

BELLBROOK CITY COUNCIL AGENDA
April 10, 2017



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

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

www.cityofbellbrook.org

6:30 Executive Session-Collective Bargaining

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 **March 27, 2017**.
5. Mayor's Announcements/Special Guest
 - Kristie Tidd-Greene County Department of Development-Fair Housing
6. Public Hearing of Ordinances
7. Introduction of Ordinances
8. Resolutions
 - Resolution 2017-L** A Resolution Authorizing the City Manager to Participate in a Contract with the Department of Administrative Services, Office of State Purchasing, for the Purchase of a Dump Truck for the City of Bellbrook. **(Greenwood)**

 - Resolution 2017-M**-A Resolution Authorizing the City Manager to Sign an Agreement with the Greene County Engineer's Office for the Collective Paving Program for 2017. **(Seger-Lawson)**
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 James Day from the Village Review Board
 - Ohio Division of Liquor Control Notice-New Permit, Floral V Designs
13. Open Discussion
14. Adjourn

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

March 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, March 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 **work session and regular meeting minutes of February 27, 2017** Mayor Baird declared the minutes approved as written.

MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST

The Mayor swore in Karen McGill to the Village Review Board. Her term expires 1-31-19. The Mayor thanked Karen for volunteering to serve on this board.

Next, Tosha Shupe-Sugar Maple Chairperson came to give Council an update on the Sugar Maple Festival. The theme this year is Superheroes. The parade will start at 10:30 on Saturday, April 22. All the festivities in the park will be over by 5:00 when the beer garden opens. More information about the festival can be found on the city's website.

Mayor Baird read a proclamation that was presented to the Bellbrook boys swim and dive team. Coach Rob Johnson and members of the swim and dive team were at the meeting to accept the proclamation from the City. The Mayor and Council congratulated the team for a successful season.

PUBLIC HEARING 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. Schlagheck said one reason for the change is the presence on the internet. It will be much easier to search for items in the code. It will also be updated in real time.

Being a public hearing Mayor Baird opened up for public comment. Seeing no comments from the public the Mayor closed the public hearing and asked for a motion. **Mrs. Middlestetter made a motion to adopt 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.

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

March 27, 2017

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.

Being a public hearing Mayor Baird opened up for public comment. Seeing no comments from the public the Mayor closed the public hearing and asked for a motion. **Mr. Edwards made a motion to adopt 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.

Being a public hearing Mayor Baird opened up for public comment. 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 2017-3.** Mr. Greenwood seconded the motion. The Clerk called the roll. Mr. Schweller, yes; Mr. Greenwood, yes; Mr. Edwards, yes; Mr. McGill, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 7-0.

INTRODUCTION OF ORDINANCES

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 there was an article in the Dayton Daily News regarding the Comprehensive Plan Update that quoted him out of context. The article stated that the main reason for updating the plan is “growth and expansion.” The reporter viewed the February meeting recording and quoted Mr. Schlagheck incorrectly. The Comprehensive Plan update has multiple objectives including planning for the future of downtown and the western commercial end. The Walkable Community Workshop is the first step of updating the Comprehensive Plan.

Mr. Schlagheck spoke about the General Fund Renewal Levy on May 2nd. This renewal levy will have no increase in taxes. The city receives over \$200,000 from this levy. Residents will be mailed a postcard with information about the levy. Information is also posted on the web site. Mr. Schlagheck said it is the only item on the ballot in May. He encouraged everyone to get out and vote.

Next, Mr. Schlagheck spoke about lead and copper mapping. The State legislature passed a bill in September 2016 amending the reporting requirements for water service providers. The Service Department did an excellent job in putting together a map showing buildings built prior to 1988 that

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

March 27, 2017

may have a greater risk for lead in their plumbing and fixtures. The Service Department is not aware of any lead service lines in the service area.

Mr. Schlagheck showed proofs to Council of possible options for new banners for spring and summer. The banner will incorporate the city's new logo. They decided on one and Mr. Schlagheck said he will place the order. The goal is to have the banners in place in time for the Sugar Maple Festival.

Mr. Schlagheck spoke about SB331, which became effective earlier this week. One of the topics, small cell facilities in the public right of way, may have a significant impact on cities across the State. Small cell facilities, or wireless antennae, are the latest technology to improve the speed of cellular and data traffic for mobile devices. This bill allows the placement of these facilities in the public right of way, with virtually no local control. The City has joined over 50 other cities in filing a lawsuit against this law. There is a \$2,000 financial commitment for the City to participate in this opposition.

Lastly, Mr. Schlagheck said the Township has requested a meeting with the city, school and park officials on Monday, April 17 at 5:30.

Mr. Schweller asked Mr. Schlagheck about the status of our salt supply. Mr. Schlagheck said we will be taking delivery of more salt soon due to our contract with ODOT. The township will allow us to store the salt at their facility. Mr. Schlagheck said next year, as we approach the ordering of salt, we can look to order from a vendor that only requires delivery of the salt if it's needed.

