

**BELLBROOK CITY COUNCIL AGENDA**  
**August 8, 2016**



City of Bellbrook  
15 E. Franklin Street  
Bellbrook, Ohio 45305

T (937) 848-4666  
F (937) 848-5190

[www.cityofbellbrook.org](http://www.cityofbellbrook.org)

**7:00 pm—Regular Meeting**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Formal Approval of the City Council Regular Meeting Minutes of **July 11, 2016**
5. Mayor's Announcements/Special Guest  
Marty Heide, Congressman Turner's Office
6. Public Hearing of Ordinances

**Ordinance 2016-8-** An Ordinance Granting an Easement to the State of Ohio, Department of Transportation for Improvements to the State Route 725 Road Embankment along Sackett-Wright Park. (Edwards)

**Ordinance 2016-10** An Ordinance Amending Ordinance 2015-16 to Adjust the City of Bellbrook Appropriations to Reflect Additional Costs in some Line Items and Reduced Costs in other Line Items. (Schweller)

7. Introduction of Ordinances
8. Resolutions

**Resolution 2016-W** A Resolution Approving the Replat of Lots #18, #19, #20 and #21 into Lots #18A, #19A, #20A and #21A, Highview Terrace Subdivision Section II. (Seger-Lawson)

**Resolution 2016-X** A Resolution Approving the Replat of Lots #35 and #36 into Lots #35A and #36A, Shadowood Two-A Subdivision. (Middlestetter)

**Resolution 2016-Y** A Resolution Directing the Greene County Auditor to Enter the Delinquent Cost of Weed and Grass Mowing on the Tax Duplicate for the Properties Attached Hereto. (Greenwood)

**Resolution 2016-Z** A Resolution Directing the Greene County Auditor to Enter the Delinquent Cost of Unpaid Water Bills on the Tax Duplicate for the Properties Attached Hereto. (Schweller)

**Resolution 2016-AA** A Resolution Declaring Specific Equipment No Longer Needed By the City of Bellbrook as Surplus Property and Authorizing the City Manager to Dispose of Said Surplus Property. (Edwards)

**Resolution 2016-BB** A Resolution Authorizing the City Manager to Enter into an Agreement with the Bellbrook-Sugarcreek Local School District for Security at Home Football Games. (Greenwood)

9. City Manager's Report
10. Committee Reports
  - A. Service
  - B. Safety
  - C. Finance/Audit
  - D. Community Affairs
11. Old Business
12. New Business
  - Accept the resignation of Council Member Jon Martin, effective July 31, 2016
  - Accept the resignation of Brady Harding, Village Review Board, effective July 31, 2016
13. Open Discussion
14. Adjourn

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

July 11, 2016

**PRESENT:** Mr. Nick Edwards  
Mr. Forrest Greenwood  
Mr. Jon Martin  
Mrs. Dona Seger-Lawson  
Deputy Mayor Mike Schweller  
Mayor Bob Baird

**ABSENT:** Mrs. Elaine Middlestetter

Mrs. Middlestetter was absent. **Mr. Martin moved to excuse Mrs. Middlestetter.** Mr. Edwards seconded the motion. The Clerk called the roll: Mr. Martin, yes; Mr. Edwards, yes; Mr. Greenwood; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 6-0.

This is a summary of the City Council meeting held on Monday, July 11, 2016. Mayor Baird called the meeting to order at 7:00 pm and the Clerk called the roll.

After polling members of City Council, as there were no corrections or additions to the **regular meeting minutes of June 27, 2016**, Mayor Baird declared the minutes approved as written.

## **MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST**

Mayor Baird thanked Mr. Martin for serving on City Council. This is Mr. Martin's last meeting as he is moving out of Bellbrook and is not eligible to serve on Council. Mayor Baird said the City is accepting applications for the vacancy on Council. Information is available on the City's website.

Mike Sabin came to Council to speak about the Family Resource Center. Greene County has withdrawn all budgetary support for the Family Resource Center. He is currently leading a Task Force to save the center. Mr. Sabin said the Family Resource Center will operate under the umbrella of the Community Wellness Coalition. This will allow the Family Resource Center to begin to do fundraising and move forward with the day to day operations of the center. Mayor Baird told Mr. Sabin that once the Family Resource Center is re-organized come back to Council with a formal request.

Next Mr. Sabin shared an upcoming activity of the Bicentennial Celebration. A band concert and ice cream social will be held at the Bellbrook Middle school this Saturday, July 16<sup>th</sup> from 1:00 to 7:00 pm.

Chris Ewing from the Bellbrook Sugar creek Area Chamber of Commerce came to update Council on some local items. A keepsake mug in celebration of Bellbrook's Bicentennial is available for purchase at the Chamber office or at the band concert this weekend. Ms. Ewing mentioned that new maps and directories are available at the Chamber and also the City Administration building. The Chamber's annual golf outing is scheduled for August 25<sup>th</sup> at Sugar Valley Golf Club. Ms. Ewing said Gardinas Pizza opened up in Bellbrook across for the City Administration Office. They have authentic Italian pizza and they do deliver. Next, Ms. Ewing talked about the Presidential debate that is coming to

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

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Greene County on September 26<sup>th</sup>. It is a big event and Ms. Ewing said we want all those coming to the debate to spend their money in Greene County. With the mention of the Presidential debate on September 26<sup>th</sup>, Mayor and Council decided to cancel the Council meeting that was scheduled for that evening.

## **PUBLIC HEARING OF ORDINANCES**

Mrs. Seger-Lawson read **Ordinance 2016-6**- An Ordinance Amending Part Six – General Offenses Code of the Bellbrook Municipal Code. All code sections that were duplicates of the Ohio Revised Code were eliminated. The proposed changes have been reviewed by the Police Department and the Prosecuting Attorney. Being a public hearing, Mayor Baird opened up for public comments. Seeing no comments from the public the Mayor closed the public hearing and asked for a motion

**Mrs. Seger-Lawson made a motion to adopt Ordinance 2016-6** Mr. Schweller seconded the motion. The Clerk called the roll: Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mr. Edwards yes; Mr. Greenwood, yes; Mr. Martin, yes; Mayor Baird, yes. The motion carried 6-0.

