



CITY COUNCIL
Regular Meeting – March 13, 2017 6:00 p.m.
Council Chambers

PROCLAMATIONS

- ◆ National Girl Scout Week, Susan Grinkemeyer

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Upton
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - A. February 13, 2017 Regular Meeting
 - B. February 21, 2017 Work Session
 - C. February 27, 2017 Regular Meeting
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 17-02 Appropriate the Right-of-Way (Michael Hammermeister) for the Shakertown Road Widening Project (Third Reading)
 - B. Ordinance 17-04 Approval of Employee Manual Revisions (Second Reading)
 - C. Resolution 17-06 Authorize City Manager to Enter Into Agreement with Tara Falls Home Owners Association
- VII. LIQUOR PERMIT
 - A. Melt Bar and Grilled Inc. (New)
- VIII. DECISION ITEMS
 - A. Approval of Attendance of 33rd Dayton Development Coalition Community Leader Fly-In
- IX. CITY MANAGER'S REPORT
- X. MAYOR'S REPORT
- XI. COUNCIL TIME
- XII. CITIZEN COMMENTS
- XIII. ADJOURNMENT

BEAVERCREEK CITY COUNCIL
REGULAR MEETING February 13, 2017 6:00 p.m.

PROCLATIONS

◆ Million Hearts Day, Elizabeth Sorensen, PhD

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

TARDY: None

ALSO IN ATTENDANCE: Jill Bissinger, Human Resources; Randy Burkett, City Planner; Theresa Hathaway, Fiscal Officer; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Pete Landrum, City Manager; Jeff McGrath, Planning & Zoning Director; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

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

APPROVAL OF AGENDA

Council Member Whilding MOVED to accept PUD 06-3 SSP #3, First & Main Beaver Creek's request to withdraw their application and remove from the agenda, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Council Member Whilding MOVED to remove the Executive Session from the agenda, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

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

APPROVAL OF MINUTES

Council Member Jarvis MOVED to approve the minutes of the January 9, 2017 Regular Meeting, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to approve the minutes of the January 14, 2017 Advance, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

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PUBLIC HEARING – R-PUD 91-2 SSP #7, Clover Senior Residential Community Clerk Lampton read an application filed by Clover Communities Beaver Creek LLC, 34 Harris Hill Road, Williamsville, NY 14221. The applicant requests specific site plan approval to allow for the construction of a 100 unit senior residential development on 14.947 acres. The property is located on the north side of Lakeview Drive, approximately 300 feet from the intersection of Edge Water Drive and Lakeview Drive. The property is further described as Book 4, Page 6, Parcel 56 on the Greene County Property Tax Atlas.

Application Presentation

Johnathan Woche, Clover Communities and Clover Development

Mr. Woche explained they were requesting approval of a site specific PUD plan for this project. He said this project would be a senior independent living community, market rate housing for seniors 55 years and older. He said Clover develops, owns and manages these facilities. He said it was their intention to hold these properties long term. He said they currently have 15 properties that they manage across the Great Lakes region and Ohio and have another 15 projects in development. He said it is a very low traffic generator and the units are specifically designed for seniors. They believed the project was an appropriate use given the surrounding land uses and was an appropriate transition for the commercial development that is located to the west. He said they supported the recommended conditions in the Planning Commission resolution.

Staff Presentation

Mr. Burkett summarized staff report dated February 7, 2017, which state the applicant is requesting approval of a specific site plan to allow for a 120,000 square foot multi-family residential structure that will have 100 units for 55 and older seniors, on approximately 14.9 acres. He discussed the location of the lot, the land use and building design. He explained with this application they would be extending Lillian Lane to connect to Lakeview Drive. He reviewed the one access to the location from the extended Lillian Lane, parking, the detached garages, the site plan, architectural renderings and the landscaping plan. He explained the existing storm water detention ponds would be utilized for the project but included in the conditions was the requirement to add fountains to aerate. Staff and Planning Commission recommended approval of the applicant's request with 23 conditions.

Public Input

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

Council Input

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Council Member Upton questioned the height of the surrounding buildings. Mr. Burkett explained the condos to the north were three stories like the proposed building. He said this would blend well into the woods as it was setback on a large piece of property and would not be intrusive. Council Member Upton questioned the topography. Mr. Burkett said there was a seven to eight foot mound behind Target and it would not be very visible, if at all, from Target.

Council Member Wallace questioned the number of ADA parking spaces. Mr. Burkett said they were required six and would be supplying seven. Council Member Wallace said she would be making a motion to add more two more parking spaces

Council Member Jarvis questioned the distance between the building, Target and the property line to the east. Mr. Burkett said the property to the east would be the Lillian Road extension. He said it would be a couple hundred feet from the apartments and two to three hundred feet from Target. There was discussion of the location of the trees and the existing mound. Mr. Burkett explained there were wetlands and an endangered weed that would not be disturbed.

Council Member Whilding questioned the line of site from Elcid. Mr. Burkett explained the evergreens and the distance of 500-600 feet would prevent any visual intrusiveness. Council Member Whilding verified there had not been any tests completed for those properties like what was done for the Lofino property to the east. Mr. Burkett said there was no line of site study completed. Council Member Whilding asked if they had maxed out the zoning for this lot. Mr. Burkett explained the updated zoning that was approved in 2015 stated they were allowed to have up to 100 units on the 14.9 acres.

Mayor Stone asked if the tenants would have assigned parking spaces. Mr. Wocher replied other than the garages, no. He said they believed they have more than adequate parking based on their studies. He said it is not a high parking generator. He said the average tenant is 73 years old and driving is less common.

Council Member Wallace MOVED to all two additional handicapped parking spaces, seconded by Council Member Jarvis. Motion PASSED by majority voice vote. (Against – Whilding, Stone)

Motion

Council Member Wallace MOVED, for the purpose of taking administrative action, approval of a PUD Specific Site Plan for the Clover Senior Residential Community, PUD 91-2, SSP #7, on the basis that City Council finds the facts submitted with the application and accompanying materials and modifications, amendments and

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supplementary conditions satisfy the standards and criteria for a PUD Specific Site Plan approval as per §158.066 of the Zoning Code. Supplementary conditions required of this approval shall be as follows. She further moved that this motion with all conditions be fully recorded in the minutes of this council meeting.

