

BELLBROOK CITY COUNCIL AGENDA

March 27, 2017



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

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

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 Work Session and Regular Meeting Minutes of **February 27, 2017.**
5. Mayor's Announcements/Special Guest
 - Oath of Office Karen McGill-Village Review Board, term expires 1-31-19.
 - Sugar Maple Festival Committee
 - Bellbrook Boys Swim and Dive Team
6. Public Hearing of Ordinances

Ordinance 2017-1- An Ordinance Adopting and Enacting a New Code for the City of Bellbrook Providing for the Adoption and Publication of New Matter in the Updated and Revised Codified Ordinances and Repealing Ordinances and Resolutions in Conflict Therewith. (Middlestetter)

Ordinance 2017-2 An Ordinance Amending Part Four – Traffic Code of the Bellbrook Municipal Code. (Edwards)

Ordinance 2017-3 An Ordinance Amending Part Six – General Offenses Code of the Bellbrook Municipal Code. (Schweller)
7. Introduction of Ordinances
8. Resolutions
9. City Manager's Report
10. Committee Reports
 - A. Service
 - B. Safety
 - C. Finance/Audit
 - D. Community Affairs
11. Old Business
12. New Business
 - Ohio Division of Liquor Control Notice-Owner Change

13. Open Discussion

14. Adjourn

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
Work Session
February 27, 2017

PRESENT: Mr. Nick Edwards
Mr. Forrest Greenwood
Mr. Darryl McGill
Mrs. Elaine Middlestetter
Mrs. Seger-Lawson
Mr. Mike Schweller
Mayor Bob Baird

This is a summary of the City Council work session held on Monday, February 27, 2017 at 6:30 pm.

Mr. Schlagheck discussed with Council the information to be provided to residents for the May 2nd General Fund Renewal Levy.

Being no further business the work session ended at 6:55 pm.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
February 27, 2017

PRESENT: Mr. Nick Edwards
Mr. Forrest Greenwood
Mr. Darryl McGill
Mrs. Elaine Middlestetter
Mrs. Dona Seger-Lawson
Deputy Mayor Mike Schweller
Mayor Bob Baird

This is a summary of the City Council meeting held on Monday, February 27, 2017. 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 February 13, 2017** Mayor Baird declared the minutes approved as written.

MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST

Fire Chief Jim Neidhard presented the 2016 Annual Report for the Fire Department. Chief Neidhard spoke about the staffing of the department and the many years of service that several members have. The Chief said that all of this experience provides for great training to the new members.

Chief Neidhard said the department received a grant from the Ohio Bureau of Workers Compensation to purchase two Lucas devices. These machines provide mechanical chest compressions to those patients who experience cardiac arrest. The devices deliver effective, consistent and regular compressions and allow staff to focus on other needs.

Another purchase the department made was to upgrade the thermal imaging cameras. The new cameras provide images through smoke and darkness using heat variations in structures. These cameras are smaller and will allow firefighters to easily carry them.

Next Chief Neidhard reviewed statistical data of Fire and EMS runs for 2016. The department remained consistent with last year's number of requests for service. The average response time is 0:06:21, which is great. Mr. Schweller asked Chief Neidhard if he knew what some neighboring community's response time was. Chief Neidhard replied that he did not know but the national average was about five minutes.

Chief Neidhard thanked the Mayor and Council for their support of the Fire Department. The 2016 Fire Department Annual report is available on the City website.

The Mayor and Council thanked Chief Neidhard and all of the members of the Fire Department

PUBLIC HEARING OF ORDINANCES

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

February 27, 2017

INTRODUCTION OF ORDINANCES

Mrs. Middlestetter read **Ordinance 2017-1** An Ordinance Adopting and Enacting a New Code for the City of Bellbrook Providing for the Adoption and Publication of New Matter in the Updated and Revised Codified Ordinances and Repealing Ordinances and Resolutions in Conflict Therewith. MuniCode recently updated the Code to include ordinances passed through July 2016. The Code has been reduced significantly in size with the changes approved last year. Mr. Schweller asked if MuniCode was a new corporation. Mr. Schlagheck said MuniCode has been around for forty plus years. Mr. Schlagheck said MuniCode is providing a good service that is less expensive than previous vendors and any changes can be updated in real time.