Mr. Schweller read **Ordinance 2016-7**. An Ordinance Authorizing the City Manager/Finance Director to Submit the Tax Budget for Fiscal Year 2017 to the Greene County Auditor. This ordinance authorizes the submission of the 2017 tax budget as required by the Greene County Auditor. The tax budget is the first step in the process for the allocation of local government funds and certification of property tax levies. Being a public hearing, Mayor Baird opened up for public comments. Seeing no comments from the public the Mayor closed the public hearing and asked for a motion

**Mr. Schweller made a motion to adopt Ordinance 2016-7**. Mr. Martin seconded the motion. The Clerk called the roll: Mr. Schweller yes; Mr. Martin, yes; Mr. Edwards, yes; Mr. Greenwood yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion was carried 6-0.

Mr. Greenwood read **Ordinance 2016-9** An Ordinance Amending Article 3, Section 3.02 "Definitions" of the City of Bellbrook Zoning Code to Revise the Definition of "Kennel.". This ordinance amends the definition of a kennel in the Zoning Code by removing the word "training" from the definition. A proposed new business in downtown Bellbrook plans to offer dog training as part of their service. Being a public hearing, Mayor Baird opened up for public comments. Seeing no comments from the public the Mayor closed the public hearing and asked for a motion

**Mr. Greenwood made a motion to adopt Ordinance 2016-9**. Mrs. Seger-Lawson seconded the motion. The Clerk called the roll: Mr. Greenwood yes; Mrs. Seger-Lawson yes; Mr. Edwards yes; Mr. Martin, yes; Mr. Schweller, Mayor Baird, yes. The motion carried 6-0.

## **INTRODUCTION OF ORDINANCES**

Mr. Edwards read **Ordinance 2016-8**. An Ordinance Granting an Easement to the State of Ohio, Department of Transportation for Improvements to the State Route 725 Road Embankment along Sackett-Wright Park. This ordinance will grant an easement to ODOT for a storm water drainage project

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

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to improve the embankment of State Route 725 along Sackett-Wright Park. ODOT has offered to pay \$6,350 for the 0.635 acre easement. This ordinance is a modification of the ordinance that was introduced at the June 27<sup>th</sup> meeting. The City owns the land but the Park District maintains the land. The allocation of the payout from ODOT changed. This ordinance is scheduled for public hearing on August 8<sup>th</sup>.

**Mr. Edwards made a motion to re-introduce Ordinance 2016-8.** Mr. Greenwood seconded the motion. The Clerk called the roll: Mr. Edwards, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird yes. The motion carried 6-0.

Mr. Schweller read **Ordinance 2016-10** An Ordinance Amending Ordinance 2015-16 to Adjust the City of Bellbrook Appropriations to Reflect Additional Costs in some Line Items and Reduced Costs in other Line Items. Mr. Schweller said the biggest reduction comes from capital projects. Mr. Schlagheck agreed and said that the capital projects came in under budget. Mr. Schlagheck also said that the arrangement with the City's Prosecuting Attorney accounts for some of the reduction too.

**Mr. Schweller made a motion to introduce Ordinance 2016-10.** Mr. Martin seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mr. Martin, yes; Mr. Edwards, yes, Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 6-0.

## RESOLUTIONS

Mr. Martin read **Resolution 2016-V.** A Resolution Authorizing the City Manager to Adjust the Pay Scales of City Positions not Covered by a Collective Bargaining Agreement. The proposed increase of 2% was reviewed and approved by the Finance Committee. Mr. Schlagheck said the Police Contract will enter into its third and final year and will grant a 1% increase on August 1<sup>st</sup>. The Fire contract also will enter into its third and final year and will grant a 1.5% increase effective December 1<sup>st</sup>.

**Mr. Martin made a motion to adopt Resolution 2016-V.** Mr. Edwards seconded the motion. The Clerk called the roll: Mr. Martin, yes; Mr. Edwards yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird yes. The motion carried 6-0.

## CITY MANAGER REPORT

Mr. Schlagheck said on Tuesday, August 2<sup>nd</sup>, the Police Department will be hosting a National Night Out. It will be held at the Police Department from 6-8 pm. Police cruisers will be on display and tours of the Police Department will be offered. Hot dogs will be available too.

The annual paving program is scheduled to start on July 18<sup>th</sup>. The work is primarily around Stephen Bell elementary and also includes North Regent Park Drive and Sudbury Court.

The water tower repainting project has begun. They are currently painting the inside of the tower. The Contractor has until August 12<sup>th</sup> to complete the project.

Mr. Schlagheck said the price for road salt this year will be just under \$55.00 per ton. This will save the City about \$6,000 in 2017.

**RECORD OF PROCEEDINGS**  
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Lastly, Mr. Schlagheck said the Street Light Conversion to LED has started. They are currently in the downtown area.

**COMMITTEE REPORTS**

**Service:** No Report

**Safety:** Mr. Greenwood talked about Police training requirements. Police Chief Doherty compiled a letter to Council regarding this.

**Finance/Audit:** Mr. Schweller commented on the quarterly financial update. Revenue is flat with slight increases in EMS and tap in revenues. He said the City is keeping tight to the budget. He also said the City's budget process is second to none.

**Community Affairs:** No Report

**OLD BUSINESS-**

**NEW BUSINESS-**

**A motion was made by Mr. Schweller** to appoint Brady Harding as Architect Advisor for the Village Review Board effective August 1, 2016. Mr. Edwards seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 6-0.

**OPEN DISCUSSION**

The Mayor and Council offered their thanks to Mr. Martin for his service to the City. He has served on City Boards and two terms on City Council.

Mr. Martin said he has lived in Bellbrook for 25 years and raised his family here. Bellbrook will always be home. He has enjoyed serving on City Council.

Chris Ewing-4155 Ridgetop Dr. - There is a Master Gardener garden tour this Sunday. For more information, visit the OSU extension website. Local residents are part of the tour. Ms. Ewing also mentioned that in two weeks, the Greene County Dailies newspaper will have one entire page dedicated to Bellbrook/Sugarcreek Township articles. The page will be published in the Xenia Gazette and the Beaver Creek Current on Thursdays.

Darryl McGill-3846 West Franklin St. - Mr. McGill thanked Mr. Martin for his service to the City and wished him well.

Louie Schatberg-4082 Ridgetop Dr. - He thanked Mr. Martin and wished him luck in his future endeavors.

Mike Sabin-26 N. West St. - Mr. Sabin also thanked Mr. Martin for serving the City.

**ADJOURN**

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 8:32 pm.