1. The approved site plan and landscape plan shall be those plans dated "Received December 28, 2016" except as modified herein.
2. The approved architectural elevations shall be those plans dated "Received December 1, 2016" except as modified herein.
3. A PUD Agreement must be signed by the owner and a bond or letter of credit for landscaping must be submitted prior to issuance of a zoning permit for any portion of the project for the purpose, but not for the sole purpose, of insuring the installation of landscaping. Said bond or letter of credit must meet the requirements of the City's landscaping and screening regulations.
4. A detailed landscape plan shall be reviewed and approved by the Planning Department prior to the execution of the required PUD Agreement and release of any zoning permits for Clover Senior Residential Community.
5. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes as originally planted within three months weather permitting.
6. Debris and trash shall be routinely collected by the owner from the parking lot and grounds of all areas of the project including the storm drainage facilities. The City reserves the right to require more frequent collection as necessary.
7. Prior to the issuance of any zoning permits, final cut sheet details and photometric plans for lighting of the site shall be reviewed and approved by the Planning Department. Maximum mounting height for any parking fixture shall be 16 feet (including the concrete base), and no pole shall be located in the paved area of the parking field. All light fixtures and related illumination of the site must meet the conditions outlined in the Zoning Code, including full cut-off fixtures.
8. The building exterior of any of the structures shall not be painted or altered in any way that varies from the approved elevations unless otherwise

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approved by the Planning Department or, if required, by the City Council and/or Planning Commission.

9. No temporary signs of any kind are permitted unless otherwise approved by the Planning Department and/or Planning Commission.
10. Material and color samples shall be submitted to the Planning Department for review and approval prior to the issuance of any zoning permits.
11. All downspouts shall be painted to match the color of the adjacent siding.
12. Final drainage calculations shall be approved by the City Engineer prior to the release of any zoning permits.
13. All concerns of the City Engineer, Fire Department, Sanitary Engineer and the Planning Department shall be addressed and met prior to the release of any zoning permits.
14. The outdoor construction hours shall be limited to 7:00 am to 7:00 pm, Monday thru Saturday.
15. Stop bars and/or stop signs shall be installed and maintained by the property owner throughout the parking lot in locations to be approved by the Planning and Engineering Departments.
16. Any portion of the site disturbed by grading and on which no construction occurs within three months after completion of the site grading shall be planted with appropriate ground cover and properly maintained.
17. Pad mounted mechanical and HVAC equipment must be screened with landscaping and/or masonry walls and shall not be visible to the public.
18. All trash collection containers shall be enclosed within the building or screened from view and enclosed within a permanent gated dumpster enclosure. Any dumpster enclosure shall be constructed with material to match the building.
19. Prior to the release of any zoning permits, park fees shall be paid in-lieu of dedication of parkland.
20. Aeration and water circulation devices and/or fountains are required to be installed into the existing retention pond(s) and shall be maintained by the

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owner, developer, or the condo association in perpetuity.

21. Prior to the release of any zoning permits, impact fees shall be paid.
22. A final subdivision shall be approved by Planning Commission and recorded with the Greene County Auditor's Office prior to the release of any zoning permits for this project.
23. There shall be a limit of one ground sign, which shall include a minimum 1-foot tall, brick and/or stone base, shall be a maximum of 5 feet tall and have a sign face of up to 32 square feet. The final design and location shall be subject to review and approval by the Planning Department prior to release of a permit for the sign.
24. The applicant shall work with staff to add two additional handicap parking spaces on the site.

Seconded by Vice Mayor Vann. Motion PASSED by majority voice vote. (Against – Whilding)

ORDINANCES, RESOLUTIONS AND PUDS

Resolution 17-03 Necessity and Intent to Appropriate Property (3455 Dayton-Xenia, LLC) for the Dayton-Xenia Road Streetscape Part II Project

Clerk Lampton read a Resolution to declare the necessity and intent to acquire certain parcels or real estate and other property interests owned by Carrie Clark, with interest by others, for the Dayton-Xenia Road Streetscape II Project, in the City of Beavercreek, Ohio.

Mr. Moorman explained one of the projects approved in the capital improvements budget was the expansion of the streetscape improvements in the vicinity of Grange Hall Road and Dayton-Xenia Road originally built in 2015. He said the project this year would be to extend the project to the west between Ken Klare Drive and West Lynn Drive. He said they have been in the process of securing the additional property rights needed to build the project. He said they have been successful in five of the six cases. He said there is one property owner who they have not been able to come to an agreement with. He said the property, owned by Carrie Clark is located to the east of the West Lynn and Dayton-Xenia Road intersection on the south side of Dayton-Xenia Road. To move forward with the project it is necessary to ask Council to authorize appropriation of the property to meet the deadline with the Ohio Department of Transportation.

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Council Member Litteral questioned the number of attempts to contact the owner. Mr. Moorman replied there were ten contacts with the property owner. Council Member Litteral asked if there had been any communication. Mr. Moorman explained the owner was new to the project and bought the property after the city had started the right-of-way acquisition process. He said she is not a big fan of the project and didn't want discuss it.

Council Member Whilding confirmed it was not a discord between the amount that was offered and the amount she wants and does not support the project at all. Mr. Moorman replied that was correct. Council Member Whilding asked if it was because of the impact to her property. Mr. Moorman said she was not a fan of the look. Council Member Whilding said there was a business on the other side with much more space to accommodate and asked what the possibility of moving the location and discussing it with them. Mr. Moorman said it would not be possible to move because they were trying to keep it balanced between the north and south side. He explained when they built the improvements along Dayton-Xenia Road they dealt with that business to buy right-of-way and it did not turn out very well in that case either.

Council Member Upton asked if the previous owner acknowledged to the new owner of this project. Mr. Moorman explained the previous owner was in an estate and going through probate.

Council Member Wallace asked if she was given the documents of the design improvements for Dayton-Xenia Road. Mr. Moorman said he would have loved that opportunity but she did not want to talk to him.

Council Member Whilding said this is not for road widening but an amenity feature. Mr. Moorman said this is for street lighting purposes.