Mrs. Middlestetter made a motion to introduce Ordinance 2017-1. Mrs. Seger-Lawson seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 7-0.

Mr. Edwards read **Ordinance 2017-2** An Ordinance Amending Part Four – Traffic Code of the Bellbrook Municipal Code. In the recodification process, references were found that were not correct. This ordinance fixes those references in the Traffic Code.

Mr. Edwards made a motion to introduce Ordinance 2017-2. Mr. McGill seconded the motion. The Clerk called the roll. Mr. Edwards, yes; Mr. McGill, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird. The motion carried 7-0.

Mr. Schweller read **Ordinance 2017-3** An Ordinance Amending Part Six – General Offenses Code of the Bellbrook Municipal Code. In the recodification process, references were found that were not correct. This ordinance fixes those references in the General Offenses Code.

These three ordinances are set for a public hearing to be held at the March 27th Council meeting.

Mr. Schweller made a motion to introduce Ordinance 2017-3. Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. Schweller, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 7-0.

RESOLUTIONS

CITY MANAGER REPORT

Mr. Schlagheck said on April 12 there will be a Walkable Community Workshop that will focus on the downtown area. It starts at 11:30 with lunch provided. Information has been posted on the web site.

Mr. Schlagheck said this week the “go-live” for utility billing software begins. The March 1st invoices will be prepared using the new software. The invoices will retain the same format as in the past, but account numbers will change. If residents have an irrigation system, they will receive only one invoice.

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
February 27, 2017

Lastly, Mr. Schlagheck said the next City Council meeting will be on March 27th.

COMMITTEE REPORTS

Service: No Report.

Safety: No Report.

Finance/Audit: No Report.

Community Affairs:-

Mr. McGill recused himself from the following matter.

Mrs. Middlestetter made a motion to recommend appointment of Karen McGill to serve on the Village Review Board; term expires 1-31-19. Mr. Edwards seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 6-0.

OLD BUSINESS-

NEW BUSINESS-

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OPEN DISCUSSION-

Mr. Edwards wanted to extend congratulations to the Bellbrook High School boys swim and dive team at the State Championship over the weekend. Several new school records were set. Overall, the team finished fourth place out of sixty teams. This is the best finish ever for the team. This is an amazing accomplishment with only four swimmers competing.

Mrs. Middlestetter said there was a lot of support for the event “Walk a mile in her shoes” at Five Seasons on Saturday. There were over 90 people registered and more showed up at the door. She thanked everyone for their support.

Mrs. Seger-Lawson said the Girls Basketball team has done a great job this season. Mayor Baird added that they won the sectional title and district finals begin this weekend.

Mayor Baird said there will be a Celebration of Life service for Bob Reed on Saturday, March 4th from 2-4 at the Connor and Koch Funeral Home. Bob Reed was very involved with the Chamber of Commerce for many years.

Two Boy Scouts were in the audience tonight from Troop 375. Connor Luby-136 Upper Hillside Dr. and Kobe Kowal-3360 Avonley Ct are both working on their Citizenship in the Community Merit Badge. The Mayor presented Connor and Kobe a City pin.

ADJOURN

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 7:48 pm.

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
February 27, 2017

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 2017-1

March 27, 2017

City of Bellbrook

Ordinance No. 2017-1

An Ordinance Adopting and Enacting a New Code for the City of Bellbrook Providing for the Adoption and Publication of New Matter in the Updated and Revised Codified Ordinances and Repealing Ordinances and Resolutions in Conflict Therewith.

WHEREAS, the Municipal Code Corporation has completed its initial updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (November 25, 2013) and have been included in the Codified Ordinances of the City.

Now, Therefore, the City of Bellbrook Hereby Ordains:

Section 1. That the Code of Ordinances for the City of Bellbrook, published by the Municipal Code Corporation, consisting of parts 1 through 14, each inclusive, is adopted.

Section 2. That all ordinances of a general and permanent nature enacted on or before July 9, 2016, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. Additions or amendments to the Code when passed in such form as to indicate the intention of the City of Bellbrook to make the same part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 4. Ordinances adopted after July 9, 2016, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

Section 5. This ordinance shall take effect May 1, 2017.