RECORD OF PROCEEDINGS  
Minutes of Bellbrook City Council Meeting  
July 11, 2016

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council





# RECORD OF ORDINANCES

Ordinance No. 2016-8

July 11, 2016

## City of Bellbrook

### Ordinance No. 2016-8

#### **An Ordinance Granting an Easement to the State of Ohio, Department of Transportation for Improvements to the State Route 725 Road Embankment along Sackett-Wright Park.**

WHEREAS, the City of Bellbrook owns certain parcels of land adjacent to State Route 725; and

WHEREAS, the State of Ohio, Department of Transportation has initiated a project to protect the State Route 725 roadway embankment from erosion created by Sugar Creek; and

WHEREAS, the State of Ohio, Department of Transportation, requires an easement of 0.635 acres to complete this project; and

WHEREAS, the State of Ohio, Department of Transportation, has offered to pay the City of Bellbrook \$10,925 for this easement.

#### **Now, Therefore, the City of Bellbrook Hereby Ordains:**

Section 1. That the City of Bellbrook grants the easement, attached hereto, to the State of Ohio, Department of Transportation.

Section 2. That the City Manager is hereby authorized to execute the attached easement and such other related documents as may be required.

Section 3. This ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Robert L. Baird, Mayor

\_\_\_\_\_  
Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:  
Patricia N. Campbell, Municipal Attorney

## EASEMENT

Know All Men By These Presents That:City of Bellbrook, Greene County Ohio, the Grantor(s) herein, in consideration of the sum of \$10,925, to be paid by the State of Ohio, Department of Transportation, does hereby grant, bargain, sell, convey and release to the State of Ohio for the use and benefit of the Department of Transportation, the Grantee herein, an easement, which is more particularly described in Exhibit A attached hereto, within the following described real estate:

PARCEL(S): 001 SH  
GRE 725 2.80

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF  
Greene County Current Tax Parcel No. L32000200180002800  
Prior Instrument Reference: OR. 136 PG 6, Greene County Recorder's Office.

And the said Grantor(s), for its self and its successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner(s) of said premises, and lawfully seized of the same in fee simple, and has good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the same against all claims of all persons whomsoever.

The property conveyed herein to Grantee is being acquired for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Revised Code.

Grantor(s) has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor(s) provides timely notice of a desire to repurchase; provided however that such right of repurchase is subject to the authority of the Director of Transportation to convey unneeded property pursuant to Section 5501.34 (F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. The within right of repurchase shall be extinguished if any of the following occur: (A) Grantor(s) declines to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated.

IN WITNESS WHEREOF City of Bellbrook, Greene County Ohio by and through \_\_\_\_\_, the \_\_\_\_\_ of City of Bellbrook, Greene County Ohio, has hereunto subscribed his name on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

CITY OF BELLBROOK, GREENE COUNTY  
OHIO

By: \_\_\_\_\_

STATE OF OHIO, COUNTY OF \_\_\_\_\_

ss:

BE IT REMEMBERED, that on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me the subscriber, a Notary Public in and for said state and county, personally came the above named \_\_\_\_\_, who acknowledged being the \_\_\_\_\_ of City of Bellbrook, Greene County Ohio, and who acknowledged the foregoing instrument to be the voluntary act and deed of said City of Bellbrook, Greene County Ohio.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: \_\_\_\_\_

This document was prepared by or for the State of Ohio, Department of Transportation, on forms approved by the Attorney General of Ohio.

**EXHIBIT A**

Page 1 of 4

RX 270 SH

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Ver. Date 12/11/2014

PID 94632

**PARCEL 1-SH  
GRE-725-2.80  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the State of Ohio, Department of Transportation, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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[Surveyor's description of the premises follows]

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Situated in the Township of Sugar Creek, County of Greene, and State of Ohio, being part of the south half of Section 31, Township 3, Range 6, Between the Miami Rivers Survey, and being part of a 22.221 acre tract of land conveyed to the City of Bellbrook by Official Record 136, Page 6, all references being to the Greene County Recorder's Office, Greene County, Ohio, and being bounded and more particularly described as follows:

Being a parcel of land lying on the west side of the centerline of existing right-of-way of State Route 725, as shown and delineated upon the centerline plat of the right-of-way plans designated as GRE-725-2.80 prepared for the State of Ohio, Department of Transportation by Carpenter Marty Transportation Inc., as recorded in Plat Book \_\_\_\_, Page \_\_\_\_ (made a part hereof by reference), and being more particularly described as follows:

Beginning, for reference, at an iron pin found in a centerline monument box at a point of curvature, said point being Station 170+49.62 in said centerline as shown and delineated upon

**EXHIBIT A**

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RX 270 SH

Rev. 06/09

the centerline plat with the right-of-way plans designated as GRE-725-2.90 for the State of Ohio, Department of Transportation, District 8;

Thence along said centerline the following three courses:

- 1) North 35° 42' 04" West a distance of 684.22 feet to Station 163+65.40 in said centerline;
- 2) With a curve to the right having a radius of 654.81 feet, a central angle of 40' 11" 50", an arc length of 459.40 feet, a chord bearing North 15° 36' 08" West, and a chord distance of 450.03 feet to Station 159+06.01 in said centerline;
- 3) North 4° 29' 47" West a distance of 0.53 feet to Station 159+05.48 in said centerline;

Thence leaving said centerline along a new line North 85° 30' 13" West a distance of 25.00 feet to a point on the easterly line of a 11.578 acre tract conveyed to Kevin M. and Lisa A. Mosher by Official Record 3063, Page 176, said point being 25.00 feet right of Station 159+05.48 in said centerline;

Thence along said easterly line North 2° 42' 51" West a distance of 110.98 feet to the Grantor's southeasterly corner, said point being 38.94 feet right of Station 157+95.37 in said centerline, said point also being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence along the Grantor's southerly line North 61° 15' 20" West a distance of 12.14 feet to an iron pin set in the proposed westerly right-of-way line of said State Route 725, said pin being 50.00 feet right of Station 157+90.39 in said centerline;

Thence along said westerly line the following seven courses:

