

BEAVERCREEK CITY COUNCIL  
REGULAR MEETING December 14, 2009 6:00 p.m.

Council member Brian Jarvis was sworn in by County Commissioner Rick Perales. Council member Debborah Wallace was sworn in by Elaine Mercurio. Mayor Vann presented Tom Leonard with a plaque for his dedicated service as a Council member since February 1, 2005.

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

ABSENT: None

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

Mayor Vann led the pledge and a moment of silence.

Mrs. Howard MOVED approval the agenda. Motion was seconded by Mr. Hadley and PASSED by unanimous voice vote.

Mr. Hadley MOVED approval of the minutes of the November 23, 2009 meeting with changes. Motion was seconded by Mrs. Howard and was PASSED by unanimous voice vote.

#### MAYOR'S MESSAGE

Mayor Vann reminded the citizens that City Council, the City Manager, and Staff takes seriously the role of stewardship with tax dollars. She said the property taxes are the primary source of income. She explained the services at the City have been good this year, and Council has had only a few minor citizen complaints. Mayor Vann stated one way the City has been able to do great things is through grantsmanship, and the Public Works Department has secured 6.4 million in infrastructure grants during this past year. She explained each grant has their own formulas, but overall it is about 90% of state or federal funding and only 10% of local City of Beavercreek taxpayer money. Mayor Vann stated the Parks Department received two grants this year. One grant was \$500 for the fishing derby and the other was \$150,000 for bathrooms at the Beavercreek Station. She explained the City gets a grant from the Council on Aging, which is part of the levy that the citizens pay in November. Mayor Vann stated the Police Department brought in \$55,778 in grants this year.

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Mayor Vann explained she was very concerned about communication when she first took office, and was pleased that each City Council member has been able to feel their voice is important. She stated they have been able to analyze issues together, voice their opinions, and vote. She said another form of communication has been the coffee socials with targeted areas of Beaver Creek to bring in business leaders to have one-on-one conversations with staff and the elected officials. She explained over this year, they had a joint meeting with the School Board and with the Township.

She said Beaver Creek Golf Course was recognized as being a four and a half star facility and there are only 21 out of 500 public golf courses in Ohio that have received this recognition. Mayor Vann felt it was an asset to the community. She stated the Kettering Network has announced they are going to open a hospital in Beaver Creek, and they have had the ground breaking ceremony. She believed the most significant staff accomplishment was the Zoning Ordinance, and explained the systematic process that was taken by Planning Commission and City Council. Mayor Vann discussed the Extreme Home Makeover, and how the family and Beaver Creek benefited from it.

#### STATE OF THE CITY/BUDGET

Mr. Cornell explained they started the State of the City process approximately three years ago. He stated there are three components in the State of the City format: looking at some of the successes from 2009 that staff completed, a brief summary of the budget and some assumptions as to what direction staff will take in 2010 to address some of the priorities that the citizens are identifying in the community. He explained 2009 has been an extremely active time for the entire organization, and from economic indicators those kinds of practices will have to continue in 2010 until the City begins to see some kind of recovery in the economy.

Mr. Cornell said in 2009 there were a number of issues that were very essential to the continuation of growth of this community. He felt a lot of the consensus of Council is because of the retreat between Council and staff when the top eight to ten priorities are discussed. Mr. Cornell stated the City has had more requests from citizens on issues related to infrastructure needs than the last several years, which reflects a very important priority. He explained they began to look at the importance of where the City goes in terms of continuing to acknowledge those that have contributed to the community. Mr. Cornell discussed the 9-11 Memorial and said Planning staff will be instrumental in coordinating it. He stated staff took a very aggressive standpoint in terms of the Greene County Airport when another City was showing interest in it too.

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Mr. Cornell explained there has been a higher profile of involvements with regional priorities, and Beavercreek needs to be a regional prominent player on multiple issues that impact the entire Dayton/Miami Valley Region. He said the City has participated in a lot of committees and resources, and reviewed the list. Mr. Cornell stated one thing the City will be focusing on at management level will be the involvement in the transition with BRAC. He showed the slide of the 12 employees who were rewarded the Employee of the Month throughout the 2009 year.

Mr. Cornell explained the Clerk of Council, Christine Bucheit, had an extremely active year with the Charter Review Committee and making sure the three proposed changes made it to the ballot in November. He stated Issues 8, 9, and 10 were approved. Mr. Cornell said she was responsible for the introduction, overview, and process for the 80 pieces of legislation to Council, 30 Ordinances and 50 Resolutions.

Mr. Cornell stated the Financial Administrative Services Department continued to accomplish a lot of the standards in the financial industry including the annual Government Finance Officers Association Certificate of Achievement for Excellence in Financial Support. He explained another achievement that is very pleasing is that Moody's has upgraded the City's bond rating from A3 to Aa3. Mr. Cornell said they continue to be efficient in terms of the overall processing of City service, and felt the City processes payments as quickly as any municipality in the region.

In the Human Resources division, Mr. Cornell discussed the participation in the Bureau of Worker's Compensation (CWA). He said Council had reviewed and approved the updates to the Employee Manual mostly dealing with Family Medical Leave Act (FMLA) standards and other federal and state best practices. Mr. Cornell stated Ms. Becker was instrumental with the employee's healthcare, looking at overall costs and other insurance alternatives.

In the Information Technologies division, Mr. Cornell gave the statistics with the amount of hits with the new website, and a lot of the success is due to Mike Frazier. He explained the City distributed 68,000 copies of the InTouch Magazine to residents. He said when they did the citizen focus group this year, they found out clearly that is the most significant approach that citizens find out what is going on with the City. Mr. Cornell stated in 2010 the publication will be four times, instead of three like it was in 2009. He discussed what is aired on the City's Channel 5.

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Mr. Cornell explained the Golf Course is continuing to find ways to improve the operational values of the facility. He stated they are seeing an increase annually in revenue in relation to some of the services provided. He discussed the Nike Junior Golf Camp, and that they were rated four and a half stars this year.

In the Parks, Recreation, and Culture Department, Mr. Cornell said there are a number of divisional functions. He said the Senior Center is continuing to develop senior programs for those over the age of 55 as that population continues to grow in the community. He summarized the activities under Recreational and Administration criteria, and said both of them are related to improving, increasing, and defining future park needs for the organization, for the citizens, and for the region. He explained they are looking forward to future needs with park land. Under the Maintenance section, he reviewed the list of successes.

In the Planning and Zoning Department, Mr. Cornell discussed the update to the Land Use Plan and the Zoning Code. He said the department simply manages the day-to-day development process. Mr. Cornell reviewed the development activity, and the Zoning Administrator update to the U.S. Census Bureau. He talked about the collection of Impact Fees, and the number of Use Compliances and Tenant Improvements issued for new businesses.

Mr. Cornell stated the Police Department is good at participating in public events throughout the community, and have taken part in OVI check points with the Ohio State Highway Patrol. He showed a list of several of the other successes they have done throughout 2009, and said they have helped the budget by using federal funding forfeiture monies to purchase new equipment. Mr. Cornell said they have upgraded the 9-1-1 system in communications for the three dispatch positions.

In the Public Works- Engineering Division, Mr. Cornell explained Council is well aware of their infrastructure grants and dollars, and they are involved in the right-of-way acquisition process to make the projects a reality. He discussed several projects that have been completed throughout the year. Mr. Cornell stated another accomplishment is the fiber optic cable connection to 14 traffic signals on North Fairfield Road to enhance traffic movement.

Mr. Cornell stated the Public Works- Public Service Division in winter 08-09 they addressed 20 snow events. He discussed the salt brine they are using for maintaining the streets in bad weather situations, and how it is a lower cost for the City. Mr. Cornell explained they addressed many of the drainage issues. He gave the number of streets signs that were replaced, repaired, or removed, and

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reviewed the amount of traffic paint and reflective beads that were put down on the streets.

Mr. Cornell discussed the 2010 Appropriations Budget, and explained Council received a specific line item budget that not only gives numbers, but gives direction. He explained because of an economic challenging year, the budget process started approximately two months earlier this year. Mr. Cornell stated when Council began reviewing the budget at the October work session; it had already had approximately five revisions at staff level. He showed the dates of the Council work sessions where they reviewed the budget. Mr. Cornell said the City has maintained the 15% fund reserve in the General Fund.

He compared a summary of the General Fund from 2009 to the proposed 2010 budget. He displayed the summary of the Major Funds, and stated they are all similar as it relates to reductions and focused on the fifth column. He stated in the budget results, there have been some increased fees in some of the operations including the Golf Course, cemetery and code enforcement fees. He reviewed the interlocal agreements with the Beavercreek City Schools and Beavercreek Township.

Mr. Cornell stated the City is looking at another significant year as it relates to major infrastructure projects in 2010, and explained what makes these projects critical from a budget standpoint is that these are federal and state dollars that require 10%-20% of local participation. He said everyone is hoping that the national economy takes a major turn in 2010. Mr. Cornell stated the amount the City will receive from the State as part of the Local Government Fund will be closely monitored for potential reductions while the state attempts to balance their budget. In conclusion, he explained the General Fund operating budget decreased 7% over last years operating budget. Mr. Cornell recommended City Council adopt this budget.

Mr. Cornell reviewed what the City hopes to accomplish in 2010. He stated Administration will continue to enhance the knowledge base of area defense industry needs with priority given to the importance of the Beavercreek community. The Clerk of Council will continue to build the records retention inventory. Financial Administrative Services will have efficiencies that will be implemented internally, and they will begin the preparation of Financial/Analysis Strategy or possible earning tax initiative and the development of a long term financial strategy for the City.

In Human Resources the City is in a transition of health care insurance and health care programs and a comprehensive review of what the City should be

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providing will continue. Information Technologies will be looking at different options to streaming the meetings on the website, and the possibilities of placing Channel 5 on AT&T U-Verse Cable TV system. The Golf Course intends to increase Golf Course revenue by 5%, and increase the average dollar spent per round of golf by 5%. Mr. Cornell discussed several infrastructure projects that will occur.

Mr. Cornell explained the Parks, Recreation, and Culture will continue to deal with many of the capital needs that exist in the Parks system. He stated they plan to develop detailed cemetery standards and a donation program for trees and benches. Mr. Cornell said they will be applying for grants and adding new recreation programs that will be provided to the citizens. The Parks, Recreation, and Culture department is anticipating the visitor number at the Senior Center to increase or meet the numbers of 2009.

The Planning and Zoning Department intends to complete the update of the Thoroughfare and Bikeway Plan. Mr. Cornell stated they plan on facilitating the continued growth and expansion of office and research developments related to BRAC and WPAFB within the community. He said they intend to look at what land is left as undeveloped land areas, and if it is designated as retail or residential on the Land Use Plan, and to see if there is another alternative that works better.

Mr. Cornell stated the Police Department will be recertified with CALEA, and the on-site is scheduled for April 2010. He explained they intend to cross-train each detective to enhance their skills and knowledge. Mr. Cornell said the Police Department plans on implementing a new promotional process and list for sergeant positions. The Operations section will continue OVI checkpoints, and implement a program using the License Plate Reader.

In the Public Works Department, Mr. Cornell said Council would recall the pending Municipal Maintenance Facility Project with the contract implementation for construction of a fueling station. He showed a list of grants they will be applying for and stated this will continue to be a big priority. They are planning on revising the Annual Capital Improvement program and the Five Year Capital Improvement program. Some other considerations are the response time to citizen's complaints, and to provide graphic support to all the other City departments.

The Public Service Division is continually looking at more efficient ways for salt application not only processes but also rates. They are intending to set-up new inventory and maintenance record keeping programs. Mr. Cornell said they are

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going to aggressively maintain the U.S. 35 at North Fairfield Road interchange and the entry signs in an attractive manner. He stated they are going to continue capital improvements, and introduce the mechanics to new technology and equipment.

In conclusion, Mr. Cornell thanked Mike Frazier for the development of this plan and Diane Gould for approximately six months of preparation in putting this presentation together. He said the presentation will be posted on the website, Channel 5, and will be presented in a number of forms to various groups around the community.

#### ORDINANCES, RESOLUTIONS AND PUDS

Resolution 09-51 Accepting 2010 Budget Clerk Bucheit read a Resolution accepting the 2010 City Budget as presented by the City Manager.

Mayor Vann said the overall activities that are accomplished for 2010 were just summarized in Mr. Cornell's presentation.

Mrs. Howard thought there were a few things that Council was going to further address and get more information on in the work session. Mr. Cornell stated that was correct, and on the items summary they received there were several suggested changes. He explained in most cases the suggested changes are additions, and thought they were valuable and needed to be addressed at some level as part of the budget approval. Mrs. Howard complimented staff on the great job with the presentation and preparing the information.

Vice Mayor Giambone said the budget is so transparent by seeing such a detailed line item budget. She applauded the staff because of the amount of detail that is put into it and felt it was remarkable.

Mr. Leonard said the next year is cut out on what is planned, on a limited budget, and it is very impressive. He stated Beavercreek is growing and is becoming a great City in the region, and it is all done on a very limited budget, which residents should be proud.

Mayor Vann stated there was some additional capital improvement issues that she hoped could also be addressed at the work session.

Mr. Jarvis referenced Items #2 and #5 on the agenda item report, and requested what the additional funds were on both of those. Mr. Kucera stated on Number 2, when the reorganization was done and the way the CWA Contract reads the process they use when they eliminate a position is that there is an employee in a

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position that employee gets their choice based on seniority of going to a position filled by an individual with less seniority and displacing them. He said when that occurred sometimes there is a difference in pay rates, and when staff was doing the budget it was unsure how it was going to play out until last week when it was finalized. Mr. Kucera explained there were some adjustments that were needed with the wages and benefits. He stated with Number 5, there have been some inequalities that the City has had related to the wage and pay scale. He explained basically what has happened is the general employees have been frozen at a particular level, while the unions have been getting step increases along the way. He explained it has not been looked at in a long time, and felt it was appropriate to do a comprehensive study.

Mr. Petrak stated Number 2 resulted in one less full time position in the City, and it was savings overall.

Mr. Hadley MOVED to approve Resolution 09-51, seconded by Vice Mayor Giambrone. Motion PASSED by unanimous voice vote.

Ordinance 09-40 2010 Annual Appropriation

Clerk Bucheit read approving the Annual Appropriations for the City of Beavercreek, State of Ohio, for the Fiscal Year beginning January 1, 2010 and ending December 31, 2010 and authorizing the transfer of monies.

Mr. Jarvis referred to Exhibit A, Page 4, line items Facilities Administration and Building Facilities Maintenance, and said those two items were switched from the budget package that was handed out. He said the Building Facilities Maintenance needed to be 272,950, and the Facilities Administration needed to be 268,343. Mr. Jarvis stated there were a number of funds that aren't in Schedule A, and thought those needed to be included as no expenses.

Mr. Jarvis MOVED to amend Ordinance 09-40 with the proposed changes listed above, seconded by Vice Mayor Giambrone. Motion PASSED by unanimous voice vote.

Mrs. Howard questioned if the changes were reflected from the previous resolution. Mr. Kucera stated any numbers that were mentioned before are included in the numbers that Council received. Motion PASSED by unanimous voice vote.

Vice Mayor Giambrone MOVED to approve Ordinance 09-40 as amended, seconded by Mrs. Howard. Motion PASSED by a roll call vote of 7-0.

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Ordinance 09-32 PUD 08-1 SSP#1 Hindu Community (Third Reading)

Clerk Bucheit read this Ordinance adopts a recommendation to amend Ordinance #08-12(CPUD 08-1) by re-designating the 50-foot buffer area in the northwest corner to a 40-foot building setback and to allow for rooftop HVAC units. This is not an emergency ordinance and will become effective 30 days after passage.

Vice Mayor Giambrone MOVED to approve Ordinance 09-32, seconded by Mr. Hadley. Motion PASSED by unanimous voice vote.

Ordinance 09-33 PUD PC 09-6 Land Use Plan (Second Reading)

Clerk Bucheit read an Ordinance adopting an Amendment to Ordinance #07-25 to amend the City Land Use Plan (PC09-6)

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Ordinance 09-34 PUD 93-4 Amend 10/09 Ashton Brooke Phase I (Second Reading)

Clerk Bucheit read this Ordinance adopts a recommendation to Amend Ordinances #08-26, #02-3 and #93-66 (MX-PUD 93-4) to construct 80 multi-family residential units on the west side of Lillian Lane north of New Germany-Trebein Road. This is not an emergency ordinance and will become effective 30 days after passage.

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Ordinance 09-35 Update of Employee Manual (Second Reading)

Clerk Bucheit read an Ordinance repealing current Personnel Rules and Regulations for the City and adopting New Personnel Rules and Regulations for the City.

There being no public input, the public hearing was closed.

Vice Mayor Giambrone stated the changes Council requested in terms of making things uniform have been made.

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This Ordinance will move automatically to the Third Reading.

Ordinance 09-36 Amend Ordinance 09-15 which Levied Special Assessments on the Mission Point Project (Second Reading)

Clerk Bucheit read an Ordinance amending Ordinance No. 09-15, which Levied Special Assessments for the purpose of providing certain improvements for the Mission Point Project in the City.

There being no public input, the public hearing is closed.

This Ordinance will move automatically to the Third Reading.

Ordinance 09-37 Amend Ordinance 09-17 which Levied Special Assessments on the Ballymeade Project (Second Reading)

Clerk Bucheit read an Ordinance amending Ordinance 09-17, which Levied Special Assessments for the purpose of providing certain improvements for the Ballymeade Project in the City.

There being no public input, the public hearing was closed.

This Ordinance will move automatically to the Third Reading.

Ordinance 09-38 Establishment of a new Accounting Fund (First Reading)

Clerk Bucheit read an Ordinance to establish a new Accounting Fund and to eliminate certain existing accounting funds in conformity with generally accepted accounting principles. This is not an emergency ordinance and so it will become effective thirty (30) days after its passage however it will be effective retroactively 12:01 A.M. January 1, 2010.

Mr. Kucera stated the City has received the JAG Grant, Justice Administrative Grant, in the past which is through the Bureau of Justice Assistance as part of the American Recovery and Reinvestment Act (ARRA). He explained with this grant, they want the City to have very open books and a special fund designed so the money is properly accounted. Mr. Kucera stated Fairborn is the lead agency on this, and they are requiring the City to have a special fund. He discussed several funds that have been eliminated or consolidated and are no longer necessary, and stated an Ordinance is required to repeal these funds from the Code of Ordinances.

Mayor Vann questioned if the Cable Television fund was no longer money from Time Warner. Mr. Kucera stated the money comes in from the franchise fees, but

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it goes into the General Fund. Mayor Vann asked if AT&T provides us a franchise fee. Mr. Kucera stated yes, it is a quarterly fee.

Mr. Leonard thought Time Warner had the right to terminate the franchise fees. Mr. McHugh stated the State of Ohio legislator adopted legislation that took over the local control of negotiating contracts, and there is a provision that the City adopted that allows the fees to be collected. He explained the definition and the calculation are different, but the City is entitled to those fees.

Vice Mayor Giambrone stated no amounts have been changed, and the amount will still be able to be seen in the line item for the General Fund. Mr. Kucera stated that was correct, and discussed the reason it was proposed to be consolidated into one fund.

Mr. Jarvis wondered about this being retroactive if this was passed. Mr. McHugh said no there should be no issues since it is clear when the accounts changed.

Vice Mayor Giambrone MOVED to approve Ordinance 09-38 and move it to the second and third reading, seconded by Mr. Petrak. Motion PASSED by unanimous voice vote.

Resolution 09-52 ODOT Consent Legislation for the U.S. 35 Bridge Improvement Project

Clerk Bucheit read a Resolution giving consent to the Director of the Ohio Department of Transportation to proceed with the US 35 Bridge Rehabilitation Project; PID NO. 77941.

Mr. Beach said the Department of Transportation regularly schedules maintenance efforts on US highways, and a project that needs to be done is the bridge deck just east of Factory Road on US 35. He explained the interchange project is several years away, and the bridge deck needs to be replaced. Mr. Beach stated half of the bridge deck is in the City and the other half is in Beavercreek Township, and ODOT is requiring him to get consent legislation for the project even though it is 100% paid for by ODOT. He explained the project is also going to include lengthening the west bound left turn bay for traffic turning south bound on Factory Road. Mr. Beach explained the Township has received an Issue 2 grant for some improvements to Factory Road also.

Mr. Leonard MOVED to approve Resolution 09-53, seconded by Mr. Hadley.

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Mr. Hadley asked what starting time frame was for the project. Mr. Beach said the bid is for January 2010, and said the project could be completed in one construction season. Motion was PASSED by unanimous consensus.

Resolution 09-53 Woody's Bar-B-Q Request for Liquor License Transfer  
Clerk Bucheit read a Resolution authorizing the City Manager to sign a letter on behalf of the City of Beavercreek stating that City council does not oppose the transfer of the proposed liquor license from Charlies Restaurant, Inc. to 3321 BBQ, LLC DBA Woody's Bar-B-Q.

