

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING October 11, 2010 6:00 p.m.

PRESENT: Council Member Giambrone, Council Member Howard, Council Member Petrak, Council Member Vann, Council Member Wallace, Vice Mayor Jarvis, Mayor Hadley  
ABSENT: None

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

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

Council Member Howard MOVED to approve the agenda. Motion was seconded by Council Member Giambrone and PASSED by unanimous voice vote.

Council Member Petrak MOVED to approve the minutes of the September 20, 2010 Work Session Meeting as amended. Motion was seconded by Council Member Giambrone and PASSED by unanimous voice vote.

ORDINANCES, RESOLUTIONS, AND PUDS

Resolution 10-32 MVRPC Safetea-Lu Fund

Clerk Gillaugh read a Resolution to authorize the submittal of applications for Federal Safetea-Lu Funds through the Miami Valley Regional Planning Commission.

Mr. Moorman stated the City was recently notified by MVRPC that they will be excepting new applications for projects eligible under Federal Safetea-Lu Funding. Since being notified, staff has put together a list of seven projects that they believe are well suited for this grant program. Mr. Moorman reviewed the seven projects, where the projects were located, and what each project would entail.

Mayor Hadley asked how the lanes would be widened in Project 1, N. Fairfield Road at I-675 Bridge Widening Project, since it is limited space because of the bridge. Mr. Moorman stated the project is going to begin south of the I-675 southbound exit ramp, which the idea is to better accommodate vehicles exiting I-675 and going southbound. He explained the existing bridge over State Route 844 is not part of the project.

Council Member Petrak referred to Project 2, Dayton-Xenia Road Widening Project, and stated the Bikeway Advisory Committee wanted the bikeways to be constructed according to AASHTO requirements. Mr. Moorman agreed, and stated he has met several different times with members of the Bikeway Committee on this project.

Council Member Vann asked where Project 6, Shakertown Road Widening Project, was located. Mr. Moorman stated it was from Product Way to Willow Run Drive.

Council Member Vann asked if there was other funding available for Project 1. Mr. Moorman stated there was, and the grant the City is proposing is the gap between the money the State has already secured for the project and what is needed to get it constructed.

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Mayor Hadley asked if this project would be paid in full if the grant is achieved. Mr. Moorman said that was correct. He stated MVRPC is asking for the year 2016 funding, and in order to meet the funding year for the other money that has already been allocated, the City would have to ask MVRPC to move the project up to 2014 to match the year with the other money. He thought the City may have to move one of its other projects back to move this one forward.

Council Member Petrak referred to Project 7, Shakertown Road at Grange Hall Road Intersection Reconstruction, and expressed his concern with the school bus drivers making the turn. He questioned how strongly the school system has approached the City on improving this intersection. Mr. Moorman explained he has several bus drivers discuss the issue with him at the Popcorn Festival. He discussed the ranking and point system, and stated Council could move the project up to the top three projects so it would receive more points and have a better chance of being funded. Council Member Giambrone stated there was a joint meeting with the school board tomorrow night, and the issue could be discussed. She asked even though it is not listed as the top three on this list, the City would try to seek other funding for this project. Mr. Moorman stated that was correct.

Council Member Howard thanked staff and MVRPC for their help securing the additional engineering funds that were received for the pedestrian bridge project. Mr. Moorman explained it was \$48,000, which will pay 100% of the first phase engineering costs of that project.

Council Member Wallace wanted to inform the citizens that this is the City's recommended list, but the ultimate decision is made by MVRPC. Mr. Moorman stated that is correct, and it has happened in the past where a project that is lower on the list has been chosen and funded.