**EXHIBIT A**

RX 270 SH

- 1) North 20° 00' 09" West a distance of 48.23 feet to an iron pin set 70.00 feet right of Station 157+46.50 in said centerline;
- 2) North 49° 47' 49" West a distance of 59.11 feet to an iron pin set 118.00 feet right of Station 157+12.00 in said centerline;
- 3) North 40° 12' 11" East a distance of 39.41 feet to an iron pin set 95.00 feet right of Station 156+80.00 in said centerline;
- 4) South 85° 30' 13" East a distance of 25.00 feet to an iron pin set 70.00 feet right of Station 156+80.00 in said centerline;
- 5) North 4° 29' 47" East a distance of 455.00 feet to an iron pin set 70.00 feet right of Station 152+25.00 in said centerline;
- 6) North 17° 59' 31" East a distance of 128.55 feet to an iron pin set 40.00 feet right of Station 151+00.00 in said centerline;
- 7) South 85° 30' 13" East a distance of 15.00 feet to an iron pin set in the said existing westerly right-of-way line of said State Route 725, said pin being 25.00 feet right of Station 151+00.00 in said centerline;

Thence along said existing line South 4° 29' 51" West a distance of 238.93 feet to a point in the Grantor's easterly line, said point being 25.00 feet right of Station 153+38.69 in said centerline;

Thence along said easterly line South 6° 14' 39" West a distance of 456.66 feet to the TRUE POINT OF BEGINNING, containing 0.635 acres, of which the present road occupies 0.000 acres.

**EXHIBIT A**

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The above described tract is located in Auditor's Parcel Number L32000200180002800.

Grantor claims title by O.R. 136, Pg. 6, Greene County Recorder's Office.

This description is based on a survey performed for the State of Ohio, Department of Transportation in September of 2014 by Carpenter Marty Transportation Inc. This description was prepared and reviewed on December 11, 2014 by Kevin P. Carpenter, Registered Surveyor Number 8124.

The bearings found herein are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011). Control for the bearings shown herein were determined by GPS observations. Bearings are shown to indicate angle only and are for project use only.

Monuments referred to as iron pins set are 3/4" x 30" topped by a 2" diameter aluminum cap stamped "ODOT R/W, P.S. 8124". Right of way monuments called for as set herein will be set upon completion of the acquisition process.



12/11/2014



# RECORD OF ORDINANCES

Ordinance No. 2016-10

August 8, 2016

## City of Bellbrook

### Ordinance No. 2016-10

#### **An Ordinance Amending Ordinance 2015-16 to Adjust the City of Bellbrook Appropriations to Reflect Additional Costs in some Line Items and Reduced Costs in other Line Items.**

WHEREAS, the City of Bellbrook adopted the 2016 annual budget based on the best information available at the time; and

WHEREAS, additional costs have or will occur in some line items and reduced costs are projected in other line items which requires the amendment of various appropriation levels.

#### **Now, Therefore, the City of Bellbrook Hereby Ordains:**

Section 1. That the 2016 appropriation levels in several of the funds listed below be amended as follows:

<b>Fund</b>	<b>Personal Services</b>	<b>Other Expenses</b>	<b>2016 Supplemental Appropriations</b>
General Fund:			
-Administrative	\$ 0	-\$14,500	-\$14,500
-Security	0	1,470	1,470
-Community Environment	<u>0</u>	<u>1,250</u>	<u>1,250</u>
Total General Fund	0	-11,780	-11,780
Police Fund	0	2,080	2,080
Fire Fund	4,500	3,370	7,870
Street Fund	0	-1,000	-1,000
State Highway Fund	0	-1,000	-1,000
Motor Vehicle Fund	0	-2,000	-2,000
Water Fund	0	3,100	3,100
Capital Improvement Fund	0	-44,850	-44,850
Fuel System Fund	0	4,000	4,000
Grand Total - All Funds	<u>\$4,500</u>	<u>-\$48,080</u>	<u>-\$43,580</u>

Section 2. This ordinance shall take effect and be in force from and after the earliest period provided by law.

# RECORD OF ORDINANCES

Ordinance No. 2016-10

August 8, 2016

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2016.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:  
Patricia N. Campbell, Municipal Attorney

# RECORD OF RESOLUTIONS

Resolution No. 2016-W

August 8, 2016

## City of Bellbrook

### Resolution No. 2016-W

#### **A Resolution Approving the Replat of Lots #18, #19, #20 and #21 into Lots #18A, #19A, #20A and #21A, Highview Terrace Subdivision Section II.**

WHEREAS, the Ohio Revised Code requires a re-plat for changes of lot lines or easements in a platted subdivision, and

WHEREAS, the City of Bellbrook's consulting engineer and the Bellbrook Planning Board have recommended approval of a replat of Lots #18, #19, #20 and #21 into Lots #18A, #19A, #20A and #21A, Highview Terrace Subdivision, Section II; and

WHEREAS, the City of Bellbrook Subdivision Regulations stipulate that changes to a recorded plat shall be approved by action of the Bellbrook City Council

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the replat of Lots #18, #19, #20 and #21 into Lots #18A, #19A, #20A and #21A, Highview Terrace Subdivision, Section II is hereby approved for recording purposes.

Section 2. That the Mayor and Clerk of Council are authorized to affix their signatures to the revised record plan.

Section 3. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council

**LEGEND**

○ 5/8" x 30" IRON PIN SET WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"

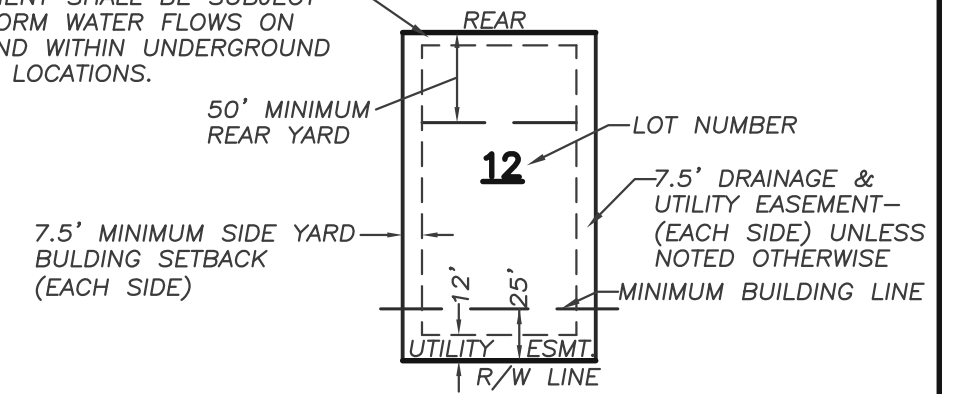
● 5/8" IRON PIN FOUND

ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.

