

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING June 10, 2019 6:00 p.m.

**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

Council Member Upton MOVED to excuse Mayor Council Member Vann, seconded by Council Member Curran. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Randy Burkett, City Planner; Bill Kucera, Financial Administrative Services Director; 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**

Council Member Rushing led the pledge and a moment of silence.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Council Member Curran MOVED to approve the May 13, 2019 Regular Meeting Minutes, seconded by Council Member Rushing. Motion PASSED by majority voice vote. (Council Member Litteral and Vice Mayor Garcia abstained)

**TORNADO RECOVERY EFFORTS UPDATE – City Manager**

Mr. Landrum gave an update on the tornado cleanup effort. He thanked all of the communities, volunteers, residents, businesses and contractors who have been helping with the affected areas. He gave an update with FEMA's visit stating the Gov. DeWine had requested federal emergency for individual funding for uninsured and grossly underinsured.

**PUBLIC HEARING – PC 19-3 Thoroughfare Plan 2019 Update**

Clerk Miscisin read this public hearing was for the purpose of reviewing comprehensive revisions to the Thoroughfare Plan.

Staff Presentation

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Mr. Burkett presented the updated Thoroughfare Plan which encompasses the Bikeway Plan and the Motorized Transportation Plan. He explained the intent of these plans was to be able to look comprehensively at what the plans there were in terms of roadway improvements and what plans the Miami Valley Regional Planning Commission had in terms of federal grants and see what areas didn't mesh or where there may be gaps. He reviewed the process of updating the plan which started last summer. He reviewed the anticipated developments thru 2040 and what roadways may be affected and possible non-motorized transportation facilities. He stressed this was not to propose allocated money but give an idea of what future development may look like. Both staff and the Planning Commission recommend approval.

#### Public Input

Being there was no input, the public hearing was closed.

#### Council Input

Council Member Upton asked if the growth of neighboring communities was taken into consideration. Mr. Burkett replied yes.

Council Member Rushing thanked staff for reiterating how large Beavercreek was with 27 square miles with over 320 road miles. He said we were the largest community next to Dayton and our needs will outweigh the resources that we have.

Council Member Litteral said the staff's relationship with MVRPC is invaluable. The grant money is the reason Beavercreek is still able to move forward. We are a destination community.

Mayor Stone said this was something that the city has to have and staff does an excellent job with. We have to have a plan in place in order to receive grant funding.

Council Member Vann arrived at 6:28

#### Ordinance 19-11 (First Reading)

Council Member Litteral MOVED Ordinance 19-11 to the second and third readings, seconded by Council Member Upton. Motion PASSED by majority voice vote.

### **ORDINANCES, RESOLUTIONS AND PUDS**

**Ordinance 19-04** PACE (Property Assessed Clean Energy) Ordinance to Proceed (Third Reading) (Tabled at the May 28, 2019 Regular Meeting) (Adopt as Emergency on Third Reading)

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Vice Mayor Garcia MOVED to untable Ordinance 19-04, seconded by Council Member Rushing. Motion PASSED by a majority voice vote

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 the original ordinance had an estimated cost for improvements. The numbers have been amended and the assessments have been updated to reflect semi-annual assessments verses annual assessments. There was a need for a motion to replace the Ordinance with the updated version to reflect these updates.

Vice Mayor Garcia MOVED to replace Ordinance 19-04 with the updated version, seconded by Council Member Vann. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to approve Ordinance 19-04 as replaced and as an emergency, seconded by Council Member Rushing. Motion PASSED by a roll call vote of 7-0.

**Ordinance 19-05** PACE (Property Assessed Clean Energy) Levying Assessments (Third Reading) (Tabled at the May 28, 2019 Regular Meeting) (Adopt as Emergency on Third Reading)

Council Member Upton MOVED to untable Ordinance 19-05, seconded by Vice Mayor Garcia. Motion PASSED by a majority voice vote

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.

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Council Member Vann MOVED to replace Ordinance 19-05 with the updated version, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

Council Member Upton MOVED to approve Ordinance 19-05 as replaced and as an emergency, seconded by Council Member Litteral. Motion PASSED by a roll call vote of 7-0.

**Ordinance 19-06** PUD 19-1, IH Credit Union Rezoning (Third Reading)

Clerk Miscisin read an Ordinance rezoning 1.595 acres from B-2 and A-1 further described as Book 5, Page 5, Parcels 123 and 124 on the property tax maps of Greene County, Ohio to C-PUD 19-1.