Vice Mayor Jarvis referred to Project 1, and questioned if there is intent to have this project phased in some way that is different than what is in the package. Mr. Moorman stated the attachment will have a breakdown of the monies that have already been dedicated towards the project. He explained there will be a letter attached also from ODOT, which tells MVRPC where the other money is and how much it is. Vice Mayor Jarvis referenced Project 2, and questioned if MVRPC has to have a special notification about requesting right-of-way funding. Mr. Moorman stated MVRPC typically does not like to participate in the right-of-way acquisition phase, and they like to see that 100% locally funded. He said the exception with this project is it is very large and expensive, and he believed to make it happen within the City's means he had to ask them to participate in the right-of-way phase. Vice Mayor Jarvis referenced Project 4, Kemp Road Widening Project, and asked why this project was the only one on the list that was marked yes if a portion could be split into phases. Mr. Moorman said it is a large project, and he thought if they would not have enough to fund the whole project but part of it, he wanted to take that opportunity. He thought they would work towards the number granted, and then cut the project back. Vice Mayor Jarvis asked if he thought that would impact the probability of getting selected as one of the top ones. Mr. Moorman did not believe so.

Council Member Vann stated sometimes MVRPC divides the money so there is a certain portion for enhancement, like Pentagon Boulevard. Mr. Moorman stated that was correct, and there are three general categories. There was a discussion

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between Mr. Moorman and Council Member Vann about the three categories, and which projects fit into each category.

Council Member Vann MOVED to approve Resolution 10-32, seconded by Council Member Wallace. Motion PASSED by unanimous voice vote.

#### LIQUOR LICENSE

Casual Restaurant Concepts LLC (New)

Ohio Division of Liquor Control sent police notification reference a new D5, D6 liquor permit for Casual Restaurant Concepts LLC., DBA Joyas Bistro, 81 Magnolia Lane, Beavercreek, OH 45440. A local records check was done on the applicant, Mr. Phillip Marino finding he had no criminal history in the State of Ohio or with our agency.

Council Member Giambone MOVED to accept without comment, seconded by Vice Mayor Jarvis. Motion PASSED by unanimous voice vote.

#### CITY MANAGER'S REPORT

Mr. Cornell stated Council received a memo in their packets from Mr. McHugh regarding parking boats, campers, and recreational vehicles on City streets. Mr. McHugh stated Mr. Cornell requested he review some other community's provisions on how they regulate parking these types of vehicles on streets. He explained the results show the regulations of these vehicles generally fall into five defined categories, and he discussed the different categories. Mr. McHugh said if Council chooses to they could request this topic be an item of further discussion at an upcoming work session. Council Member Giambone liked the idea of having this as an item on a work session, and stated she would like to have more information on how often people are cited, how many complaints the City is receiving in a season, and if it is an issue with people storing them on their property. Council agreed about having this issue added on to an upcoming work session agenda.

Mr. Cornell stated an email went out to Council this afternoon about some pending construction, specifically relating to storm sewer modifications. Mr. Moorman stated there is a crosswalk on Hibiscus Way that has an area that collects water. The purpose of the project is to install a catch basin to a pipe that will run to another catch basin to the east. The road will be closed from 8:00 a.m. to 5:00 p.m. starting tomorrow, and will be closed through Friday.

Mr. Cornell gave the monthly construction update, stating the Indian Ripple Road Widening Project will continue to occur through April 2011. He said there are other infrastructure improvements that are occurring, such as, the 2010 storm sewer projects.

Mr. Cornell stated the next meeting for City Council will be a joint meeting with the Beavercreek School Board, which will be held on Tuesday, October 12<sup>th</sup> at 6:00 p.m. at the Board of Education Building. He stated the next regular work session will be held at 5:00 p.m. on October 18<sup>th</sup>, and the next regular meeting will be on October 25<sup>th</sup> at 6:00 p.m.

Mr. Cornell said Beggar's Night is Saturday, October 30<sup>th</sup>, from 6:00 p.m. to 8:00 p.m. He explained this is a regional date that is chosen by the Mayors and Managers Committee.

