

BEAVERCREEK CITY COUNCIL
Work Session, March 16, 2009 5:00 p.m.

PRESENT: Mr. Hadley, Mr. Jarvis, Mr. Leonard, Vice Mayor Giambrone, Mayor Vann
ABSENT: Mrs. Howard, Mr. Petrak

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

Mr. Leonard MOVED to excuse Mrs. Howard and Mr. Petrak; seconded by Mr. Jarvis, it was approved by unanimous voice vote.

There was discussion about excusing Council Members and the number of times they could be excused. Mr. Hadley did not think they should be randomly excused; they should let the Mayor know why they are going to be gone.

Mr. Hadley MOVED to approve the agenda, seconded by Mr. Leonard. Motion PASSED by unanimous voice vote

DISCUSSION ITEMS

Charter Review Commission including Harold Lewis, Tony Corvo, Chad Whilding and Jason Scott attended the meeting. Mr. Lewis reviewed the changes the committee would like to make.

Section 4.03 (A) was added and states that persons running for election must be residents for at least a year.

Section 4.04 adds a condition that the Mayor is CEO only for purposes of declaring an emergency and not for appointments or any other actions.

Section 4.05 prohibits Council from sitting on other City boards or being an employee of the City during their term or within one year of serving as a member of Council.

Section 4.08 must hold Council meetings within the confines of the City or Township, special meetings may be called by the Mayor or three Council Members with 24 hours notice.

Section 4.10 sets new terms for how Council salary is increased.

Section 5.02 (10) no ordinance may be passed using municipal tax revenue for uncompensated financing of development without the vote of public.

Section 5.03 prohibits adoption of ordinances at special meetings and sets parameters for rejection of ordinances.

Section 5.06 changes the reasons why an emergency ordinance would be used and also adds three reasons they can not be used for; to levy taxes, to use municipal tax revenue for uncompensated financing of development without the vote of the public or to increase Council salary and they require a supermajority.

Section 7.03 the City Attorney shall work directly for the City Manager and will not provide advocacy legal counsel to private parties unless directed by the City Manager and Council will not direct the City Attorney to provide advocacy legal counsel to private parties unless it is directed by the City Manager.

Section 9.02 states citizens shall sit on a single board whether inside or out and shall not be an employee of the city, they may apply for another board while on an existing board but must resign from the position before taking the new position if appointed.

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Section 10.04 at any time during the fiscal year the City Manager may transfer part or all of the unencumbered balance within a fund; and upon written request by the City Manager, the Council shall by ordinance transfer any unencumbered balances between funds.

Section 10.10 amendments to the annual appropriation passed by a supermajority (two-thirds) of the Council voting in the affirmative shall become effective upon adoption.

Section 12.05 was added and the changes include the City providing the forms at cost, the forms to be filed with the Clerk of Council, three petitioners are needed to file as a committee and the number of electors to sign the petition will be 5% of the number of electors who voted for governor at the most recent general election.

There were also administrative changes suggested including definitions, changing places that said four members of Council to say a majority of council and five members to supermajority, spelling errors, a correction to section 6.02 (7) to fix editors note, adding City Manager section 6.04, replace the word sympathetic with knowledgeable section 8.02 and clarify language in 12.03 by using the same wording as in 12.04.

Transportation Alternatives

Roger Brislawn of the Beavercreek Bikeway Advisory Committee spoke about bicycling facilities in Beavercreek for both recreational and destination bikers and coordination with City road improvement projects. The Bikeway Committee believes that once the I-675 Pedestrian/Cyclist Bridge is constructed that there will be significant growth in non-automotive travel and they want to be sure that there will be suitable bike and pedestrian facilities to accommodate the growth.

BBAC recommended that "on-street" bicycle facilities and sidewalks be build along all major corridors, coordination with Planning and Zoning be accomplished prior to city action and that Beavercreek should stop planning for sidepaths now.

NuGlo Property

Mr. Beach stated that there had been a Sherriff's Sale for the property but no purchasers came forward and that the State would also try to auction off the property. There was a Phase I study that the City received a grant for and their findings were no different that what the City had expected.

Mr. Koerner reviewed the history of this contaminated site and said that a Phase II study would also need to be done before they could proceed to the cleanup phase. He would like to see the City move forward to the second and third phase. There was discussion about looking for other grants that might fit and others that might be offered through the stimulus package.

INFORMATIONAL ITEMS

2009 Asphalt Resurfacing Program

Mr. Beach reviewed his listing of the worst streets for the Asphalt Resurfacing Program with additional alternate street selection should the FEMA reimbursement be paid in a timely manner to allow for the repaving that was delayed from 2008. He said that the City bids are included with the County which has already gone out to bid early for better pricing and the asphalt prices had dropped somewhat from last year.

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Council Time Request/Review Process

Mr. Cornell went over the review process that Council had asked for at the previous meeting. Council will review it and decide at the regular meeting if they will go forward with it.

COUNCIL TOPICS

Dayton-Xenia / Grange Hall (Lack of Trees)

Mr. Hadley brought up the topic of the lack of trees at Dayton-Xenia and Grange Hall and discussed the policy of a previous City Manager. He wanted to see new trees put back in there after the road work is finished. Council reminded him that the owners of the property were paid for the trees that were cut down and that it is all private property and the City can not plant trees there. Mr. Hadley would like to see a Streetscape Project as there is more redevelopment so that new trees can be added throughout the City.

Vice Mayor Giambrone MOVED to adjourn at 7:58 p.m. seconded by Mr. Jarvis, the motion PASSED by unanimous voice vote.

Julie Vann, Mayor

ATTEST:

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Clerk

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