Mr. Greenwood asked Mr. Schlagheck if any issues of the museum are being addressed. Mr. Schlagheck said the Service Department has met with Mr. Bartlett. The issues have been prioritized and are being taken care of as time permits. Some issues may need to be completed by an outside contractor.

COMMITTEE REPORTS

Service: Mrs. Seger-Lawson received a report from Dale Wilson, Service Director. She read many of the accomplishments of the Service Department for 2016.

Safety: Mr. Greenwood said the Police Department will soon begin their neighborhood walks. The schedule for those walks is in the city newsletter.

Finance/Audit: No Report.

Community Affairs:-

OLD BUSINESS-

NEW BUSINESS-

Ohio Division of Liquor Control Notice-The City was sent a notice of a change in ownership of a local business that has a liquor license. Council did not have any objections.

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

OPEN DISCUSSION-

Mr. McGill attended an event at the Greene County Library in Xenia that introduced Makerspace. It is a lab where patrons can explore both new and traditional technologies.

ADJOURN

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 7:55 pm.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF RESOLUTIONS

Resolution No. 2017-L

April 10, 2017

City of Bellbrook

Resolution No. 2017-L

A Resolution Authorizing the City Manager to Participate in a Contract with the Department of Administrative Services, Office of State Purchasing, for the Purchase of a Dump Truck for the City of Bellbrook.

WHEREAS, Section 240.03 of the Municipal Code allows the City to purchase goods and services through a cooperative arrangement with another governmental entity; and

WHEREAS, the Department of Administrative Services, Office of State Purchasing, has entered into a contract with Valley Ford Truck, Inc.(Avon Lake, Ohio) for the purchase of certain equipment, in accordance with Section 125.04 of the Ohio Revised Code.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. That the City Manager be authorized to participate in a contract with Valley Ford Truck, Inc. for the purchase of the following equipment for the Bellbrook Service Department:

One (1) 2017 Ford F-550 4x2 Regular Cab Chassis with various options for a gross price of \$38,426

Section 2. That the City of Bellbrook directly pays the vendors for said equipment, under state contract.

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

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF RESOLUTIONS

Resolution No. 2017-M

April 10, 2017

City of Bellbrook

Resolution No. 2017-M

A Resolution Authorizing the City Manager to Sign an Agreement with the Greene County Engineer's Office for the Collective Paving Program for 2017.

WHEREAS, the City of Bellbrook desires to participate with the Greene County Engineer in the competitive bid contract for the Collective Paving Program for 2017 as bid by the Greene County Engineer; and

WHEREAS, the Greene County Engineer has included the City of Bellbrook's annual street program in their 2017 Collective Paving bid; and

WHEREAS, the bid amount for the City of Bellbrook is \$112,594.50 for the following streets: Blue Stone Court, Red Rock Court, Sand Stone Court, Sugar Leaf Court, Possum Run Road and Regent Park Drive.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. That the City Manager is hereby authorized to sign the attached agreement with the Greene County Engineer's office.

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

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

**AGREEMENT BETWEEN THE GREENE COUNTY ENGINEER
AND
THE CITY OF BELLBROOK**

The Greene County Engineer and the City of Bellbrook (hereinafter referred to as the Engineer and the City, respectively), agree to the following:

WHEREAS, the City desires to participate with the Engineer in the competitive bid contracts for the **Collective Paving 2017 and Center Line/Edge Line (County doing work for 2017)** as bid by the Greene County Engineer.

WHEREAS, all work within the City's jurisdiction, shall be inspected by and all questions decided which may arise as to quality and acceptability of materials furnished, work performed, the rate of progress; the interpretation of the specifications, by the City and the acceptable fulfillment of the contract on the part of the Contractor.

WHEREAS, the Contractor will invoice the City directly for the actual quantities of work performed, all line item extras, and/or negotiated extra work.

WHEREAS, the Engineer shall withhold all retainage for the total **Collective Paving for 2017** bidding contract from the County's share of the work and the Engineer will insure that the work has been performed in accordance with the City's instructions prior to releasing the retainage. **The Engineer will invoice the City for the Center Line/Edge Line (County doing work) for 2017.** The Engineer will insure the work has been performed in accordance with the Village's instructions.

THEREFORE, the acceptance of this agreement is indicated by the signatures below

GREENE COUNTY ENGINEER:

Witnessed by: _____

Robert N. Geyer, P.E., P.S.

CITY OF BELLBROOK BY:

By Resolution No: _____

Date: _____

Approved as to form by:



Prosecuting Attorney's Office
Counsel for County Engineer

**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

2787359 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	FLORAL V DESIGNS LLC 24 S MAIN ST BELLBROOK OH 45305	
ISSUE DATE				
03 02 2017 <small>FILING DATE</small>				
C2 <small>PERMIT CLASSES</small>				
29 <small>TAX DISTRICT</small>	011	A	B51224 <small>RECEIPT NO.</small>	

FROM 03/23/2017

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 03/23/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN.

04/24/2017

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 NEW 2787359**

(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

2787359 PERMIT NBR
FLORAL V DESIGNS LLC
24 S MAIN ST
BELLBROOK OH 45305

CADY VANCE

03/21/2017 ACTIVE

MAN-MBR

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