# HIGHVIEW TERRACE SECTION TWO RE-PLAT OF LOTS 18 THROUGH 21 & PART OF 60.069 ACRE TRACT INTO LOTS 18A, 19A, 20A & 21A

FOR  
**CLEMENS DEVELOPMENT COMPANY**  
LOCATED IN  
**CITY OF BELLBROOK**  
SECTION 2, TOWN 2, RANGE 6 M.R.'s.  
**GREENE COUNTY, OHIO**  
2.324 ACRES  
JUNE 3, 2016

"D.E." INDICATES "DRAINAGE EASEMENT"  
DRAINAGE EASEMENT SHALL BE SUBJECT  
TO PERIODIC STORM WATER FLOWS ON  
THE SURFACE AND WITHIN UNDERGROUND  
PIPING IN SOME LOCATIONS.



**TYPICAL LOT**

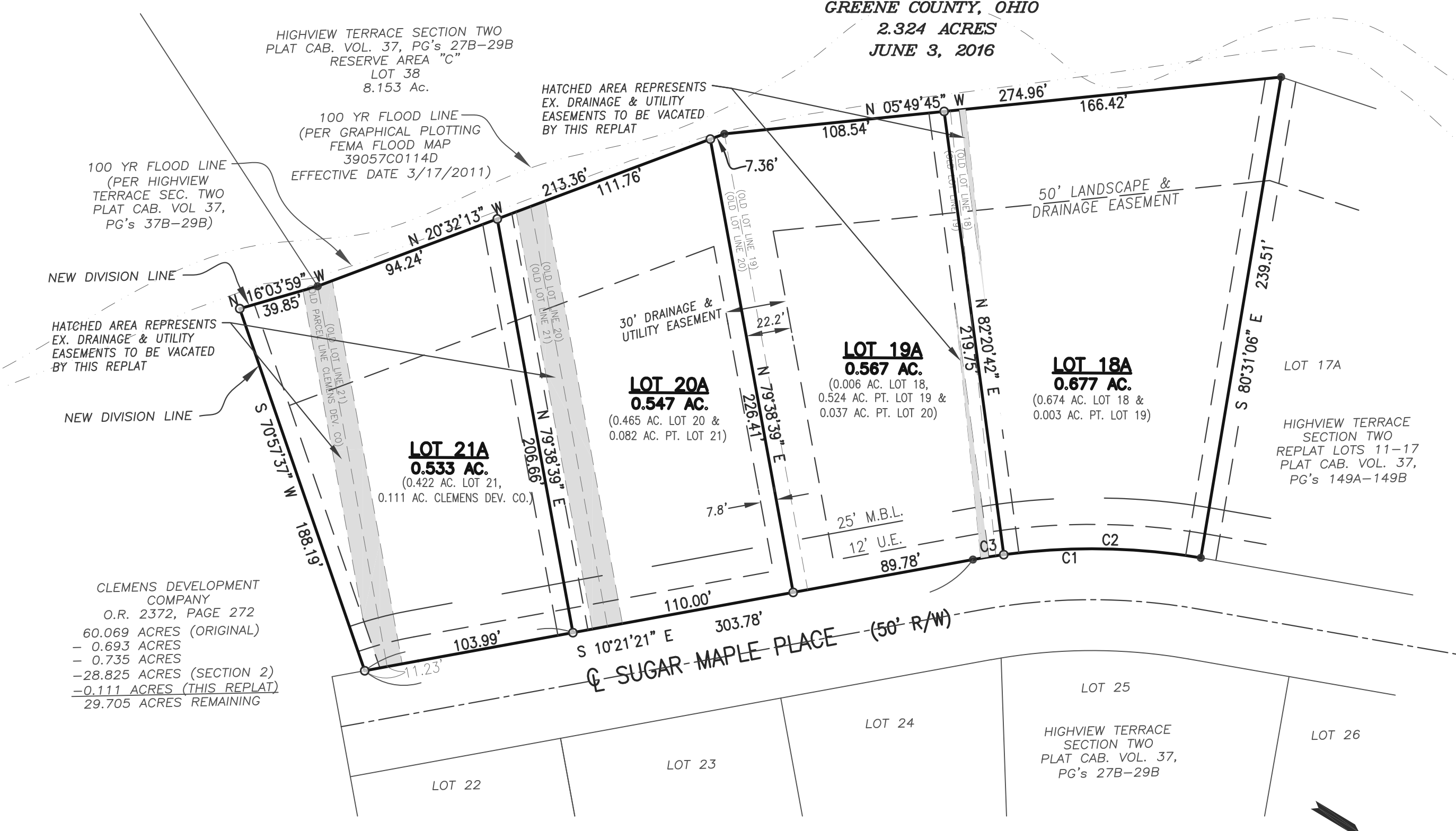
NO BUILDING OR OTHER STRUCTURE SHALL BE LOCATED IN "DRAINAGE EASEMENT". MAINTENANCE OF SURFACE EROSION IN THE DRAINAGE EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. SEE THE "DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS" FOR FURTHER BUILDING RESTRICTIONS.

**NOTES:**

1. NO BUILDING OR OTHER STRUCTURES SHALL BE LOCATED IN "DRAINAGE EASEMENT".
2. ANY LOT AREA RESERVED FOR DRAINAGE PURPOSES, SHALL AT ALL TIMES BE KEPT FREE OF ANY OBSTRUCTIONS TO THE FLOW OF WATER. NO IMPROVEMENTS, STRUCTURES OR MODIFICATIONS WITHIN THE IDENTIFIED DRAINAGE EASEMENT AREA WILL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER. MAINTENANCE OF THE DRAINAGE EASEMENT AREA, STORMWATER MANAGEMENT CONTROL FACILITY(IES), SITE AND DRAINAGE AREAS SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL OWNER(S) OF THE LOT OR HOME OWNERS OR CONDOMINIUM ASSOCIATION, WHICHEVER IS APPLICABLE, ON WHICH THESE FACILITIES AND/OR DRAINAGE AREAS ARE LOCATED.
3. ANY LOT TRANSFERRED WILL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS THOSE SHOWN ON THE PLAT AND THAT ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

**PERTINENT DOCUMENTS:**

- IN ADDITION TO THE REFERENCES SHOWN ON FACE OF THIS PLAT THE FOLLOWING DOCUMENTS WERE USED: NONE
- OCCUPATION IN GENERAL FITS THE SURVEYED LINES.
- ALL MONUMENTATION FOUND OR SET IS IN GOOD CONDITION UNLESS OTHERWISE SHOWN.