Vice Mayor Vann MOVED to approve Resolution 17-03, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Ordinance 17-01 Appropriate the Right-of-Way (Carrie Clark) for the Dayton-Xenia Streetscape II Project (Emergency)

Clerk Lampton read an Ordinance to appropriate certain real property interests owned by Carrie Clark, for the Dayton-Xenia Road Streetscape II Project, in the City of Beaver creek, Ohio, and declaring an emergency.

Mr. Moorman explained this is the companion piece of legislation to the Resolution just passed. He said because there are federal dollars involved with this project,

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there is a deadline that needs to be met and asked Council to consider passing this Ordinance as an emergency to meet a deadline.

Vice Mayor Vann MOVED to approve Ordinance 17-01 as an emergency, seconded by Council Member Litteral. Motion PASSED by roll call vote of 7-0.

Resolution 17-04 Necessity and Intent to Appropriate Property (Michael Hammermeister) for the Shakertown Road Widening Project

Clerk Lampton read a Resolution to declare the necessity and intent to acquire certain parcels or real estate and other property interests owned by Michael K. Hammermeister, with interest by others, for the Shakertown Road Widening Project, in the City of Beavercreek, Ohio.

Mr. Moorman explained the other project they are working on is the improvements to Shakertown Road between Willow Run and County Line Road where there is a bad drop-off. He said the plan is to reprofile the road to widen it to three lanes and add curb and sidewalk on the south side and address the drop-off issue. He said they have been working for the past several months to acquire the property rights to build the project. He said they have been successful in acquiring five of the seven properties. He explained Mr. Hammermeister inherited this property and does not live there. Mr. Moorman said it is a small temporary easement they are trying to acquire with a value of \$300. He said there was no need for an emergency to meet the deadlines with this project.

Council Member Jarvis MOVED to approve Resolution 17-04, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Ordinance 17-02 Appropriate the Right-of-Way (Michael Hammermeister) for the Shakertown Road Widening Project

Clerk Lampton read an Ordinance to appropriate certain real property interests owned by Michael K. Hammermeister, for the Shakertown Road Widening Project in the City of Beavercreek, Ohio.

Mr. Moorman said this was the companion piece of legislation for the same project.

Council Member Whilding MOVED to approve Ordinance 17-02 and move to the second and third readings, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Resolution 17-05 Necessity and Intent to Appropriate Property (Robert & Mary Lucius) for the Shakertown Road Widening Project

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Clerk Lampton read a Resolution to declare the necessity and intent to acquire certain parcels or real estate and other property interests owned by Robert Lucius and Mary Lucius, with interest by others, for the Shakertown Road Widening Project, in the City of Beavercreek, Ohio.

Mr. Moorman explained this was for the same project. He said the property owners were still speaking with them and thought they would reach an agreement. He said in the case they did not come to an agreement he wished to move forward with the legislation. He said the issue is the owner has two large stone columns that delineates where the driveway is. He said they are trying to make a deal on how to move them so they would be salvaged with the project. He said there are also a lot of trees along the side of the property but the trees are within the public right-of-way so the appraiser did not give them any money for the trees. He said they are trying to work out a deal that is fair to both the city and the property owner.

Council Member Upton asked if they were close. Mr. Moorman said he thought they would be able to work it out.

Council Member Jarvis MOVED to approve Resolution 17-05, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Ordinance 17-03 Appropriate the Right-of-Way (Robert Lucius and Mary Lucius) for the Shakertown Road Widening Project

Clerk Lampton read an Ordinance to appropriate certain real property interests owned by Robert Lucius and Mary Lucius, for the Shakertown Road Widening Project in the City of Beavercreek, Ohio.

Council Member Wallace MOVED to approve Ordinance 17-03 and move to the second and third readings, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

LIQUOR PERMITS

Fun Easts and Drinks LLC dba Fox and Hound (Transfer)

Chief Evers said the Ohio Division of Liquor Control sent police notification of a request to transfer a D5, D6 liquor permit for Last Call Operating Co 1 Inc., LLC DBA Fox & Hound Pub and Grille, 2661 Fairfield Commons, Beavercreek, OH 45432 to Fun Eats and Drinks LLC, DBA Fox & Hound 65088, 2661 Fairfield Commons, Beavercreek, OH 45432. The record checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the applicant/shareholders for this application request. Staff recommended this liquor permit transfer move forward without comment.

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

Dayton Sake Inc. dba Dayton Sake (Transfer)

Chief Evers said the Ohio of Liquor Control sent police notification of a request to transfer a D%l, D6 liquor permit for Sake One Inc., DBA Sake Japanese Steakhouse, 4470 Indian Ripple Road, Beavercreek, OH 45440 to Dayton Sake Inc. DBA Dayton Sake, 4470 Indian Ripple Road, Beavercreek, OH 45440. The record checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the applicant/shareholder for this application request. Staff recommend this liquor permit transfer move forward without comment.

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

CITY MANAGER'S REPORT

Mr. Landrum recognized the award winners announced at the annual meeting of the Beavercreek Police Department. The construction at the Senior Center began today. It is anticipated that the project will be completed by the 4th quarter of this year. The City offices will be closed Monday, February 20th in observance of President's Day.

MAYOR'S REPORT

Mayor Stone reviewed an application called See, Click and Fix and asked Council if they would like to see a presentation on this project.

COUNCIL TIME

Council Member Jarvis wished the girls and boys varsity basketball teams good luck in the tournaments.

Vice Mayor Vann said there may be good information in the report Englewood received with the evaluation of water softening. She said Beavercreek was not listed in the Dayton Business Journal as spending money for economic development. She said they need to make this a priority.

Council Member Wallace said there was a zoning workshop at Greene Memorial Hospital on February 22nd from 6:30 to 8:30 p.m.

Council Member Litteral reminded everyone to be heart healthy and wear red tomorrow. The Greene County Family Violence and Prevention Center will be having their annual fund raiser on May 5th, Denim and Diamonds.

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Mayor Stone said the Mayors and Managers Association has a petition to express opposition to the states proposal to allow cell towers to be built anywhere. He said he and the City Manager signed the petition.