Council Member Vann MOVED to approve Ordinance 19-06, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

**Ordinance 19-07** Appropriate the Right-of-Way (Carlotta Oldham) for the Kemp Road Widening Project (Third Reading)

Clerk Miscisin read an Ordinance to appropriate certain real property interests owned by Carlotta Oldham, for the Kemp Road Widening Project, in the City of Beaver creek, Ohio.

Council Member Curran MOVED to approve Ordinance 19-07, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

**Ordinance 19-08** Charter Amendments (Second Reading)

Clerk Miscisin read an Ordinance providing for the submission to the electorate amendments of the Charter of the City of Beaver creek, Ohio, and to place the same on the Ballot at the general election, November 5, 2019.

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading

**Ordinance 19-09** Repealing Current Section 31.01 and adopting New Section 31.01 and Repealing Current Section 31.17 (Second Reading)

Clerk Miscisin read an Ordinance repealing current Section 31.01 "Reimbursement of Council Members for Expenses: of the City of Beaver creek Code of Ordinances and adopting new Section 31.01 "Reimbursement of Council Members for Expenses" and repealing Section 31.17 "Expenses of Council" of the City of Beaver creek Code of Ordinances.

There being no public input, the public hearing was closed.

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This Ordinance will move automatically to the Third Reading

**Ordinance 19-10** Repealing Current Section 35.17 and Section 35.18 and Adopting New Section 35.17 and Section 35.18 (Second Reading)

Clerk Miscisin read an Ordinance repealing current Sections 35.17 and 35.18 of the City of Beavercreek Code of Ordinances and adopting new Sections 35.17 and 35.18 of the city of Beavercreek Code of Ordinances in order to revise competitive bidding requirements.

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading

### **LIQUOR PERMITS**

#### **Club Oceano LLC (New)**

Chief Evers said the Ohio Division of Liquor Control sent notification of a request for a new D2 and D3 liquor permit for Club Oceano LLC., 4429 Cedar Park Dr., Beavercreek, Ohio 45440. The records checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the business officers/shareholders for this application request. Staff recommended this application request move forward with no comment.

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

### **COUNCIL TIME**

Council Member Litteral said our community has been amazing. She said we have had several volunteers, churches and organizations helping with food, shelter and clean up. She reminded everyone Friday was Flag Day. She said the Parks and Recreation Department had many events coming up.

Council Member Vann has heard nothing but good comments about the support everyone is receiving.

Council Member Upton thanked our community and all the other communities who have been helping out. Party on the Patio was last Friday at the golf course and it was well attended. The Summer Concert series would be this Sunday at Lofino Park. Check out the website for more information.

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Council Member Curran expressed his appreciation for all those who have been involved with the clean up efforts.

Vice Mayor Garcia echoed all the comments and expressed gratitude towards all of the volunteers. She acknowledged all the student volunteers who have been volunteering with the cleanup efforts.

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

Mayor Stone said hopefully they would be able to recognize all of the groups who have been helping out. EMA has held multiple meetings with all the local agencies who have been working together to provide support to those in need.

#### **CITY MANAGERS REPORT**

Mr. Landrum said Indian Ripple Road would be closed for about three weeks between Trinity and Woodview for a bridge repair. Party in Your Park at Merrick Park would be held on Friday, June 14<sup>th</sup> from 5:30 - 7:00. The third Summer Concert Series at Lofino Park would be held on June 16<sup>th</sup> at 7:00 p.m. with Passion playing classic rock from the 70's and 80's.

#### **CITIZEN COMMENTS**

Ian Crowe, 2121 Prudence Drive, Beavercreek, Ohio

Mr. Crowe questioned why there were no tornado sirens in Beavercreek. He felt it would be beneficial for the city.

Citizen Comments was closed.

#### **EXECUTIVE SESSION**

Council Member Upton MOVED to enter into Executive Session at 6:52 p.m. pursuant to Section 121.22 of the Ohio Revised Code, for the purpose of the employment of a public employee or official, seconded by Council Member Vann. Motion PASSED by roll call vote of 7-0.

Council Member Vann MOVED to adjourn executive session at 7:28 p.m., seconded by Council Member Upton. Motion PASSED by a roll call vote of 7-0.

Council Member Rushing MOVED to reconvene the meeting, seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

#### **ADJOURNMENT**

Council Member Rushing MOVED to adjourn the meeting at 7:29 p.m., seconded by Vice Mayor Garcia. Motion PASSED by majority voice vote.

BEAVERCREEK CITY COUNCIL

REGULAR

June 10, 2019



Bob Stone, Mayor

ATTEST:



Dianne Miscisin  
Dianne Miscisin  
Clerk of Council  
Cmin061019