton, 2; John Compton, 6; Shannon Graham, 7; Brian Smith, 7.

Council Member Litteral MOVED to appoint Keith Ayers, John Compton, Shannon Graham and Brian Smith to the Community Reinvestment Area (CRA) Housing Council for the term beginning April 22, 2019 – February 28, 2022, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

COUNCIL TIME

Council Member Curran said the Easter Brunch was a great success. The classes for the lifelong learning begins May 1st and all classes are full.

Council Member Upton thanked Mayor Stone, Council Member Vann, Council Member Curran and Mr. Landrum for attending Miami Valley Regional Planning Commission's Annual Dinner with him.

Council Member Rushing along with Council Member Vann attended the ribbon cutting at Rotary Park for the new playground equipment. He said this was a joint partnership with Beaver Creek Township to secure the grant. He helped celebrate the 40th anniversary of Wright State University's School of Professional Physiology.

Council Member Litteral said Happy Earth Day. She said the Parks and Recreation Department will have the summer kick off at Lofino Park on April 27th from 11:00 a.m. - 2:00 p.m. The Beaver Creek Women's League luncheon was being held on Saturday. She thanked Vault 6936 for their wonderful presentation.

Vice Mayor Garcia thanked the scouts and Vault 6936 for their participation during the meeting.

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MAYOR'S REPORT

Mayor Stone said the Arbor Day celebration would be held on April 27th following the summer kickoff. Russ Nature Reserve on Kemp Road would be having a ribbon cutting on Tuesday for their restrooms. The USO would be having a concert on April 24th at the Air Force Museum. The Band of Flight would be playing. The concert was free to the public.

CITY MANAGERS REPORT

Mr. Landrum said there would be an Open House for the Beaver Creek Thoroughfare Plan on Wednesday, April 24th from 5-7 in the Council Chamber. The Fourth of July Committee was still accepting nominations for Grand Marshal until May 1st.

The Fishing Derby would be held on Saturday, May 11th from 8:00 a.m. to 11:30 a.m. There would be a Police and City Hall Open House on May 18th from 11 a.m. – 2 p.m. Election Day was May 7th.

Mr. Thonnerieux reviewed the successes as a result of the current Park Levy and what is taken care of with this levy. He said the levy would be \$42 per \$100,000 which is an increase of \$10.50 per \$100,000. This levy would be to only maintain the current facilities. He reviewed the successes as a result of the current Capital Street Levy, 2 mill levy renewal, for maintaining streets, construction only. There would be no increase and remain at a cost of \$70 per \$100,000 valuation.

Mayor Stone said they hosted Mayors and Managers. He thanked the chief for the demonstration at the meeting. He thanked UES for their generous donation for the Fourth of July.

CITIZEN COMMENTS

Many of the scouts in the audience spoke to council. Their concerns were the budget cuts in the schools including physical education in the middle school, allowing more choices of foreign languages other than Spanish, and the possibility of no busing if the levy did not pass.


Council Member Upton thanked the scouts for their comments and would pass along their concerns to the school board members as the City Council did not oversee the school budget.

There being no more comments, Citizen Comments was closed.

ADJOURNMENT

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Council Member Rushing MOVED to adjourn the meeting at 7:23 p.m., seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.



Bob Stone, Mayor

ATTEST:



Dianne Miscisin
Clerk of Council
Cmin042219