CITIZEN COMMENTS

There being no citizen comments, citizen comments was closed.

ADJOURNMENT

Council Member Litteral MOVED to adjourn the meeting at 7:12 p.m., seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin021317

BEAVERCREEK CITY COUNCIL
WORK SESSION, February 21, 2017 5:00 p.m.

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Vice Mayor Vann, Mayor Stone

ABSENT: Council Member Litteral, Council Member Whilding

TARDY: Council Member Upton

Vice Mayor Vann MOVED to excuse Council Member Litteral, Council Member Upton and Council Member Whilding, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

ALSO IN ATTENDANCE: Jill Bissinger, Human Resources; Dennis Evers, Chief of Police; Jennifer Grewe, Legal Counsel; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Pete Landrum, City Manager; Jeff McGrath, Planning and Zoning Director; Mike Thonnerieux, Public Service Administrative Director

APPROVAL OF AGENDA

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

BOARD/COMMISSION UPDATE

John Koerner, Environmental Advisory Board

Mr. Koerner gave an update on the issues the board was discussing. Some of those concerns were underground tank regulations, ground water well fields and waste hauling. He also expressed concern of the board itself regarding membership.

Council Member Upton arrived at 5:06 p.m.

DISCUSSION ITEMS

Beavercreek Township Fire Standard of Coverage Report, Fire Chief Dave VandenBos

Chief VandenBos reviewed the Fire Standard of Coverage Report in detail with Council.

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Employee Manual Amendments

Ms. Bissinger reviewed the proposed changes to the manual. There was discussion around sick time and parental leave for new parents. It was decided to keep the changes as proposed for decision at the next regular meeting but to revisit parental leave in the future.

Commercial and Residential Revitalization

Mr. McGrath reviewed different funding option opportunities for revitalization of older areas of Beavercreek.

INFORMATIONAL ITEMS

Fourth Quarter 2016 Financial Summary

Council was asked to review the summary which would need to be approved at the next regular meeting.

COUNCIL COMMITTEE/EVENT UPDATES

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

ADJOURNMENT

Choose an item. MOVED to adjourn at 7:41 p.m., seconded by Choose an item.. Motion PASSED by majority voice vote.

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council

BEAVERCREEK CITY COUNCIL
REGULAR MEETING February 27, 2017 6:00 p.m.

PRESENTATIONS

◆ Gift to City, Scott Hadley, Past Mayor

CALL TO ORDER

Mayor Stone called the meeting to order followed by roll call.

PRESENT: Council Member Jarvis, Council Member Litteral, Council Member Upton, Council Member Wallace, Council Member Whilding, Vice Mayor Vann, Mayor Stone

ABSENT: None

TARDY: None

ALSO IN ATTENDANCE: Jill Bissinger, Human Resources; Dennis Evers, Chief of Police; Bill Kucera, Financial Administrative Services Director; Dianne Lampton, Clerk of Council; Pete Landrum, City Manager; Jeff McGrath, Planning & Zoning Director; Steve McHugh, Legal Counsel; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

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

APPROVAL OF AGENDA

Council Member Litteral MOVED to remove agenda item V.B. Ordinance 17-03, seconded by Council Member Upton. Motion PASSED by majority voice vote.

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

PUBLIC HEARING – A-17-1 Donna Kuhbander Agricultural District

Clerk Lampton read a renewal application for placement of farmland in an agricultural district pursuant to the Ohio Revised Code Section 929.02. The property is located at 185 N. Alpha-Bellbrook Road further described as Book 1, Page 19, Parcels 1 and 2 on the Greene County Property Tax Atlas.

Applicant Presentation
No presentation

Staff Presentation

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Mr. McHugh explained this is a requirement to maintain a tax classification status. He said r staff reviewed the application and found no reason not to approve the application.

He explained this gives the applicant a tax benefit to be designated as agricultural use. It provides protection from eminent domain and provides defense with respect to certain nuisances. He said this is required every five years.

Public Input

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

Council Input

No input

Resolution 17-05

Vice Mayor Vann MOVED to approve Resolution 17-05, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTIONS AND PUDS

Ordinance 17-02 Appropriate the Right-of-Way (Michael Hammermeister) for the Shakertown Road Widening Project (Second Reading)

Clerk Lampton read an Ordinance to appropriate certain real property interests owned by Michael K. Hammermeister, for the Shakertown Road Widening Project in the City of Beaver creek, Ohio.

There being no input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Ordinance 17-04 Approval of Employee Manual Revisions (First Reading)

Clerk Lampton read an Ordinance repealing current personnel rules and regulations for the City of Beaver creek.

Ms. Bissinger explained the proposed changes to the manual was based on state and federal regulations, procedural clarifications and new policies. She said they did have an additional revision for council's consideration under Section 4.02 Sick Leave. She said they are recommending the category previously added for employees hired after January 1, 2017 reducing the number of sick days earned annually be removed. She said employees would continue to earn 12 sick days per year. She said legal counsel has reviewed the proposed document and if council approves management would like to make the updated employee manual retroactively effective January 1, 2017.

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Mayor Stone said there will be a need to make a motion to eliminate Section 4.02 Sick Leave, Subsection B, Paragraph 3.

Council Member Upton said council reviewed this extensively at the last work session.

Council Member Litteral MOVED to approve Ordinance 17-04 with the elimination of section 4.02, Subsection B, Paragraph 3 and move to the second and third readings, seconded by Council Member Upton. Motion PASSED by majority voice vote.

LIQUOR PERMITS

Osaka LLC dba Osaka (Stock)

Chief Evers explained the Ohio Department of Commerce, Division of Liquor Control sent notification of a request regarding a change of corporate stock on a D5I, D6 liquor permit for Osaka LLC DBA Osaka, 2476 Commons Blvd., Beavercreek, OH 45432. The record checks required by the Ohio Department of Commerce – Division of Liquor Control were conducted on the applicant/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 Council Member Jarvis. Motion PASSED by majority voice vote.