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

RECORD OF ORDINANCES

Ordinance No. 2017-2

March 27, 2017

City of Bellbrook

Ordinance No. 2017-2

An Ordinance Amending Part Four – Traffic Code of the Bellbrook Municipal Code.

WHEREAS, the City of Bellbrook periodically reviews its policies and procedures; and

WHEREAS, the City has determined that sections of the Traffic Code contain incorrect/outdated references to other Code sections; and

WHEREAS, the City desires to correct these incorrect/outdated references.

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the following amendments to Chapter 408 “Penalties” of the Bellbrook Municipal Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

§408.01 Penalties for misdemeanor.

Whoever is convicted of or pleads guilty to a misdemeanor, or minor misdemeanor shall be sentenced in accordance with [~~Section 698.02~~] ORC Chapter 2929.

Section 2. That the following amendments to Chapter 440 “Commercial and Heavy Vehicles” of the Bellbrook Municipal Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

§440.01 LOAD LIMITS.

- (b) Special Permits. The Chief of Police may, upon application in writing and for good cause shown, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination or vehicles of a size or weight of vehicle or load exceeding the maximum specified in [~~subsection (b) hereof and Section 440.02 or otherwise not in conformity with Chapter 438~~] ORC 5577.05, upon any street or other public place. Any such permit may be issued for a single or round trip or, in special instances, for a certain period of time. The Chief may issue or withhold a permit or, if a permit is issued, may limit or prescribe conditions of operation for a vehicle and require a bond or other security necessary to compensate for any damage to a roadway or road structure. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or other lawful authority. No person shall violate any of the terms of a permit.

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

RECORD OF ORDINANCES

Ordinance No. 2017-2

March 27, 2017

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

RECORD OF ORDINANCES

Ordinance No. 2017-3

March 27, 2017

City of Bellbrook

Ordinance No. 2017-3

An Ordinance Amending Part Six – General Offenses Code of the Bellbrook Municipal Code.

WHEREAS, the City of Bellbrook periodically reviews its policies and procedures; and

WHEREAS, the City has determined that sections of the General Offenses Code contain incorrect/outdated references to other Code sections; and

WHEREAS, the City desires to correct these incorrect/outdated references.

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the following amendments to Chapter 618 “Animals” of the Bellbrook Municipal Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

§618.13 Nuisance conditions prohibited.

(d) Any violation of [~~Section 618.01~~] ORC Chapter 955 within six months of a previous violation thereof shall be a prima-facie violation of this section.

(e) The Municipal Attorney may proceed by civil action in any court of record to obtain an abatement order under this section.

(f) Whoever violates any of the provisions of this section is guilty of maintaining a public nuisance, a misdemeanor of the fourth degree. The penalty shall be as provided in [~~Section 698.02~~] ORC Chapter 2929. In addition to imposing the appropriate punishment the court shall order such nuisance to be abated.

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

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

0588713		TRFO	BELLBROOK HOLDINGS LLC DBA BELLBROOK MARATHON 4491 SR725 BELLBROOK OHIO 45305
PERMIT NUMBER		TYPE	
06	01	2016	
ISSUE DATE			
02	28	2017	
FILING DATE			
C1	C2	D6	
PERMIT CLASSES			
29	011	A	F17945
TAX DISTRICT		RECEIPT NO.	

FROM 03/02/2017

66162320015			OX INC DBA BELLBROOK MARATHON 4491 SR725 BELLBROOK OHIO 45305
PERMIT NUMBER		TYPE	
06	01	2016	
ISSUE DATE			
02	28	2017	
FILING DATE			
C1	C2	D6	
PERMIT CLASSES			
29	011		
TAX DISTRICT		RECEIPT NO.	



MAILED 03/02/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN.

04/03/2017

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TRFO 0588713

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF BELLBROOK CITY COUNCIL
P O BOX 285
BELLBROOK OHIO 45305

0588713 PERMIT NBR
BELLBROOK HOLDINGS LLC
DBA BELLBROOK MARATHON
4491 SR725
BELLBROOK OHIO 45305

MISHAM A. SHTAYYEH

02/28/2017 ACTIVE

PRESIDENT

MNMB5%V5%M

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE