



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

PROCLAMATIONS

- ◆ Volunteer Month – Chris and Bob Skebow
- ◆ Year of the Trail, Laura Rea, Chair, Bike and Non-Motorized Transportation Advisory Board

INTRODUCTION

- ◆ Todd Brandenburg, Public Service Superintendent

- 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
 - A. March 13, 2017 Regular Meeting
- VI. PRE-SCHEDULED PRESENTERS
 - A. Cycling Summit, Laura Estandia, Executive Director, Bike Miami Valley
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Ordinance 17-04 Approval of Employee Manual Revisions (Third Reading)
 - B. Resolution 17-09 Small Cell Tower Litigation
 - C. Ordinance 17-05 Additional Appropriations
 - D. Resolution 17-08 Employee Deferred Compensation Option
- VIII. CITY MANAGER'S REPORT
- IX. MAYOR'S REPORT
- X. COUNCIL TIME
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT

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

PROCLAMATIONS

◆ National Girl Scout Week

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: 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 & Zoning Director; Jeff Moorman, City Engineer; Mike Thonnerieux, Public Administrative Services Director

PLEDGE

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Council Member Litteral MOVED to approve the February 13, 2017 Regular Meeting Minutes, seconded by Council Member Upton. Motion PASSED by majority voice vote.

Council Member Wallace MOVED to approve the February 21, 2017 Work Session Minutes, seconded by Council Member Jarvis. Motion PASSED by majority voice vote. (Litteral, Whilding abstained)

Council Member Upton MOVED to approve the February 27, 2017 Regular Meeting Minutes, seconded by Council Member Litteral. Motion PASSED by majority voice vote.

ORDINANCES, RESOLUTIONS AND PUDS

March 13, 2017

Ordinance 17-02 Appropriate the Right-of-Way (Michael Hammermeister) for the Shakertown Road Widening Project (Third 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 Beavercreek, Ohio.

Council Member Whilding MOVED to approve Ordinance 17-02, seconded by Council Member Jarvis. Motion PASSED by majority voice vote.

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

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

There being no input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Resolution 17-05 Authorize City Manager to Enter Into Agreement with Tara Falls Home Owners Association

Clerk Lampton read 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.

Mr. Moorman explained he had been approached by the homeowners association for the Tara Falls subdivision asking for the replacement of a section of sidewalk. He said the sidewalk in question was along the south side of Shakertown Road between Southern Belle Blvd. and Graystone Drive. He said the concerns of the existing walk include the varying widths and poor condition of the existing path along with a drainage structure against the path which is a trip/fall hazard. He had discussions with the HOA informing them the city did not have a sidewalk program and this was not something the city would undertake at 100% city funds. He said after negotiations they were agreeable to fund half of the cost to replace the sidewalk. Mr. Moorman explained the work would involve removing the existing asphalt path and installing a six foot wide concrete walk which is the current standard. He said this project is along a major route and recommended proceeding.

Vice Mayor Vann asked what the current width was. Mr. Moorman said it is as narrow as 4 ½-5 feet and as wide as 8-9 feet. Vice Mayor Vann asked what the width would be of the finished product. Mr. Moorman replied it would be a six foot wide concrete sidewalk. Vice Mayor Vann commented it would be a sidewalk instead of a bikeway. Mr. Moorman said it would be a consistent width which

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currently was not. He said they would make it wider but there were some constrictions with the right-of-way in this area. He explained if they installed an eight foot sidepath they would be outside the right-of-way and they need to keep it within the public right-of-way. Vice Mayor Vann asked if it would be possible to do this. Mr. Moorman said they would have to acquire additional property. Vice Mayor Vann asked if there was a bikeway proposed in this area in the bikeway plan. Mr. Moorman said farther down there is the start of the sidepath system where there is eight foot wide sidepaths near the Grange Hall and Shakertown area but it was on the north side of Shakertown. He said there were plans to bring that sidepath down to Autumn Springs either this year or early next year. Vice Mayor Vann said it would behoove the city to have a bikeway and sidewalk plan. She said they have a bikeway plan that was incorporated with the roadway plan years ago but they don't have a sidewalk plan.

Council Member Litteral said her concern was having other associations request assistance. Mr. Moorman said it was very rare that we would do work like this. He said it is along a major route and it isn't unprecedented. He said they have matched money with grant money to build walks and also paid 100% for walks. He said this situation is a first of its kind. Council Member Litteral said it was great that they were partnering but it was something they need to look at for the future. Mayor Stone stated this is why they need to develop a policy. Vice Mayor Vann said if it's a bikeway then it's the city's responsibility and if it's a sidewalk it's the homeowner's association's responsibility. When you're switching the width of it, it puts it in that in between space. She said it's not in front of somebody's house so she was glad we were partnering but didn't want this to be setting the precedence for our sidewalk plan before they have the discussion of what the choices are. Council Member Litteral agreed.

Council Member Jarvis asked how many feet this project was. Mr. Moorman did not have the linear feet. He said the entire path was along the subdivision and there was part of it the goes beyond Greystone and Southern Belle but the work would be just between the two streets. Council Member Jarvis asked when they realign Shakertown Road at U.S. 35 if there would be a bike path included. Mr. Moorman replied no. He explained that extension was setup with shoulders because of the commercial property and future development.

Council Member Upton questioned the cost. Mr. Moorman said it would be 50-50 and the cost was estimated at \$50,000. Council Member Upton asked which fund the money was coming out of. Mr. Moorman replied it would be coming out of 260. He further explained the bids for the Col. Glenn Highway resurfacing project came in substantially under what was budgeted allowing the excess funds to pay for the sidewalk.

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Vice Mayor Vann asked if there was any urgency to do this right now or could Council define the sidewalk policy and then answer this question. She asked if they could do this in six months. Mr. Moorman explained they were currently advertising for the curb and sidewalk program. He said it was a natural fit to include this with the overall package with a concrete contractor that would be working in the area. He said this would give them a better price for the work. He said if they delay it and bid it out separately it may cost more because it was a smaller project.

Mayor Stone said the difference, in his opinion is this was along a main thoroughfare versus somebody's front yard. He was willing to let this one move forward at this point but they would still need to have a discussion.

Vice Mayor Vann said then it acts like a community bikeway which typically the city pays for. Mayor Stone said they were lucky the association is willing to pay for half of it. Vice Mayor Vann said she wasn't sure of the six foot versus eight foot.

Mr. Landrum said part of what they will be doing is defining all the different sidewalks and paths. They will then come to Council with a policy with a replacement schedule.

Vice Mayor Vann asked when the work would be completed. Mr. Moorman replied it would go through as part of the curb and sidewalk program and would start around May or June.

Council Member Wallace liked the idea of a partnership with the homeowners association and since this was on a major thoroughfare it was a good way to go for the city.

Council Member Upton MOVED to approve Resolution 17-06, seconded by Council Member Litteral. Motion PASSED by majority voice vote. (Against – Vann)

LIQUOR PERMITS

Melt Bar and Grilled Inc. (New)

Chief Evers explained the Ohio Department of Commerce, Division of Liquor Control sent notification of a request referencing a new D51 liquor permit for Melt Bar and Grilled, Inc., 2733 Fairfield Commons Beaver creek, Ohio 45431.. The record 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.

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

DECISION ITEMS

Approval of Attendance of 33rd Dayton Development Coalition Community Leader Fly-In

Mayor Stone said he had asked this to be placed on the agenda. He said at budget time Council created a line item for this and Council needed to take action. He said Council Member Jarvis has participated in this out of his own pocket twice and it was his desire to go again. He recommended that Council appoint Council Member Jarvis as their representative at the Fly-In.

Council Member Jarvis said for the past 32 years our region has had a Fly-In to Washington D.C. He said it is a chance to meet with our congressional delegation, economic development experts and other senior federal government leaders to discuss topics relative to resources in Beavercreek and our region. He said this would be his seventh trip.

Council Member Wallace said it was a good suggestion to make this transparent for the community.

Vice Mayor Vann MOVED to appoint Council Member Jarvis as representative for the Dayton Development Coalition Community Leader Fly-In, seconded by Council Member Wallace. Motion PASSED by majority voice vote

CITY MANAGER'S REPORT

Mr. Landrum reviewed the Grange Hall Road Widening project and State Route 835. New reconstructed traffic signals were scheduled to be activated at N. Fairfield Road and Shakertown Road and Grange Hall Road and Indian Ripple Road next week. The City had five grants approved by the Miami Valley Regional Planning Commission totaling in excess of \$4.5 million. He said the Lofino Senior Center expansion is continuing according to plan.

MAYOR'S REPORT

Mayor Stone said there would be an Honor Flight leaving Dayton in the near future and applications were being accepted from WWII, Korean and Vietnam War veterans.

COUNCIL TIME

Council Member Whilding congratulated Council Member Upon on the birth of his daughter.

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Council Member Jarvis said there would be an open house and ribbon cutting for the newly renovated library on March 22nd at 3:00 p.m. He had attended the Spicer Heights meeting regarding the playground renovations which was well attended.

Council Member Wallace said the Dayton V.A will be 100 years old this year and they will be having a Dayton V.A. Medical Center USO Hanger Dance for all WWI, Korean and Vietnam veterans on March 25th at 5:00 p.m.

Council Member Upton announced the birth of his first child, Ainsley Annette Upton born on March 7th.

CITIZEN COMMENTS

Anna Thamba, 5010 Woodbine Ave, Dayton, OH 45432

Ms. Thamba spoke about women coming from India who get caught up in a rough situation in the United States. She said she has a friend who currently lives in Indianapolis and does not know what to do. She asked what types of resources can we provide or make arrangements for people in this situation so they can have a living. She said also asked to create an organization who will listen to issues or problems and make arrangements to go back to India. Her friend does not want to live in the United States anymore because her children are in foster care, she doesn't have a job and is not able to sustain on her own. She has no family members in the United States and once she goes back to India she will have no one to support her. She would appreciate Council to please speak about this with India organizations so they could do some type of fundraising for people like her friend so they can go back to India for good.

Mayor Stone suggested the Dayton India Club.

Ms. Thamba said she wanted to speak with Council because sometimes women are rejected by India organizations. She said when women become single they lose their status and are told to go away. She said this is something American women will not go through.

Mayor Stone said the information was appreciated.

Ms. Thamba said she would like to speak with one or all after the meeting.

There being no more citizen comments, citizen comments was closed.

ADJOURNMENT

Vice Mayor Vann MOVED to adjourn the meeting at 6:41 p.m., seconded by Council Member Whilding. Motion PASSED by majority voice vote.

BEAVERCREEK CITY COUNCIL

REGULAR

March 13, 2017

Bob Stone, Mayor

ATTEST:

Dianne Lampton
Clerk of Council
Cmin031317

Agenda Item VII. A.
Third 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 Beavercreek Employee Manual", are hereby REPEALED, and the new personnel rules and regulations, entitled "City of Beavercreek 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 27th day of March, 2017

Mayor Bob Stone

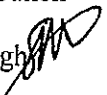
ATTEST:

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.

MEMORANDUM

TO: Mayor and City Council
FROM: Stephen M. McHugh 
CC: Pete Landrum, City Manager
Bill Kucera, Financial Administrative Services Director
DATE: March 23, 2017
RE: Senate Bill 331

Ohio recently enacted Senate Bill 331, which seeks to regulate the placement of small cell antennas on City right of ways and on City property. The new law does not provide constitution protection to the Cities of Ohio to regulate and control right of ways and their own property.

Approximately 50 cities have joined together to challenge the constitutionality of the new law. By doing so the cities are able to share the cost of special counsel. The City Manager and Law Director recommend Council approve the resolution hiring special counsel from the firm of Ice Miller at a cost not to exceed \$6,000, to challenge Senate Bill 331.

RESOLUTION NO. 17-09

CITY OF BEAVERCREEK

**SPONSORED BY COUNCIL MEMBER _____ ON THE
27TH DAY OF MARCH, 2017.**

**A RESOLUTION BY THE BEAVERCREEK CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS
NECESSARY TO CHALLENGE SENATE BILL 331.**

WHEREAS, City Council desires to join as a party the lawsuit challenging the new law; and

WHEREAS, City Council seeks to retain the law firm of Ice Miller LLP as special legal counsel to represent the City in litigation regarding Ohio Senate Bill 331's micro wireless facility provisions.

**NOW, THEREFORE, CITY COUNCIL FOR THE CITY OF
BEAVERCREEK, OHIO, HEREBY RESOLVES:**

SECTION I. City Council hereby authorizes the retention of Ice Miller LLP, as special legal counsel to represent the City in litigation regarding Ohio Senate Bill 331's micro wireless facility provisions.

SECTION II. City Council hereby authorizes the City Manager to enter into all necessary agreements to retain Ice Miller LLP and provides that Ice Miller LLP shall be compensated no more than \$6,000.00 for representation of the City in the lawsuit.

SECTION III. This Resolution shall take effect immediately upon passage.

PASSED this 27th day of March, 2017.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

PREPARED BY: CITY ATTORNEY

SUMMARY

**THIS RESOLUTION BY THE BEAVERCREEK CITY COUNCIL
AUTHORIZES THE CITY MANAGER TO TAKE ALL STEPS
NECESSARY TO CHALLENGE SENATE BILL 331.**

**THIS IS NOT AN EMERGENCY RESOLUTION AND WILL BECOME
EFFECTIVE IMMEDIATELY UPON PASSAGE.**

PCA

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

Meeting Date: March 27, 2017	Reference Topic: Ordinance No. 17-05 To Approve Supplemental Appropriations and Certify Additional Revenue for the Fiscal Year Beginning January 1, 2017, and Ending December 31, 2017 and to Amend Ordinance 16-37.
Agenda Reference No.: VII. C.	

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 checked="" type="checkbox"/> Finance	<input checked="" type="checkbox"/> City Council	<input type="checkbox"/> Human Resources
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering/Planning	<input type="checkbox"/> Golf Course
<input type="checkbox"/> Police	<input checked="" type="checkbox"/> Public Service	<input type="checkbox"/> City Manager

General Fund (101) – With the recent passage of Ohio Senate Bill 331 concerning cell towers located in the City’s right of ways, a regional group of municipalities have hired ICE Miller, LLP to seek declaratory and injunctive relieve against portions of the new law. This information was provided to City Council, whom has elected to join this effort. The cost of this legal action was allocated to the various municipalities based on each member City’s population. The City’s allocated cost was calculated as an amount not to exceed \$6,000. Since this was not in the City’s original budget this amount has to be appropriated (101-51-1990-3199 Other Professional Services).

Street Maintenance Fund (204) – As Council is aware, one of our salt trucks was engulfed by a sink hole as a result of a pipe bursting on Beaver Valley road on January 6, 2017. Towing and emergency repairs were required and completed to get the truck back into service. The amount of tow service and repairs were paid by the City and the incident was forwarded to the City’s insurance carrier, Miami Valley Risk Management Association (MVRMA). Since these repairs were unanticipated, the cost of the towing and repairs, totaling \$9,309, has to be appropriated (204-57-3340-3510 Vehicle Maintenance). In addition, the MVRMA insurance reimbursement for \$9,309 must be certified as revenue to offset this claim (204-497000 Refunds and Reimbursements). The entire amount of the claim was paid with the exception of the \$2,500 deductible which will be paid in the next quarterly invoice from MVRMA.

STAFF RECOMMENDATION: Staff recommends adoption of Ordinance 17-05.

**CITY OF BEAVERCREEK, OHIO
ORDINANCE NO. 17-05**

SPONSORED BY COUNCIL MEMBER _____ ON THE 27TH DAY OF MARCH, 2016.

TO APPROVE SUPPLEMENTAL APPROPRIATIONS AND CERTIFY ADDITIONAL REVENUE FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017, AND ENDING DECEMBER 31, 2017, AND TO AMEND ORDINANCE 16-37.

WHEREAS, the annual appropriations for 2017 was authorized in Ordinances 16-37, it is now the desire to supplement and amend these appropriations and to 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, 2017 and certification of additional revenue are hereby authorized, while preserving all other appropriations as previously approved.

REVENUE (FUND #)	INCREASE REVENUE CERTIFICATIONS
STREET MAINTENANCE FUND (204)	\$ 9,309
TOTAL	\$ 9,309

EXPENSE FUND (FUND #)	INCREASE APPROPRIATIONS
GENERAL FUND (101)	\$ 6,000
STREET MAINTENANCE FUND (204)	\$ 9,309
TOTAL	\$ 15,309

SECTION II

In order to conform to the amendments detailed in Section I with the schedule of 2017 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 certified 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 Appropriations Ordinance and certification of revenue shall take effect upon adoption, in accordance with Sections 10.04 and 10.10 of the Beaver Creek City Charter.

PASSED this 27th day of March, 2017.

BOB STONE, MAYOR

ATTEST:

CLERK OF COUNCIL

ORD 17-05

SUMMARY

An Ordinance to approve supplemental appropriations and certifying additional revenue for the Fiscal Year ending December 31, 2017

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

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

AC

Meeting Date: March 27, 2017	Reference Topic: Resolution 17-08 Authorizing the City Manager to Amend Existing 457 Deferred Compensation Plan Agreements to Include a Roth Option.
Agenda Reference No.: VII. D.	

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 checked="" 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 type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input checked="" type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

Since 1984, the City has provided voluntary 457(b) deferred compensation plans to eligible employees to supplement their retirement goals. These pretax plans, through payroll deduction, allow employees to allocate funds to a deferred compensation retirement accounts. The City originally adopted the first plan with Ohio Deferred Compensation Board, then ten years later the City added the International City/County Managers Association (ICMA) option and subsequently adopted another similar plan with ING now known as VOYA. We currently have 79 employees utilizing these retirement programs.

In 2016, Ohio legislators passed Senate Bill 220 which allowed the expansion of 457(b) deferred compensation programs to include a Roth option. The Roth option allows for after tax payroll deductions to be placed in a separate and distinct account from their tax deferred contributions. The Roth option allows contributions to be made after taxes which allows the withdrawal of these funds to be tax free if they fall within the distribution guidelines.

Besides the tax free withdrawals, the 457 Roth option has higher contribution limits than regular Roth IRA's, contributions eligibility are not dependent on your income like Roth IRA's, and this option provides for better tax planning to allow the employees the option to choose the source of funds (pre-tax or after tax) based on their retirement needs.

Since the City has already adopted deferred compensation Plans with the three companies, and since this is considered simply an expansion of these existing plans, the Roth option can be added by completing the individual firm's amendment document to the plan. Rather than bringing these forward individually, it is recommended that Council authorize the City Manager to execute the documents to add this option to the existing plans when they become available.

The only cost associated with adding this option to existing plans is the administrative time necessary to complete the amendments, collect and entering forms from interested employees, and generating up to three additional ACH transactions each payroll period. Plans are required to separate contributions for deferred contributions

and after tax contributions remain separate to facilitate accurate posting of the contributions to the individual's accounts. The internal controls related to these additional transactions will be monitored bi-weekly and be part of the internal control review in the annual audit.

When these programs are implemented, employees will receive training by the vendors educating them about the differences and benefits of each option to allow our employees to make educated decisions concerning their retirement objections.

STAFF RECOMMENDATION:

As another benefit option, to assist or most valuable asset, our employees in their retirement goals, with very little cost to administer, it is recommended that this legislation be adopted to allow the City Manager to amend the existing plans to allow the 457 Roth option to our retirement offerings.

**CITY OF BEAVERCREEK, OHIO
RESOLUTION NO. 17-08**

**SPONSORED BY COUNCIL MEMBER _____ ON THE 27TH DAY
OF MARCH, 2017.**

**A RESOLUTION BY THE BEAVERCREEK CITY COUNCIL AUTHORIZING THE
CITY MANAGER TO ENTER INTO AMENDED 457 DEFERRED COMPENSATION
AGREEMENTS TO INCLUDE A ROTH OPTION.**

WHEREAS, the City of Beavercreek (“Employer”) has employees rendering valuable services;
and

WHEREAS, the Employer has established several voluntary deferred compensation plans for such employees that serve the interest of the Employer by enabling it to offer retirement plan options for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the continuance and expansion of the deferred compensation of these plans will serve these objectives; and

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

SECTION I.

City Council hereby amends and expands the current deferred compensation plans currently provided by Ohio Public Employees Deferred Compensation Board, ICMA Retirement Corporation, Retirement Trust, and VOYA (the “Plans”) to include the 457 Roth options, when available, to the existing plan documents.

SECTION II.

The City Manager is authorized to execute the required amendments to the Plans to add the Roth option.

SECTION III.

The assets of these amended Plans shall be held in trust, with the Employer serving as trustee (“Trustee”), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee’s beneficial ownership of Plan assets shall be held for the further exclusive benefit of the Plan participants and their beneficiaries;

SECTION IV.

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 V.

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

ADOPTED by Council of the City of Beavercreek, Ohio this 27th day of March, 2017.

Bob Stone, Mayor

ATTEST:

Dianne Lampton, Clerk of Council

SUMMARY

THIS RESOLUTION BY THE BEAVERCREEK CITY COUNCIL AUTHORIZES THE CITY MANAGER TO AMEND THE EXISTING DEFERRED COMPENSATION PLAN AGREEMENTS TO INCLUDE A ROTH OPTION TO THE PLANS CURRENTLY IN PLACE.

THIS IS NOT AN EMERGENCY RESOLUTION AND WILL BECOME EFFECTIVE IMMEDIATELY UPON PASSAGE.



CITY COUNCIL
Work Session – April 10, 2017 6:00 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 Services, Ron Volkerding, Director, Greene County Sanitary Engineering; Brandon Huddleson, County Administrator
 - B. REACH Community Center, Dale Brunner, Vice President of Operations, YMCA of Greater Dayton, Jeff Brock, President, Greene Medical Foundation
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT



CITY COUNCIL
Work Session – April 17, 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. DMAP, B63 Line
 - B. Golf Course Operations/Alternative Uses
 - C. Zoning Code Updates
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT

PLANNING DEPARTMENT STATUS REPORT
March 22, 2017

CITY COUNCIL

March 27, 2017

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Tabled / Delayed / Pending

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PLANNING COMMISSION

April 5, 2017

- PUD 08-2, MOD 3/17, Tru by Hilton, Minor
- 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

- HarborChase - Beaver creek
-

BOARD OF ZONING APPEALS

April 12, 2017

- BZA 17-1, Tom Sliemers, 1197 Beaver Valley, appeal to accessory structure permit
-

Currently Tabled or Delayed

-
-