DECISION ITEMS

Acceptance of 4th Quarter 2016 Financial Summary

Council Member Upton MOVED to accept the 4th Quarter 2016 Financial Summary, seconded by Council Member Litteral. Motion PASSED by majority voice vote

Appointments to Boards and Commissions

Planning Commission (2 Vacancies)

Vice Mayor Vann MOVED to open nominations for Planning Commission, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Council Member Wallace nominated Tiffany Akers. Council Member Litteral nominated Nicholas Loftis. Council Member Whilding nominated Sunder Bhatia. Council Member Upton nominated Daniel Archibald. Council Member Wallace nominated Nathaniel Shrider.

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Vice Mayor Vann MOVED to close nominations for Planning Commission seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

Vote 1 by show of hands: Tiffany Akers 4, Daniel Archibald 2, Sunder Bhatla 1, Nicholas Loftis 6, Nathaniel Shrider 3

Council Member Wallace MOVED to appoint Tiffany Akers and Nicholas Loftis to the Planning Commission for the term March 1, 2017 through February 29, 2020, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Planning Commission (1 Unexpired Vacancy ending February 28, 2019)

Council Member Whilding nominated Sunder Bhatla. Council Member Upton nominated Daniel Archibald. Council Member Wallace nominated Nathaniel Shrider.

Vice Mayor Vann MOVED to close nominations for Planning Commission seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Vote 1 by show of hands: Sunder Bhatla 1, Daniel Archibald 3, Nathaniel Shrider 3.

Vote 2 by show of hands: Daniel Archibald 2, Nathaniel Shrider 4.

Vice Mayor Vann MOVED to appoint Nathaniel Shrider to the Planning Commission for the term ending February 28, 2019, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Board of Zoning Appeals (2 Vacancies)

Council Member Litteral MOVED to open nominations for Board of Zoning Appeals, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Council Member Litteral nominated Brian Kruse. Council Member Jarvis nominated Jonathan Hung. Council Member Upton nominated Daniel Archibald.

Council Member Litteral MOVED to close nominations for Board of Zoning Appeals, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Vote 1 by show of hands: Brian Kruse 6, Jonathan Hung 5, Daniel Archibald 2.

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Council Member Litteral MOVED to appoint Brian Kruse and Jonathan Hung to the Board of Zoning Appeals for the term March 1, 2017 through February 29, 2020, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Parks, Recreation & Culture Board (1 Vacancy)

Council Member Wallace MOVED to open nominations for Parks, Recreation & Culture Board, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Vice Mayor Vann nominated Dan Tipps

Council Member Litteral MOVED to close nominations for Parks, Recreation & Culture Board, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Vice Mayor Vann MOVED to appoint Dan Tipps to the Parks, Recreation & Culture Board for the term March 1, 2017 through February 29, 2020 seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

Bikeway and Non-Motorized Transportation Advisory Board (1 Vacancy)

Vice Mayor Vann MOVED to open nominations for Bikeway and Non-Motorized Transportation Advisory Board seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Council Member Wallace nominated Matthew Anderson. Council Member Whilding nominated Joe Godwin.

Council Member Wallace MOVED to close nominations for Bikeway and Non-Motorized Transportation Advisory Board, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Vote 1 by show of hands: Matthew Anderson 2, Joe Godwin 5

Council Member Whilding MOVED to appoint Joe Godwin to the Bikeway and Non-Motorized Transportation Advisory Board for the term March 1, 2017 through February 29, 2020, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Bikeway & Non-Motorized Transportation Advisory Committee (2 Unexpired Vacancies ending February 28, 2019)

Council Member Whilding nominated Matthew Anderson.

February 27, 2017

Council Member Litteral MOVED to close nominations for Bikeway and Non-Motorized Transportation Advisory Board, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Vice Mayor Vann MOVED to appoint Matthew Anderson to the Bikeway and Non-Motorized Transportation Advisory Board for the term ending February 28, 2019, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Tax Incentive Review Council (1 Vacancy)

Vice Mayor Vann MOVED to open nominations for Tax Incentive Review Council, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Vice Mayor Vann nominated Jason Scott.

Council Member Upton MOVED to close nominations for Tax Incentive Review Council, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Vice Mayor Vann MOVED to appoint Jason Scott to the Tax Incentive Review Council for the term March 1, 2017 through February 29, 2020, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Environmental Advisory Committee (3 Vacancies)

Vice Mayor Vann MOVED to open nominations for Environmental Advisory Committee, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Council Member Litteral nominated Lisa Boone-Berry. Vice Mayor nominated John Koerner. Council Member Upton nominated Javaid Iqbal.

Vice Mayor Vann MOVED to close nominations for Environmental Advisory Committee, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

Council Member Upton MOVED to appoint Lisa Boone-Berry, John Koerner and Javaid Iqbal to the Environmental Advisory Committee for the term March 1, 2017 through February 29, 2020, seconded by Council Member Wallace. Motion PASSED by majority voice vote

Environmental Advisory Committee (1 Unexpired Vacancy ending February 28, 2019)

Vice Mayor Vann nominated Melissa Wade.

February 27, 2017

Council Member Upton MOVED to close nominations for Environmental Advisory Committee, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

Vice Mayor Vann MOVED to appoint Melissa Wade to the Environmental Advisory Committee for the term March 1, 2017 through February 28, 2019, seconded by Council Member Wallace. Motion PASSED by majority voice vote

Environmental Advisory Committee (2 Unexpired Vacancies ending February 28, 2018)

Council Member Wallace nominated Collin Rust.

Vice Mayor Vann MOVED to close nominations for Environmental Advisory Committee, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Council Member Wallace MOVED to appoint Collin Rust to the Environmental Advisory Committee for the term March 1, 2017 through February 28, 2018, seconded by Council Member Jarvis. Motion PASSED by majority voice vote

Investment Committee (1 Vacancy)

Vice Mayor Vann MOVED to open nominations for Investment Committee, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Vice Mayor Vann nominated Sunder Bhatla.

Council Member Jarvis MOVED to close nominations for Investment Committee, seconded by Council Member Wallace. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to appoint Sundar Bhatla to the Investment Committee for the term March 1, 2017 through February 29, 2020, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

Personnel Board (2 Vacancies)

Council Member Wallace MOVED to open nominations for Personnel Board, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Vice Mayor Vann nominated Daniel Archibald. Council Member Wallace nominated Laura Davis.