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Mr. Cornell stated there was some correspondence in Council's packet tonight that was provided by Vice Mayor Jarvis regarding a recent editorial in the Xenia Daily Gazette. Vice Mayor Jarvis said it was more informative about Fairborn's involvement with the Pedestrian Bike Bridge over I-675. He stated he was not familiar with the Resolution and the contents. Mayor Hadley explained originally Beaver Creek, Fairborn, Greene County, Wright State, and Clark State were all involved in the project, and Fairborn indicated they were possibly going to withdraw from the participation as to Greene County. He said Beaver Creek decided to go ahead with the project, and thought from the editorial it looked like Fairborn was going to stay involved.

Council Member Giambrone stated people have the assumption people will come from Fairborn to Beaver Creek, but if Council looks at it from a one-sided perspective there would never be regional economic development. She stated Beaver Creek citizens can also walk across the bridge and go to Fairborn, and said the connectivity is a wonderful thing for everyone. Council Member Giambrone understood the concern, but stated it goes both ways. Mayor Hadley agreed, and said during the discussion originally there were many people living in Beaver Creek who wanted to walk or bike to the base or to Wright State.

Vice Mayor Jarvis thought a key for the project was safety, so no one would have to bike over I-675 using North Fairfield Road. He believed the bike bridge provides them a much safer route to go over.

Council Member Vann stated she had the opportunity to speak with a Fairborn Council Member before the decision was made and they were hoping it was a peace offering and that Beaver Creek and Fairborn would look at issues in the future as well. She said Beaver Creek and Fairborn are in the same region, so both need to figure out what is best of the citizens.

Council Member Wallace said based on Council Member Petrak's comments she would like to add to the joint meeting agenda with the School Board the topic of the Grange Hall/Shakertown Road Intersection. Mr. Cornell stated it could be added.

#### MAYOR'S REPORT

Mayor Hadley stated Council will be conducting a three month evaluation of Council Clerk. He explained they will always have a six month evaluation, and previously he had chosen to have a three month and six month evaluation of any new hires. Mayor Hadley requested Council Member Giambrone to send the electronic version to each council member to complete and send it back to her. Council Member Giambrone said Council has a very organized and thorough evaluation of both of their employees, City Manager and Council Clerk, and it has input from each council member and community members. She said an electronic format was created last year for Council, and would be happy to forward it and get the results back to Mayor Hadley and Vice Mayor Jarvis.

Mayor Hadley said historically, Council has not had a lot of business at the end of the year. He thought there would be two meetings coming up that will be light, the second meeting in November and the second meeting in December, both falling on the week of a major holiday. Mayor Hadley questioned if Mr. McGrath thought the schedule would be light enough they could do without the meetings. Mr. McGrath stated he thought the bulk of the activity would move forward in the first meeting of November. He was unsure if there was any situation where it is imperative that the second and third readings follow the every two week council

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meeting schedule. Mr. McGrath thought there was some flexibility. Mayor Hadley said with the support of Council, he would like to cancel the second meeting in November and the second meeting in December. After discussion, Council recommended they wait until the next regular meeting to determine if the meeting in November should be cancelled, and wait until a later meeting to cancel the second meeting in December. Mr. Cornell said after tomorrow morning, staff will have a better idea on upcoming items that may need to be added to those agendas and will provide Council with updated agendas. Vice Mayor Jarvis said November is a five Monday month, so if they cancel the second meeting in November there is a huge gap before the first meeting in December.

COUNCIL TIME

Council Member Wallace encouraged the citizens to attend the Beavercreek Chambers Gala, which is Saturday, November 6<sup>th</sup> at the Hilton Garden Inn. She said if a person is interested in going to contact the Beavercreek Chamber of Commerce at 426-2202.

Council Member Howard thanked the Beavercreek Women’s League for holding their forum at the Beavercreek High School. She stated Mr. Frazier taped the event, and it will continue to replay on Channel 5. Council Member Howard said this was the first year the City has had Video on Demand, and a person can also go to the City’s website and follow the direction to watch it.

ADJOURNMENT

Council Member Petrak MOVED to adjourn the meeting at 6:41 p.m., seconded by Council Member Howard. Motion PASSED by unanimous voice vote.

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Mayor Hadley

ATTEST:

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Melissa Gillaugh  
Deputy Clerk  
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