

BEAVERCREEK CITY COUNCIL
WORK SESSION, June 21, 2010, 5:00 p.m.

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

ABSENT: Councilmember Giambrone, Councilmember Howard

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

Councilmember Petrak MOVED to excuse Councilmember Giambrone and Councilmember Howard, seconded by Vice Mayor Jarvis. Motion PASSED by unanimous voice vote.

Councilmember Wallace MOVED to approve the agenda removing Item IV. C. Youth Council Updates/Issues. Motion was seconded by Councilmember Petrak and PASSED by unanimous voice vote.

DISCUSSION ITEMS

John Weithofer, Executive Director, Miami Valley Communications Council

a. Regional Street Light Negotiations

Mr. Weithofer reviewed a presentation, "Street Light Contract", which reviewed when the contracts expire, what the key issues are in upcoming negotiations, the work items, and the negotiating process. He discussed several sections of the Ohio Revised Code, and requested Council pass an ordinance to negotiate jointly with other cities in the region on one price schedule under which electric light services will be furnished to the residents of the City for the purpose of street lighting.

After discussion, there was a consensus that Council would participate in the consortium with other cities, and Council would review the Ordinance at the next regular Council meeting.

b. Time Warner – FCC Challenge

Mr. Weithofer discussed the petition that was filed by Time Warner for special relief with the Federal Communications Commission (FCC). He explained they are seeking a finding that there is effective competition for cable service in Beavercreek. He stated the same petition was filed in multiple cities in the vicinity, and said the FCC provision that Time Warner is filing under is called a 50/15 Rule. Mr. Weithofer explained the reasons why Time Warner filed the petition, and recommended the City be prepared legislatively, which he believed the City had passed a video service ordinance in the past. He also recommended when the City receives the notice from Time Warner that they have been granted a video service authorization by the Department of Commerce, the City needs to notify Time Warner that the City has a franchise fee and the City has public access channels. He said there is a ten day window, which protects the City's right to collect the franchise fees and the right to have public access television.

Victim Witness Program Update

Captain Evers stated several years ago under the direction of Beaver Creek Police Chief Warner Huston, the City entered in a verbal agreement with Ms. Kim Seubert who is the victim witness advocate for all misdemeanor cases that are generated in the City of Beaver Creek, and the City has been paying a share of her expenses for her services. Since no written agreement was done, he recommended that a Memorandum of Understanding (MOU) be developed to identify her services performed for the residents of Beaver Creek and the amount that would be paid by our jurisdiction.

Kim Seubert stated she has been the director since June 1992, and the program provides services to all misdemeanor crime victims and witnesses. She explained the services are provided 24-hours a day, and discussed the type of help they provide.

2011 Levy Discussion

Mr. Cornell discussed the timeline that was presented to Council regarding the available dates for a special election and the two levies that will be on the ballot. He explained the two levies will be done at a special election, and reviewed an average cost for a special election.

Mr. Kucera explained the figures for the two levies, and stated he received some preliminary information from the auditor. He said some time in August or September, staff will do some long range planning and bring back some ideas about what the 3.3 mils and 1.9 mils will look like and if the City will need to do a renewal or a replacement with additional millage to cover the out years. He reviewed the timeline, and explained in the previous elections how the City mailed out postcards about the levy to absentee voters.

After Council discussion, there was a general consensus that the special election be held in May 2011.

INFORMATIONAL ITEMS

Goose Mitigation

Mr. McGrath provided Council with a list of several suggestions for reducing the number of geese in an area. He recommended that people stop feeding the geese, and in some areas with a high volume of geese signs be posted enforcing that people not feed the geese.

Taxi Cab Update

Captain Evers stated there were 11 letters that were sent out and three companies responded back. Since then, Chief Turner and Mr. McHugh drafted an exclusion paragraph based on the responses they received.

After discussion, Council was concerned with the exclusion paragraph and requested Chief Turner and Mr. McHugh work on creating some language requiring cab companies to have a permit or a registration.

Vice Mayor Jarvis MOVED adjournment at 7:06 p.m., seconded by Councilmember Petrak. Motion was passed by unanimous voice vote.

Mayor Hadley

ATTEST:

Deputy Clerk
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