February 27, 2017

Vice Mayor Vann MOVED to close nominations for Personnel Board, seconded by Council Member Whilding. Motion PASSED by majority voice vote.

Council Member Litteral MOVED to appoint Daniel Archibald and Laura Davis to the Personnel Board for the term March 1, 2017 through February 29, 2020, seconded by Vice Mayor Vann. Motion PASSED by majority voice vote.

CITY MANAGER'S REPORT

Mr. Landrum reviewed roadway construction that would be occurring at the area of Dayton-Xenia Road and North Fairfield Road. He congratulated John Woltja and Pat Tilt for their recent graduation from the ODNR Tree Commission Academy. Mr. Landrum gave an update on the continuing remodel/construction of the Lofino Center. Congratulations to Soin Medical Center on their five year anniversary.

MAYOR'S REPORT

Mayor Stone attended the Day of Caring Breakfast which raised a sizable amount of money. He attended the Eagle Scout luncheon and thanked TJ Awards for the wooden tokens that he passed onto the scouts. GreeneBucs gave three AmTrikes® away on Saturday. He also attended the Dayton Dragons anthem tryouts.

COUNCIL TIME

Council Member Litteral congratulated Ambucs. She asked that people slowdown in construction zones for everyone's safety.

Council Member Upton said Weekend of Jazz was this weekend and tickets were still available.

Council Member Jarvis said the Beavercreek Boys' Basketball team was continuing on in the tournament.

CITIZEN COMMENTS

There being no citizen comments, citizen comments was closed.

ADJOURNMENT

Council Member Whilding MOVED to adjourn the meeting at 6:50 p.m., seconded by Council Member Wallace. Motion PASSED by majority voice vote.

February 27, 2017

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin022717

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 17-02

SPONSORED BY COUNCIL MEMBER WHILDING ON THE 13TH DAY OF FEBRUARY, 2017.

TO APPROPRIATE CERTAIN REAL PROPERTY INTERESTS OWNED BY MICHAEL K. HAMMERMEISTER, FOR THE SHAKERTOWN ROAD WIDENING PROJECT, IN THE CITY OF BEAVERCREEK, OHIO.

WHEREAS, this Council, by Resolution Number 17-04, declared its intention and the necessity of appropriating certain real property, parcel of land, or real property interests described in said Resolution; and

WHEREAS, it is necessary to appropriate the said certain property, parcel of land or real property interests for the purpose of the roadway construction improvements in connection with the Shakertown Road Widening Project and for the preservation of the public peace, health, safety, and welfare;

NOW, THEREFORE, THE CITY OF BEAVERCREEK, OHIO HEREBY ORDAINS THAT:

SECTION I.

The real property, parcels of land or real property interests described in Exhibit 'A', attached hereto and incorporated herein, for temporary public right-of-way for street and highway purposes for the Shakertown Road Widening Project shall be and the same are hereby appropriated for the construction of said project.

SECTION II.

The names of those either having, claiming, or that may have any estate, title or interest in the above-described real property, parcels of land or real property interest to be appropriated by this Ordinance are: Michael K. Hammermeister, any other lien holders, persons or entities declaring an interest pursuant to law, the Treasurer of Greene County, Ohio and the Auditor of Greene County, Ohio.

SECTION III.

The above-described real property, parcels, land, and/or real property interests have a fair market value of \$300.00, as determined by an independent, certified appraiser.

SECTION IV.

This Council finds that the appropriation is necessary for the stated public purposes and that the City intends to obtain immediate possession of the real property, parcel of land or real property interests described in Exhibit 'A', which immediate possession is necessary for the stated public purposes.

SECTION V.

The City Attorney is hereby authorized and directed to deposit the aforesaid valued amount with the Clerk of Court of Greene County, Ohio, or other depository, take possession of the afore described real property, parcel of land or real property interest, file, as necessary, a petition for appropriation, apply to a court of competent jurisdiction to make inquiry into and assess the compensation to be paid for the real property, parcel of land or real property interests to be appropriated, and to do all things necessary or proper in connection therewith.

SECTION VI.

All actions taken by or in behalf of the City of Beavercreek in connection with the appropriation of the afore described real property, parcel of land or real property interests and prior to the time of adoption of this Ordinance are hereby ratified.

SECTION VII.

That is it found and determined that all of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberation of this Council and 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 13th day of March, 2017.

Bob Stone, Mayor

ATTEST:

Clerk of Council

SUMMARY

This Ordinance appropriates certain real property, parcels of land, or real property interests owned by Michael K. Hammermeister with interest by others, for the Shakertown Road Widening Project in the City of Beavercreek, Ohio.

Agenda Item VI. B.
Second Reading

**ORDINANCE NO. 17-04
CITY OF BEAVERCREEK**

SPONSORED BY COUNCIL MEMBER LITTERAL ON THE 27TH DAY OF FEBRUARY, 2017.

AN ORDINANCE REPEALING CURRENT PERSONNEL RULES AND REGULATIONS FOR THE CITY OF BEAVERCREEK AND ADOPTING NEW PERSONNEL RULES AND REGULATIONS FOR THE CITY OF BEAVERCREEK.

WHEREAS, Council finds that it is in the best interests of the City to update and revise the City's current personnel rules and regulations; and

WHEREAS, City Charter Section 8.05 directs the City Manager to prepare and propose to Council personnel rules and regulations, and the City Manager has prepared and proposed such rules and regulations in a form attached hereto and incorporated herein; and

WHEREAS, Charter § 8.05 provides that the Council may by ordinance adopt the proposed rules and regulations with or without amendment shall be reviewed and/or updated at least every five (5) years.

NOW THEREFORE THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

The City's current personnel rules and regulations, entitled "City of Beaver creek Employee Manual", are hereby REPEALED, and the new personnel rules and regulations, entitled "City of Beaver creek Employee Manual" and attached hereto and incorporated herein, are hereby ADOPTED.

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 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 Ordinance shall take effect from and after January 1, 2017.

PASSED this _____ day of _____, 2017

Mayor Bob Stone

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

AN ORDINANCE REPEALING CURRENT PERSONNEL RULES AND REGULATIONS FOR THE CITY AND ADOPTING NEW PERSONNEL RULES AND REGULATIONS FOR THE CITY.

