

BEAVERCREEK CITY COUNCIL
WORK SESSION, April 19, 2010, 5:00 p.m.

PRESENT: Councilmember Giambrone, Councilmember Howard, Councilmember Petrak, Councilmember Vann, Councilmember Wallace, Vice Mayor Jarvis, Mayor Hadley

ABSENT: None

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

Councilmember Howard MOVED to approve the agenda. Motion was seconded by Councilmember Wallace and PASSED by unanimous voice vote.

Councilmember Giambrone arrived at 5:10 p.m.

DISCUSSION ITEMS

Morningview Drive Roadway Connector

Mr. Beach stated tonight they are discussing the two petitions that were received regarding the Nightingale Way/Morningview Drive connection. He said a decision to hold a public hearing on that particular item is regulated by a settlement entry and in order that the City received from the court following a court case between the City and the neighborhood. Mr. Beach explained this issue was discussed in a work session in 2008, and at that time Council directed staff to wait until the City could see what the impact of the traffic changes resulting from the construction of a turn lane and traffic signal at Hanes and Kemp Roads would do to the cut through traffic on Claydor Drive. Mr. Beach said the Hanes/Kemp Road project is on course to start construction in 2011, and the conditions of the court settlement state that prior to holding a public hearing the City would advertise extensively and notify homeowners within 1,000 feet of the project. He recommended before the City made a decision to hold a public hearing, a traffic study be completed to know what the proposed change of traffic flow would be and what the cost of improving the roads would be.

Vice Mayor Jarvis arrived at 5:15 p.m.

Norma Humphreys, 3171 Nightingale Way, provided Council with a handout regarding the residents' petition to maintain the walkway on Lot #19 between Nightingale Way and Morningview Drive. She stated in November 1993, residents of this area debated the connection of the two roads, and the majority of the people were against it. The residents who were opposed to the joining spend a lot of time, energy, and money in hiring an attorney. Ms. Humphreys explained the matter was resolved in their favor, and the walkway was left as it was. She expressed tonight they are here again discussing the same matter, and stated her family, her neighbors and the community, are opposed to converting the walkway because privacy and crime. Another reason they were against it was because Council member have elected to keep other neighborhoods with similar circumstances closed. She stated property values were based on the homes

residing on a cul-de-sac, and leaving it closed would result in minimal traffic and a safe environment for children. Ms. Humphreys explained it also provides recreation for the surrounding area. A road through would change the atmosphere of the neighborhood by causing increased traffic. Ms. Humphreys read several questions for Council concerning what would happen in the road was put through.

Councilmember Vann arrived at 5:20 p.m.

Mike Ondrasek, 1706 Edith Marie Drive, stated he would like to see the road reconnected as it was. He thought about the pros and cons for blocking the road off, and came down to an emotional argument. Mr. Ondrasek stated the first principle was them versus us, and came to the conclusion that is where the issue is. He felt there were benefits to both sides, and could speculate the traffic flow would increase if the road was put in and traffic going down Claydor Drive would decrease. Mr. Ondrasek questioned if it was important that he worry about him as opposed to the good of the community. He explained a situation that he went through 13 years ago with his wife, and believed if the road was through the rescue squad would have gotten there sooner. He stated he did not like them versus us, and wanted to do what was right for the community. He requested City Council to consider what was right for the community.

Michael Zook, 3223 Bob White Place, stated he was against opening up the road. He explained he was a retired civil engineer with a master degree in civil engineering, and spent 20 years in the United States Navy Civil Engineer Core doing traffic studies, public works, and construction. He stated there is approximately a 250-foot difference from the intersection of Claydor Drive and Hanes Road and Morningview Drive and Hanes Road, and that would be all that was saved if the road would be opened up. He explained they moved into a quiet neighborhood, and would like to have the street stay a dead-end. He believed it was a lot of work and a lot of hassle to gain only 250 feet.

Walt Lichtenberg, 3114 Claydor Drive, questioned how far Claydor Drive was from Nightingale Drive. He stated he has lived on Claydor Drive for 40 years, and does not see a high crime rate on his street and felt safe. Mr. Lichtenberg said the citizens that want the road opened up want a private road, so let them pay for the maintenance. He stated he spoke with one of the neighbors on the Morningview Drive side, and he said the road was completed and covered over, and explained why he thought the neighbor was correct. Mr. Lichtenberg explained the reason for the different numbers in the traffic counts was before and after the light was installed at Claydor Drive. He believed the people are afraid of what my change, and thought people would find if it was opened up they would use it.