HIGHVIEW TERRACE SECTION TWO  
PLAT CAB. VOL. 37, PG's 27B-29B  
RESERVE AREA "C"  
LOT 38  
8.153 Ac.

100 YR FLOOD LINE  
(PER GRAPHICAL PLOTTING  
FEMA FLOOD MAP  
39057C0114D  
EFFECTIVE DATE 3/17/2011)

100 YR FLOOD LINE  
(PER HIGHVIEW  
TERRACE SEC. TWO  
PLAT CAB. VOL. 37,  
PG's 37B-29B)

HATCHED AREA REPRESENTS  
EX. DRAINAGE & UTILITY  
EASEMENTS TO BE VACATED  
BY THIS REPLAT

HATCHED AREA REPRESENTS  
EX. DRAINAGE & UTILITY  
EASEMENTS TO BE VACATED  
BY THIS REPLAT

NEW DIVISION LINE

NEW DIVISION LINE

CLEMENS DEVELOPMENT  
COMPANY  
O.R. 2372, PAGE 272  
60.069 ACRES (ORIGINAL)  
- 0.693 ACRES  
- 0.735 ACRES  
- 28.825 ACRES (SECTION 2)  
- 0.111 ACRES (THIS REPLAT)  
29.705 ACRES REMAINING

HATCHED AREA REPRESENTS  
EX. DRAINAGE & UTILITY  
EASEMENTS TO BE VACATED  
BY THIS REPLAT

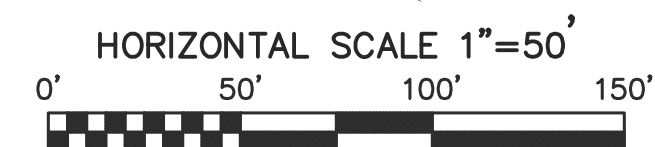
30' DRAINAGE &  
UTILITY EASEMENT

25' M.B.L.  
12' U.E.

50' LANDSCAPE &  
DRAINAGE EASEMENT

**CURVE TABLE:**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	112.52'	325.00'	19°50'14"	S 00°26'13" E	111.96'
C2	97.21'	325.00'	17°08'13"	S 00°54'48" W	96.84'
C3	15.32'	325.00'	2°42'02"	S 09°00'19" E	15.32'



BEARING OF BASIS:  
THE NORTH LINE OF CLEMENS  
DEVELOPMENT COMPANY, INC. 60.069  
ACRE TRACT AS RECORDED IN O.R. 2372  
PAGE 672 BEING N 71°00'45" W

BES JOB #121.07

**BRUMBAUGH  
ENGINEERING &  
SURVEYING, LLC**

1105 SOUTH MIAMI STREET  
WEST MILTON, OHIO 45383  
PHONE (937) 698-3000  
FAX (937) 698-3928

# RECORD OF RESOLUTIONS

Resolution No. 2016-X

August 8, 2016

## City of Bellbrook

### Resolution No. 2016-X

#### **A Resolution Approving the Replat of Lots #35 and #36 into Lots #35A and #36A, Shadowood Two-A Subdivision.**

WHEREAS, the Ohio Revised Code requires a re-plat for changes of lot lines or easements in a platted subdivision, and

WHEREAS, the City of Bellbrook's consulting engineer and the Bellbrook Planning Board have recommended approval of a replat of Lots #35 and #36 into Lots #35A and #36A, Shadowood Two-A Subdivision; and

WHEREAS, the City of Bellbrook Subdivision Regulations stipulate that changes to a recorded plat shall be approved by action of the Bellbrook City Council

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the replat of Lots #35 and #36 into Lots #35A and #36A, Shadowood Two-A Subdivision is hereby approved for recording purposes.

Section 2. That the Mayor and Clerk of Council are authorized to affix their signatures to the revised record plan.

Section 3. That this resolution shall take effect and be in force forthwith.

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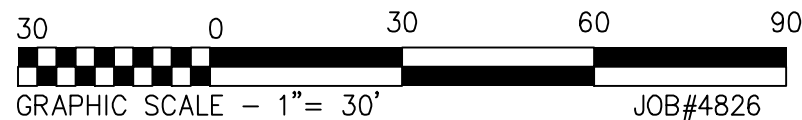
Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council



BEARINGS ARE BASE ON THE RIGHT-OF-WAY OF SHADOWOOD CIRCLE (N 03°28'22"E) AS RECORDED IN P.C.33, PAGE 893A-B OF THE PLAT RECORDS OF GREENE COUNTY, OHIO.



**Monument Legend**

- ⊗ Indicates 5/8" iron pin found (unless otherwise noted)
- Indicates 5/8" iron pin set
- ⊗ Indicates Iron Pipe found
- ▲ Indicates MAG nail found (unless otherwise noted)
- △ Indicates MAG nail set
- Indicates Railroad Spike found