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

PEL 3/9/17

Meeting Date: <u>March 13, 2017</u>	Reference Topic: Cooperation Agreement with Tara Estates Homeowners Association
Agenda Reference No.: <u>VI.C.</u>	<u>Resolution 17-06</u>

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 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:

Earlier this year the Engineering Division was approached by the Tara Estates Homeowners Association regarding the replacement of the existing asphalt path along the south side of Shakertown Road, between Southern Belle Boulevard and Greystone Drive. The existing asphalt path was constructed around 1990. This path is in poor condition, varies in width, and is very close to a drainage structure that could present a trip/fall hazard for those using the path. Upon discussing with the homeowners association representative, the association understands that the City does not currently have a sidewalk replacement program, and that they would be required to participate in the cost of the walk replacement before the City would consider initiating this replacement work. Through these discussions, the homeowners association agreed to pay for 50 percent of the cost to replace the existing asphalt walk with a new concrete sidewalk. The estimated cost of this sidewalk replacement is \$50,000, where if the attached agreement is approved, this cost would be split equally between the City and the homeowners association.

STAFF RECOMMENDATION:

The attached agreement provides for the replacement of an existing public sidewalk in poor condition, where the cost to the City would only be half of the actual cost of the work. Additionally, the neighborhood that would benefit the most from the replacement of the asphalt path is participating financially in the walk improvements. The funding for the City's share of this work would draw from funds from another project that was awarded substantially below budget.

It is therefore recommended that City Council approve the attached resolution authorizing the City Manager to execute the attached agreement.

**CITY OF BEAVERCREEK
RESOLUTION NO. 17-06**

SPONSORED BY COUNCIL MEMBER _____ ON THE 13TH DAY OF MARCH, 2017.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TARA ESTATES HOMEOWNERS ASSOCIATION FOR THE RECONSTRUCTION OF SIDEWALK ALONG SHAKERTOWN ROAD.

WHEREAS, the City of Beavercreek and the Tara Estates Homeowners Association desire to enter into an agreement which will delineate responsibility for the funding and the administration of the reconstruction of sidewalk along the south side of Shakertown Road.

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

SECTION I.

On behalf of the City of Beavercreek, the City Manager is hereby authorized to enter, with the Tara Estates Homeowners Association, an agreement for the funding and the administration of the replacement of sidewalk along the south side of Shakertown Road between Southern Belle Blvd. and Greystone Drive as approved by Beavercreek City Council on March 13, 2017 and attached as Exhibit 'A'.

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 this 13th day of March, 2017.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

EXHIBIT A

SHAKERTOWN ROAD SIDEWALK REPLACEMENT AGREEMENT

This Agreement is entered into on the _____ day of _____, 2017, by and between the City of Beavercreek, Ohio ("Beavercreek"); and the Tara Estates Homeowners Association.

WHEREAS, the City of Beavercreek and the Tara Estates Homeowners Association desire to have the existing asphalt sidewalk replaced along the south side of Shakertown Road between Southern Belle Boulevard and Greystone Drive; and

WHEREAS, said sidewalk is located within the public right-of-way of Shakertown Road; and

WHEREAS, it is necessary to delineate the project limits and funding responsibilities for the replacement of said sidewalk; and

NOW THEREFORE, in consideration of the mutual promises and benefits, and other consideration between the parties, Beavercreek and the Tara Estates Homeowners Association agree as follows:

1. The sidewalk replacement limits shall be limited to the south side of Shakertown Road between Southern Belle Boulevard and Greystone Drive.
2. The work shall include the removal of the existing variable width asphalt sidewalk within the project limits, and shall include the installation of a new concrete sidewalk to be six (6) feet in width, including all necessary restoration work.
3. All work shall be limited to existing public right-of-way of Shakertown Road and it is understood this sidewalk shall remain as a public sidewalk following construction.
4. The Tara Estates Home Owners Association and Beavercreek agree to evenly split the actual cost of this sidewalk replacement work. The total cost of this work is currently estimated to be \$50,000, but it is understood the amount due from each party for this improvement shall be based upon the actual contractor bid prices received by Beavercreek.
5. Prior to acceptance of the contractor's bid by Beavercreek, but before construction begins, Beavercreek shall invoice the Tara Estates Homeowners Association for 50 percent of the bid amount for construction of sidewalk. The Tara Estates Homeowners Association shall pay Beavercreek one-half of the bid contract price upon receipt of an invoice from Beavercreek. Beavercreek shall have no obligation to accept the contractor's bid until such time as the Tara

Estates Homeowners Association has amount deposited with Beavercreek equal to one-half of contractor's bid.

6. All sidewalk construction work shall be performed to meet current Beavercreek standards and shall be inspected by Beavercreek for any defects in the work prior to acceptance.
7. It is agreed that both parties will strive to have this sidewalk replacement work completed by October 1, 2017. It is understood that unforeseen circumstances may arise with any construction project that could delay the completion of the work.

IN WITNESS WHEREOFF, the parties hereto have executed this Agreement with the Intent to be bound thereby.

WITNESS

CITY OF BEAVERCREEK, OHIO

Its: City Manager

Date

WITNESS

Tara Estates Homeowners Association

Its:

Date

PC 3/9/17

CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT

Meeting Date: March 13, 2017 Agenda Reference No: VII. A.	Reference Topic: Request for New Liquor Permit for Melt Bar and Grilled Inc.
Motion to Accept Without Comment	

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

Ohio Division of Liquor Control sent police notification reference a new DSI liquor permit for Melt Bar and Grilled, Inc. 2733 Fairfield Commons Beavercreek, Ohio 45431. 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 RECOMMENDATION:

Staff is recommending this application request move forward with no comment.

**NOTICE TO LEGISLATIVE
AUTHORITY**

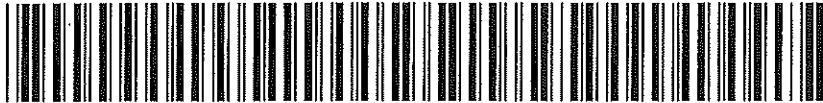
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

58284520050 PERMIT NUMBER		NEW TYPE	MELT BAR AND GRILLED INC 2733 FAIRFIELD COMMONS BLVD SUITE C BEAVERCREEK OH 45431
ISSUE DATE			
02 03 2017 FILING DATE			
D5I PERMIT CLASSES			
29 TAX DISTRICT	005 A	B50083 RECEIPT NO.	

FROM 02/23/2017

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 02/23/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN. 03/27/2017

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A . NEW 5828452-0050

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF BEAVERCREEK CITY COUNCIL
1368 RESEARCH PARK DR
BEAVERCREEK OHIO 45432



LIQUOR CONTROL

SPIRITS

LICENSING

RESOURCES

CONTACT US

Manufacturer

Permit Class	Permit Fee	Description
A1	\$3,906	ORC 4303.02 Manufacturer of Beer – producing more than 31 million gallons per year, wherever produced, and sell beer products to wholesale permit holders.
A1A	\$3,906	ORC 4303.021 Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A1c	\$1,000	ORC 4303.022 Manufacturer of Beer - producing up to 31 million gallons per year wherever produced, for sale on premises at retail for on premises consumption, and sell beer products to retail and wholesale permit holders.
A2	\$76	ORC 4303.03 Manufacturer of wine.
A-2f	\$76	ORC 4303.031 Ohio farm winery that grows and manufactures wine, from grapes, fruits, or other agricultural products on land it owns and uses only for agriculture.
A3	\$2 to \$3,906	ORC 4303.04 Manufacture, Import and sell alcohol and spirituous liquor
A3A	\$2 to \$400	ORC 4303.041 Manufacturer of less than 10,000 gallons of spirituous liquor and sale to a personal consumer.
A4	\$3,906	ORC 4303.05 Manufacture and sell certain prepared and bottled drinks, Import for blended purposes
B2A	\$25	ORC 4303.07 Sale of wine to retail permit holder.
S	\$25	ORC 4303.232 Sale of wine to personal consumer via mail order.
W	\$1,563	ORC 4303.231 To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to Import on file or to other customers outside this state.

Distributor

Permit Class	Permit Fee	Description
B1	\$3,125	ORC 4303.06 Distributor of beer, ale, stout, other malt liquor.
B2	\$500	ORC 4303.07 Distributor of bottled wine.
B3	\$124	ORC 4303.08 Distributor of sacramental wine.
B4	\$500	ORC 4303.09 Distributor of mixed beverages.
B5	\$1,563	ORC 4303.10 Distributor and Importer and bottler of wine.

Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	ORC 4303.11 Beer only in original sealed container for carry out only.
C2	\$376	ORC 4303.12 Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	ORC 4303.121 Beer in original sealed containers for carry out.
D8	\$500	ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	ORC 4303.13 Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	ORC 4303.14 Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	ORC 4303.141 (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	ORC 4303.15 Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	ORC 4303.151 (Grandfathered Permit) Wine only for on premises consumption until 1:00am.
D3A	\$938	ORC 4303.16 Extend Issued permit privileges until 2:30am.
D5	\$2,344	ORC 4303.18 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.

D5I	\$2,344	ORC 4303.181 (Same as D5), Restaurant meeting certain criteria.
D7	\$469	ORC 4303.183 (Same as D5), RESORT area only.

>Club

Permit Class	Permit Fee	Description
D4	\$469	ORC 4303.17 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	ORC 4303.171 Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	ORC 4303.181 (Same as D5),(This class can no longer be applied for.)
D5D	\$2,344	ORC 4303.181 (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	ORC 4303.181 (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall

Permit Class	Permit Fee	Description
D5B	\$2,344	ORC 4303.181 (Same as D5) for enclosed shopping mall.

River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	ORC 4303.181 (Same as D5), Historical river boat owned by charitable organization only.

Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	ORC 4303.181 (Same as D5), Marina restaurant only.

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	ORC 4303.181 (Same as D5), National sports museum only.
D5H	\$1,875	ORC 4303.181 (Same as D5 - except sales till one am), Fine arts museum only.

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	ORC 4303.181 (Same as D5), Community Entertainment District.
D5L	\$2,344	ORC 4303.181 (Same as D5), Revitalization District.

Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	ORC 4303.182 Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

Other

Permit Class	Permit Fee	Description
D5K	\$1,875	ORC 4303.181 (Same as D5 - except sales till one am), Certain non profit organizations that own and operate a botanical garden.
D5M	\$2,344	ORC 4303.181 (Same as D5), Restaurant affiliated with center for the preservation of wild animals.
D5N	\$20,000.00	ORC 4303.181(N) (Same as D5), Casino Operator or Casino Management Company.
D5O	\$2344.00	ORC 4303.181(O) (Same as D5), Restaurant located in a casino.
E	\$500	ORC 4303.19 Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.
G	\$100	ORC 4303.21 Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes).



CITY COUNCIL
Work Session – March 20, 2017, 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. Water Options Analysis
 - B. Cell Tower Legislation
 - C. Revenue Options
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT



CITY COUNCIL
Regular Meeting – March 27, 2017 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beavercreek, Ohio

PROCLAMATIONS

- ◆ Volunteer Month

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Wallace
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 17-04 Approval of Employee Manual Revisions (Third Reading)
 - B. Ordinance 17-___ Additional Appropriations
- VII. CITY MANAGER'S REPORT
- VIII. MAYOR'S REPORT
- IX. COUNCIL TIME
- X. CITIZEN COMMENTS
- XI. ADJOURNMENT

DRAFT

PLANNING DEPARTMENT STATUS REPORT
March 9, 2017

CITY COUNCIL

March 13, 2017

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March 27, 2017

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Tabled / Delayed / Pending

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PLANNING COMMISSION

April 5, 2017

- PUD 98-9, Amendment 3/17, Beaver creek Care Group, public hearing
- PUD 08-2, MOD 3/17, Tru by Hilton
- S-17-2. Sripol Subdivision
- S-17-3, HarborChase - Beaver creek

Currently Tabled / Delayed

- S-17-1, Fairfield Towne Center

Commercial Permits Submitted and Under Review

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BOARD OF ZONING APPEALS

April 12, 2017

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Currently Tabled or Delayed

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