Dan Burden, 3107 Stardarst Drive, stated they moved into the neighborhood because it was quiet, and for the sense of security. He said another positive reason to leave it closed is because a person had to have a reason to be in the neighborhood since there are two ways in and two ways out of the neighborhood. Mr. Burden said he approached his neighbors about what issues they had, and explained the two responses he received. He discussed the request to split Lot #19 in half, and combine half of it with

his property and half with his neighbor's property, and the outcome of the pursuit to add the land to their parcels. Mr. Burden was concerned about the flow of traffic, and the safety of children in the neighborhood. He raised several questions regarding this issue, and proposed to Council that he and his wife, and his neighbor Don to go forward that will the plan Scott Marsich had originally requested last year. He explained that is to split the parcel in half, and have the bike path remain as property of either the City or the County for liability purposes and to perform the required maintenance, while him and his neighbor continue to maintain the green area as they do now. Mr. Burden discussed the reasons why he felt this would be beneficial to everyone.

Mayor Hadley closed the public hearing.

After discussion, Council stated a project like this cannot move forward until a public hearing is held, and Mr. Beach previously stated there is a process the City will have to go through to advertisement and notify property owners within 1000 feet of the project.

Greene County Water & Sewer Update – Ron Volkerding

Mr. Volkerding discussed the critical projects for 2010, the Water Feasibility Study objectives and next steps, the budget issues and rates, the staffing levels, and the goals for their department.

Taxi Regulations

Mr. McHugh stated Council was provided with a draft Ordinance of Taxi Regulations. He explained when Council requested the City bring forward regulations with taxis, taxi drivers, and taxi companies, staff looked at several ways to create the Ordinance. He said they chose to create a draft Ordinance that would be easy for police to monitor, easy to administer, and not require a lot of staff time. Mr. McHugh addressed Vice Mayor Jarvis' questioned this Ordinance.

After discussion, there were several items that need to be changed before presenting this to Council for adoption.

1st Quarter Financial Report/Summary

Mr. Kucera supplied Council with a detailed report of the first quarter. He discussed several areas in the major funds that had significant variations between the budget or over last year's revenues and expenditures. Mr. Kucera stated there are no significant concerns or significant unanticipated expenditures, so no significant changes in financial policies or procedures are considered necessary at this time.

Kemp Road/ Spicer Heights Detention Basin Project Drainage Study

Mr. Beach stated the original site of the drain issue was larger, and showed a map of the location of the current issue. He stated he included some historical data in his report about the problems in the drainage basin and the fact the City was on-site in the 1990's and did some interim improvements to get the water to go past the house. He said the water used to go into his front yard, and showed several pictures of flooding that

occurred on his property, 3751 Kemp Road. Mr. Beach explained the major issue with the drainage pipe, and discussed several different solutions to the drainage problem.

INFORMATIONAL ITEMS

Hunters Ridge Bikeway Connector

Mr. Thonnerieux stated this was an update and that the City is proceeding with this project. He explained there may be some rebates on Park Fees coming.

2010 Annual Roadway Resurfacing Program

Mr. Beach the City did get bids from the County Engineer, and the cost on asphalt went up five percent. He said the miles the City has been able to afford to resurface has been steadily decreasing, and they are planning on resurfacing approximately 5.33 miles this year. Mr. Beach stated the City had been looking at putting \$200,000 towards starting a curb program this year. He said the City has 15 miles of "poor" street, and 45 miles of "fair" street. Mr. Beach questioned if Council would consider postponing the curb program one more year, and put more into asphalt to resurface a few more miles of street.

After discussion, Council agreed with Mr. Beach that the money should be transferred to resurface more miles. Mr. Beach stated he would also prepare a policy for the City in terms of curb replacement for Council to review.

2010 Council/Management Action Plan Summary

Mr. Cornell stated in January, Council and Mr. Cornell put together an action at the Council Retreat. He provided Council with the topics that were discussed and agreed to, and reviewed the Council policies, the nine actions, and the continuing annual priorities.

Councilmember Howard MOVED adjournment at 7:45 p.m., seconded by Councilmember Giambrone. Motion was passed by unanimous voice vote.

Mayor Hadley

ATTEST:

Deputy Clerk

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