Mr. McHugh stated Ms. Theresa Baker, attorney for the applicant, is present tonight. He explained this is a request to transfer a permit that is in storage from Norton, Ohio for a D-1 license to Woody's Bar-B-Q Restaurant. Mr. McHugh said the City has to sign a letter stated they are not opposed, and it would be sent to the Bureau so they could analysis it and make a determination if it should be adopted.

Mr. Hadley explained he had seen a lot of applications, but nothing like this one and requested some further information. Mr. McHugh discussed Section 4303.29B2B1 of the Ohio Revised Code, and stated this type of request is not done frequently.

Vice Mayor Giambrone stated this is a way for a new business that does not have access to a liquor permit to venture into the marketplace, which is why they allow it as an economic development tool.

Theresa Baker, attorney for the applicant, stated the City of Beavercreek's D-1, license to sell beer, is full and so they have to look and see if they can find a license in storage in a different county, state, or city that is over issued. She explained the only way they could get a license is by an economic development to show the investment the restaurant will bring into the City of Beavercreek.

Mr. Hadley said the City of Beavercreek is full for D-1 licenses, and questioned if more is allowed. Ms. Baker stated they are allowed, but it has to be done through this process. Mr. McHugh stated with the Census information being filed Beavercreek mostly likely will be allocated some more licenses because of the City's growth.

Mr. Petrak questioned if the number of permits is given regarding the population. Mr. McHugh said that was correct. Mr. Petrak found it interesting that they limit the number of permits by population, but they will allow more than what is permitted by going through this process. Ms. Baker stated that is why they want

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Council's approval. Mr. McHugh explained the restraints this license will have if it is approved. Mr. Petrak asked if the total control of the permit would reside with Beaver creek, and the community that gave it up relinquished control completely. Ms. Baker said it will not be in that community at all anymore, and currently it is in safekeeping because it is not active.

Mr. Leonard asked what the percentage of sales is estimated to be. Ms. Baker said it is a 3% to 5% in overall alcohol sales. Mr. Leonard appreciated the renovation they were doing, and wished them luck in being successful. He said if they needed a license to make it successful, then he would support it.

Mayor Vann asked the applicant to briefly discuss the restaurant they are bringing to Beaver creek. Michael York, manager, stated it is a southern barbeque restaurant based out of Jacksonville, Florida and it is the first one in Ohio. He discussed the menu, and the renovation they are doing.

Mr. Jarvis questioned when they are planning on opening the restaurant. Mr. York stated they are hoping to open in the middle of January.

Mr. Jarvis stated in the City under the permit quota, no additional permits for Class D-1 could be issued to the applicant. Mr. McHugh stated there are none available, and so that condition is met. Mr. McGrath explained there are other avenues that staff is exploring because of some potential liquor licenses interests, and staff has started working with the State Liquor Board who put staff in contact with the Ohio Department of Development. There was a discussion regarding this matter between Mayor Vann and Mr. McGrath.

Mr. Jarvis questioned what would happen if the census data does not show growth in population sufficient for additional permits. Mr. McGrath thought that they would not be able to take any licenses back, and they would put a cap on the amount that was allowed.

Mr. McHugh stated the applicant is also going to apply for a D2, wine license, which is permitted because the City has not met the maximum on wine licenses.

Mr. Hadley MOVED to approve Resolution 09-53, seconded by Mrs. Howard. Motion PASSED by unanimous voice vote.

#### MAYOR'S REPORT

She explained Youth Council is currently planning a winter dance and are working with Mr. Cornell because they have no location to hold the dance. She

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explained this has been an issue because there is no place in Beavercreek that teenagers can meet.

Mayor Vann stated last January, the Greene County Community Foundation, discussed the new state regulation that forced them to establish some subcommittees with the foundation. She explained there is a foundation named Beavercreek Forward Foundation, and Beavercreek people can donate into the foundation and annually they can choose how their money is spent. She explained the Community Foundation is managing the funds, and if anyone wanted additional information they could contact City Hall or the Greene County Community Foundation. She stated the donations are tax deductible, and those that are Charter members get to choose how the money is spent.

Mayor Vann stated they did have the evaluation of the City Manager, and they have had a process for a while that was not the best, and so therefore Vice Mayor Giambone created a new evaluation process.

Vice Mayor Giambone discussed the different components of the evaluation for the City Manager and the Clerk of Council. She said Council passed this as a policy, and it also includes a timeline. Vice Mayor Giambone stated the Clerk of Council had an excellent performance evaluation. She explained the City Manager continues to be highly respected and highly rated and received an excellent performance evaluation.