**References:**

Deeds: LOT 35 - NICOLE R. HODGES / O.R. 3198, PAGE 789  
 LOT 36 - PATRICK AND STEPHIE GRIFFIN / O.R. 2295, PAGE 507

Plats: SHADOWOOD TWO-P.C. 33, Page 893A-B

Record Plan  
**SHADOWOOD TWO-A**

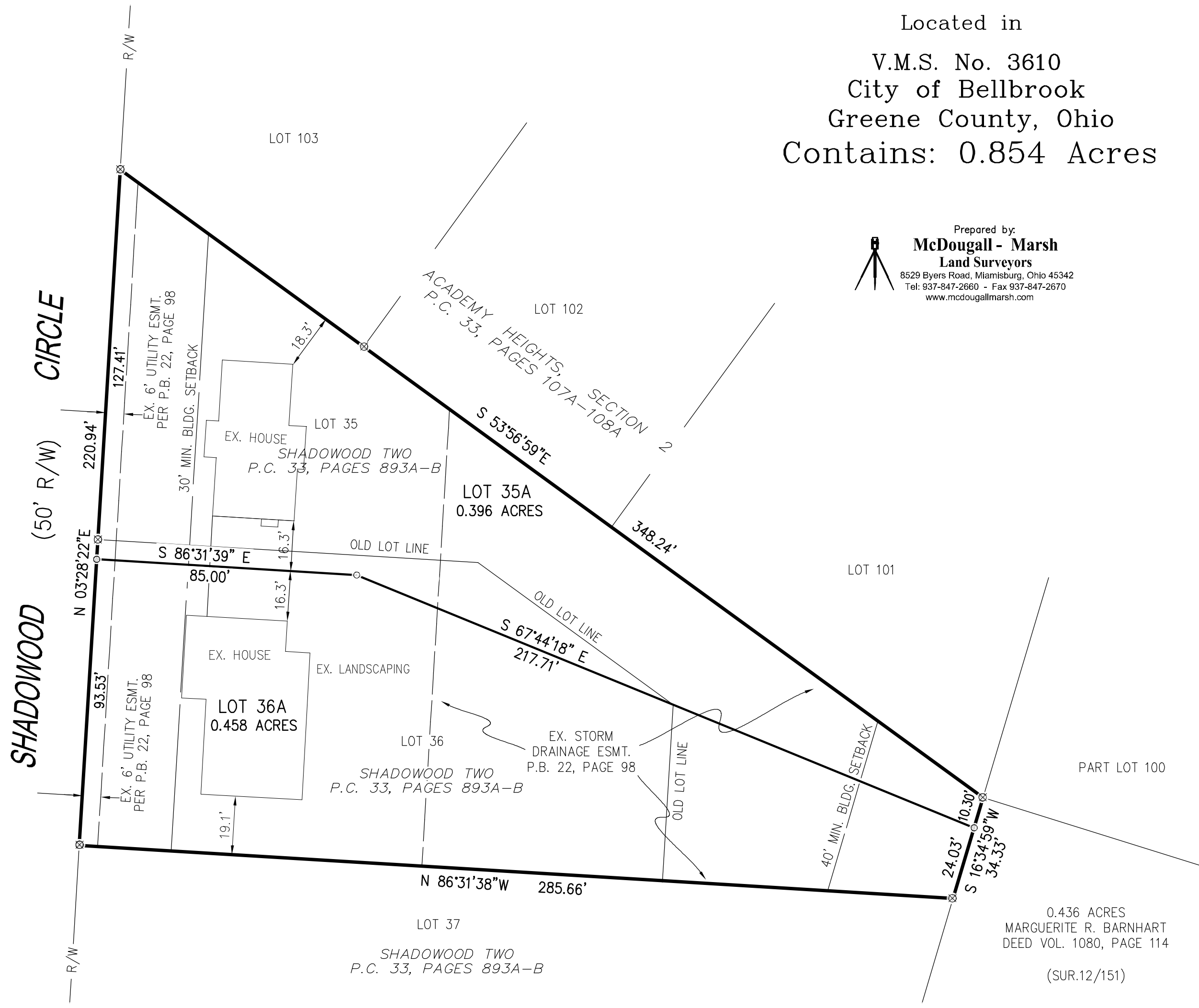
Being a Replat of Lot 35 and 36  
 of Shadowood Two  
 Recorded in P.C. 33, PAGES 893A-B

Located in

V.M.S. No. 3610  
 City of Bellbrook  
 Greene County, Ohio  
 Contains: 0.854 Acres



Prepared by:  
**McDougall - Marsh**  
 Land Surveyors  
 8529 Byers Road, Miamisburg, Ohio 45342  
 Tel: 937-847-2660 - Fax 937-847-2670  
 www.mcdougallmarsh.com



**SURVEY NOTES:**

1. ALL DEED, SURVEY AND PLAN RECORDS SHOWN ON THIS SURVEY WERE USED IN THE PERFORMANCE OF THIS SURVEY.
2. LINES OF OCCUPATION (WHERE EXISTING) IN GENERAL AGREE WITH PROPERTY LINES.
3. ALL MONUMENTATION FOUND IN GOOD CONDITION UNLESS NOTED OTHERWISE.
4. IRON PINS SET ARE 30" x 5/8" REBAR WITH PLASTIC CAP STAMPED "7735"
5. SURVEY PREPARED IN THE ABSENCE OF A COMPLETE AND UP TO DATE TITLE REPORT.

0.436 ACRES  
 MARGUERITE R. BARNHART  
 DEED VOL. 1080, PAGE 114  
 (SUR.12/151)

# RECORD OF RESOLUTIONS

Resolution No. 2016-Y

August 8, 2016

## City of Bellbrook

### Resolution No. 2016-Y

#### **A Resolution Directing the Greene County Auditor to Enter the Delinquent Cost of Weed and Grass Mowing on the Tax Duplicate for the Properties Attached Hereto.**

WHEREAS, the City of Bellbrook, following all applicable procedures contained in the Bellbrook Municipal Code, caused overgrown grass and weeds to be cut on properties located in the City of Bellbrook; and

WHEREAS, Bellbrook Municipal Code Section 678.03 (b) authorizes the delinquent cost of such action to be certified to the Greene County Auditor to be entered upon the tax duplicate, and

WHEREAS, the collection of such delinquent costs are in the best interest of the City and its citizens.

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the costs that have been incurred for the mowing of grass and weeds that have not been paid by the property owners is \$175.00.

Section 2. That the costs incurred shall be entered on the tax duplicate for the properties attached hereto.

Section 3. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council

**City of Bellbrook**  
**2016 Unpaid Mowing Assessment**

Invoice #	Parcel ID	Property Owner	Property Address	Lot #	Assessment Amount
1	L35000200050002000	Micklem, Norman H.	99 S. Main St.	20	\$ 175.00
					\$ 175.00



# RECORD OF RESOLUTIONS

Resolution No. 2016-Z

August 8, 2016

## City of Bellbrook

### Resolution No. 2016-Z

#### **A Resolution Directing the Greene County Auditor to Enter the Delinquent Cost of Unpaid Water Bills on the Tax Duplicate for the Properties Attached Hereto.**

WHEREAS, the City of Bellbrook, following all applicable procedures contained in the Bellbrook Municipal Code, invoiced customers for providing water to properties located in the City of Bellbrook's water system area; and

WHEREAS, Bellbrook Municipal Code Section 1042.05 authorizes unpaid water bills to be certified to the Greene County Auditor to be entered upon the tax duplicate, and

WHEREAS, the collection of such delinquent costs are in the best interest of the City and its citizens.

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the costs that have been incurred for providing water that have not been paid by the property owners is \$1,453.58.

Section 2. That the costs incurred shall be entered on the tax duplicate for the properties attached hereto.

