Special Beavercreek Trustee's Meeting

Friday, March 25, 2011

Mr. Glaser called the Special Trustee Meeting to order at 4:34 P.M. Those present were Trustees: Robert Glaser, Carol Graff and Bob Stone. Fiscal Officer, Christy Ahrens and Legal Advisor Robert Surdyk were also present. Township Administrator Alex Zaharieff was also present.
Beavercreek City Council Members present: Scott Hadley, Vicki Giambrone, Phyllis Howard, Brian Jarvis, and Deb Wallace. City Manager Mike Cornell, Parks Director Mike Thonnerieux, Attorney Stephen McHugh, and Clerk of Council Diane Lampton were also present.

The Purpose of this Special Meeting is to meet in Open Session with the Beavercreek City Council to discuss joint ventures with the City of Beavercreek.

Beavercreek City Council and Beavercreek Board of Trustees approved the Agenda.

Discussion on Lofino Senior Center:
Trustees and Council members reviewed the proposed changes to the Lofino Donation Agreement and the Retail Space Property Operation Agreement. City Attorney Stephen McHugh reviewed how the two jurisdictions got to this discussion. City Council asked the Trustees to state their issues with the Agreements.

Donation Agreement:
Legal Advisor Robert Surdyk opened discussion regarding changing Parks and Recreation to public space in order to be more flexible; therefore, in the future neither jurisdiction is locked into a specific use of the property and can use the property in the best interest of the community. General discussion occurred. The attorney's will work out language to make the intent more flexible and less restrictive.
Mr. Glaser stated that he had an issue with 1.3 of the Donation Agreement in that he did not want to pay half for City Parks and Recreation offices and did not think that the Township could do so legally. General discussion occurred on the Rotary Park Agreement and the Senior Center bonds and payment schedule. Both jurisdictions agree to use the space for Parks, Recreation and Cultural purposes for a period of time at least ten years from the 2004 original Agreement and no more than twenty years from that same year.
Both entities were in Agreement with the above changes.

Retail Space Property Operation Agreement:
Ms. Graff questioned the fourth whereas of the Agreement stating, "…jointly fund a feasibility study". General discussion occurred. Both entities agreed to change the sentence to, "….jointly agree on a feasibility study".
Ms. Graff questioned the sentence in 2. Development, Redevelopment or Demolition, "….and will substantially complete….of the property". General discussion occurred. Both entities agreed to change the sentence to, "…and will strive to complete….of the property". Both attorneys will approach Mr. Lofino to try to get out of a five year commitment based on the uncertain future of local government funds.
Ms. Graff questioned 4. Mutual Covenants and stated that if the Township is paying fifty percent, we'd like an advocate. Mr. Thonnerieux explained that he would continue to be the liaison between the City Council and the Trustees on all issues concerning this property and would continue to bring expenditures above $5000.00 before both entities for approval. General discussion occurred.
Ms. Graff questioned 5. Capital Improvements and Fixed Assets. General discussion occurred on the meaning of the paragraph. Both entities agreed to

change the third sentence to, "Any capital improvements shall first be agreed to by resolution of both the City and Township."

General discussion occurred on the Parks and Recreation offices and possible future lease or rent agreements. Discussion also occurred on the Insurance of the property regarding: control issues of the property and occupied and unoccupied space.
Both entities were in Agreement with the above changes.

2011-145 Mr. Stone made a motion to Adjourn at 5:16 P.M. Ms. Graff seconded. Roll Call: Mr. Stone, yes; Ms. Graff, yes; and Mr. Glaser, yes.

Trustee: _____

Fiscal Officer: _____