#### COUNCIL TIME

Mr. Hadley was disappointed to see that everyone's report was compiled together except his. Vice Mayor Giambone apologized, and stated it was not done intentional. Mr. Hadley felt he was entitled to receive a copy of the other Council members' comments. There was a discussion between Mr. Hadley and Vice Mayor Giambone regarding this matter.

Mr. Hadley wished everyone a Merry Christmas, and said he had an excellent four years and looked forward to the next four years. He stated he was going to miss Mr. Leonard, and thanked Mr. Cornell and Clerk Bucheit. He explained he is planning on continuing the joint meetings with the School Board and the Township. He also intends to continue the community meetings with the Clerk's help.

Mr. Leonard explained he did not run for re-election because his wife is retiring this summer and they are planning on traveling. He stated he has had an interesting time during the past five years, and it has been enjoyable. Mr. Leonard said it has been a privilege to serve the community, with the Council members, and every interaction he has had with staff has been positive. He felt

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the Council members have the best interest for the City at heart, and it has been easy working with all of them. Mr. Leonard thought Mr. Cornell was going to turn this City into a great place. He stated Beaver Creek is growing, and it is going to be a premier community in the region in the coming years. Mr. Leonard thanked Mayor Vann for the presentation for the plaque. Mayor Vann stated he would have to thank staff for ordering it.

Mr. Leonard stated Beaver Creek has approximately 10% to 15% of undeveloped land, and said it was up to Council and the zoning that is in place to make sure that land is used in the best interest for the community. Mr. Leonard felt that the City has enough high density residential. He was concerned about some of the older neighborhoods that are experiencing lower property values because of localized abuse of the residential zoning requirements. He thought the updated Zoning Code will go a long way to help rectify some of those issues. Mr. Leonard also discussed the covenants that may help the property owners. He stated it was an honor to serve with his fellow Council members.

Mrs. Howard stated it was a privilege to serve with Mr. Leonard on Council, and that he certainly had his heart in the right place when it comes to the community. She said it has been wonderful to be under the direction of Mayor Vann and Vice Mayor Giambrone, and appreciated the way they have made Council more efficient and effective. Mrs. Howard thanked staff and Mr. McHugh for all their hard work. She welcomed the new Council member Debborah Wallace, and looked forward to serving with her. Mrs. Howard also looked forward to working with Mayor Hadley.

Mrs. Howard congratulated the employees with anniversaries in December and thanked them for their services; Gregory Wiesert 2 yrs, Melissa Gillaugh 3 yrs, Sandra Pereira 6 yrs, Chris Chandler 18 yrs, and Captain Bob Sampson 31 yrs.

Vice Mayor Giambrone had a great time serving with Mr. Leonard, and greatly appreciated the hard work he had done. She stated when the Mayor is out of town, the Vice Mayor is able to perform marriages. Vice Mayor Giambrone said she had a lot of fun doing it, and she appreciated it. She explained the money goes into the City fund, and it had been an honor to represent the City at lots of events. Vice Mayor Giambrone stated her intent is to always operate as a group of respected and respectful professionals that see the good in what they are trying to do and the amazing things that the staff and the City has to offer. She is looking forward to continuing to serve on Council, and wished Brian Jarvis and Scott Hadley the best of luck.

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Mr. Petrak thanked Mr. Leonard and felt they worked well together. He said he is very happy to get to work with the other Council members and with staff. Mr. Petrak stated it is a great place to live, and wished everyone a happy holiday season.

Mr. Jarvis explained he has enjoyed working with his fellow Council members, and it has been a fantastic experience. He thanked his family and friends for being here this evening for his swearing in. Mr. Jarvis thanked Rick Perales for swearing him in. He explained he is looking forward to the next four years.

UNSCHEDULED SPEAKERS

None

Mrs. Howard stated since Debborah Wallace was elected, there is an opening on Planning Commission. Clerk Bucheit stated the Board, Committee, and Commission openings and the application is available online for anyone who is interested.

Mrs. Howard MOVED to adjourn the meeting at 8:10 p.m., seconded by Mr. Hadley. Motion PASSED by unanimous voice vote.

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Mayor Vann

ATTEST:

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Deputy Clerk  
Cmin121409