Section 3. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council

**City of Bellbrook  
2016 Unpaid Water Bill Assessment**

Account #	Parcel ID	Property Owner	Property Address	Lot #	Assessment Amount
206-26872-02	L35000100050000600	Hilgeford, Patrick J. & Karen Ann	1929 Little Sugarcreek Rd.		\$ 156.00
203-23245-01	L35000200110005100	Colas, Joseph L.	4096 Woodedge Dr.	328	\$ 245.63
206-25000-00	L35000200020003300	Yancy, Sylvia S.	2085 Rosecrest Dr.	46	\$ 208.31
401-00380-01	L35000100060004200	Sieg, Kurt B.	118 Hess Rd.	42	\$ 51.78
404-01900-02	L35000100020010200	Melton, Elizabeth Trustee	60 S. West St.	16	\$ 590.34
105-09771-01	L32000100030006600	Frousouna LLC	1866 N. Lakeman	139	\$ 11.57
204-26770-06	L35000200070009100	Taylor, Robert B.	2282 Ivy Crest Dr.	74	\$ 91.31
204-26770-07	L35000200070009100	Taylor, Robert B.	2282 Ivy Crest Dr.	74	\$ 4.15
402-00840-03	L35000100060013500	Creekview Development LLC	101 N. Main St.		\$ 94.49
					\$ 1,453.58

# RECORD OF RESOLUTIONS

Resolution No. 2016-AA

August 8, 2016

## City of Bellbrook

### Resolution No. 2016-AA

#### **A Resolution Declaring Specific Equipment No Longer Needed By the City of Bellbrook as Surplus Property and Authorizing the City Manager to Dispose of Said Surplus Property.**

WHEREAS, the City of Bellbrook desires to maintain adequate equipment to be used by its personnel; and

WHEREAS, equipment no longer needed for use by City personnel may be declared as surplus property per Chapter 230 of the Bellbrook Municipal Code.

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the following equipment is hereby declared as surplus property:

2004 Ford Econoline Van (VIN 1FBNE31L54HB37769)

Section 2. That the City Manager is hereby authorized and directed to dispose of said property in accordance with Chapter 230 of the Bellbrook Municipal Code.

Section 3. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council



# RECORD OF RESOLUTIONS

Resolution No. 2016-BB

August 8, 2016

## City of Bellbrook

### Resolution No. 2016-BB

#### **A Resolution Authorizing the City Manager to Enter into an Agreement with the Bellbrook-Sugarcreek Local School District for Security at Home Football Games.**

WHEREAS, the Bellbrook-Sugarcreek Local School District has requested that the Bellbrook Police Department provide police officers in an extra duty capacity at Bellbrook High School home football games; and

WHEREAS, the School District agreed to compensate the City for this extra duty; and

WHEREAS, the agreement will be effective for the 2016 home football season.

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the City Manager is hereby authorized to execute the attached agreement with the Bellbrook-Sugarcreek Local School District.

Section 2. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council

## **Extra Duty Employment Agreement For Bellbrook Police Officers**

This agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by and between the City of Bellbrook, hereafter referred to as the "City," and the Bellbrook-Sugarcreek Local School District, hereafter referred to as the "District".

**WHEREAS**, the District wishes to utilize the services of City police officers in a security assignment, specifically, security for the 2016 Fall Bellbrook High School (home game) football season.

Now, therefore, in consideration of the mutual promises contained herein:

### 1. Scope of the Agreement

This agreement covers the 2016 Fall Bellbrook High School (Home game) football season from the first home football game in August 2016 until December 2016. Hours of the assignment will be from 1830 to 2130. (Additional time may be spent after the event, in crowd and traffic control). Additional services may be at the request of the District or in the discretion of the City. Three officers will be assigned to each game, if available. The District may request additional officers, if necessary.

### 2. Enforcement

Officers employed in an extra-duty police-related capacity shall be responsible for the enforcement of City Ordinances, as well as State and Federal Statutes. The District may provide general instructions and direction to City law enforcement personnel so engaged as to the performance of the agreed to police services, however, City law enforcement personnel shall at all times be bound by the Rules, Regulations and Policies of the City of Bellbrook Police Department.

### 3. Uniform

Officers shall wear the complete uniform of the Bellbrook Police Department and be responsible for completing the appropriate reports and forms necessary to conclude an incident when engaging in extra duty police-related employment unless directed to the contrary by a police supervisor.

### 4. Supervision

The Bellbrook Police Department on-duty supervisor has the responsibility to oversee the activities of officers engaged in extra duty police-related employment during their respective tour of duty. Whenever more than four (4) officers are required for the same

time at the same extra duty place of employment, a supervising officer, if available, will be assigned for supervision purposes and compensated as provided in paragraph six (6).

5. Release from Service

In the event of a city emergency requiring the services of any extra duty police officer employed by the District, the District agrees that such officer will be released immediately from the extra duty employment.

6. Cost of Services

The District agrees to pay the City of Bellbrook a flat rate of \$120.00 per officer per night.

7. Hold harmless

The District shall indemnify, hold harmless and defend the City, its officers, employees, agents and volunteers against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the City, its officers or employees may hereafter sustain, incur or be required to pay, arising wholly or in part due to any act or omission of the District, its agents, servants or employees, in the execution of performance of this contract.

The Bellbrook Police Department of the City of Bellbrook will not be held liable in the event officers cannot be scheduled or provided for the work/event(s) requested.

The District shall secure and maintain, during the period of the agreement, commercial general liability insurance which will protect it and the City from claims for bodily injury, death, property damage or personal injury which may arise from any act or omission of the District, its agents, servants, or employees in the performance of this agreement. The District shall provide the City a Certificate of Insurance showing evidence of such coverage.

8. Invoice

The City shall deliver to the District a monthly invoice for the cost of City law enforcement personnel provided under this Agreement. The District shall make payment to the City in the full amount of such invoice no later than thirty (30) days from the date of invoice.

9. Workers' Compensation

While any City of Bellbrook police officer is working for the District as set forth in this Agreement, the City of Bellbrook will provide the officer with insurance coverage through the State of Ohio Bureau of Workers' Compensation.

10. This Agreement shall terminate on December 31, 2016 or as otherwise provided herein. This Agreement may be terminated by the City at any time and for any reason whatsoever by the City providing the District with written notice of such termination at least 20 days prior to the date of termination. This Agreement may be terminated at any time by mutual agreement of the City and the District.

In witness whereof, the parties hereto have set their hands the day and year first about written.

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City Manager  
City of Bellbrook

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Superintendent  
Bellbrook Sugarcreek Local School District

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Chief of Police  
City of Bellbrook