

BELLBROOK CITY COUNCIL AGENDA

July 9, 2018



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

- Consider the purchase or sale of property

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 June 25, 2018.
5. Mayor's Announcements/Special Guest
6. Public Hearing of Ordinances

Ordinance 2018-3 An Ordinance Authorizing the City Manager/Finance Director to Submit the Tax Budget for Fiscal Year 2019 to the Greene County Auditor. (Schweller)

Ordinance 2018-4 An Ordinance Amending Part Four – Traffic Code of the Bellbrook Municipal Code. (Greenwood)

7. Introduction of Ordinances
8. Resolutions

Resolution 2018-U A Resolution Inducting Dale Wilson to the City of Bellbrook Wall of Honor. (Mayor Baird)

Resolution 2018-V A Resolution Authorizing the City Manager to Enter into an Agreement with the Bellbrook-Sugarcreek Local School District for School Security.(McGill)

Resolution 2018-W A Resolution Authorizing the City Manager to Enter into an Agreement with the Bellbrook-Sugarcreek Local School District for Security at Home Football Games. (Seger-Lawson)

Resolution 2018-X A Resolution Approving the Combination of Lots 58 and 59 of the Highview Terrace Subdivision, Section 3, Phase 2 into a Single Lot, Lot 58A. (Edwards)

Resolution 2018-Y A Resolution Authorizing the City Manager to Adjust the Pay Scales of City Positions not Covered by a Collective Bargaining Agreement. (Schweller)

9. City Manager's Report

10. Committee Reports

- A. Service
- B. Safety
- C. Finance/Audit
- D. Community Affairs

11. Old Business

12. New Business

- Appeal hearing of a Village Review Board decision on 79 W. Franklin St.

13. Open Discussion

14. Adjourn

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
June 25, 2018

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

ABSENT: Mr. Nick Edwards
Mr. Darryl McGill

Mrs. Middlestetter made a motion to go into Executive Session at 6:00 pm to consider the purchase of property for public purposes and security matters. Mr. Greenwood seconded the motion. The Clerk called the roll: Mrs. Middlestetter, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 5-0.

Being no further business, the Executive Session ended at 6:43 pm.

Following the Executive Session, a Work Session was held to discuss Code Enforcement, Boards and Commissions and City Manager Goals.

The Work session adjourned at 6:55 pm.

Mr. Edwards was absent. **Mrs. Middlestetter moved to excuse Mr. Edwards.** Mr. Greenwood seconded the motion. The Clerk called the roll: Mrs. Middlestetter, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 5-0.

Mr. McGill was absent. **Mr. Schweller moved to excuse Mr. McGill.** Mrs. Seger-Lawson seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mrs. Seger-Lawson, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Baird, yes. The motion carried 5-0.

This is a summary of the City Council meeting held on Monday, June 25, 2018. 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 11, 2018, Mayor Baird declared the minutes approved as written.

MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST

Mayor Baird swore in new full time Firefighter, Joshua Lipps. His first day of work was Monday, June 18th

Mayor Baird and Council welcomed Joshua to Bellbrook and thanked the entire Fire Department for the great job they do.

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

June 25, 2018

PUBLIC HEARING OF ORDINANCES

Mrs. Seger-Lawson **read Ordinance 2018-2** An Ordinance Adopting the Revised City of Bellbrook Personnel Manual. Ms. Dodd said there were some changes to the amount of sick leave that can be used for appointments, surgeries or the birth of a child. Ms. Dodd said another change was to the exempt employee list. The list was updated to include Deputy Fire Chief and the deletion of Fire Captain.

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. Seger-Lawson made a motion to **adopt Ordinance 2018-2**. Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mrs. Seger-Lawson, yes; Mrs. Middlestetter, yes; Mr. Greenwood, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 5-0.

INTRODUCTION OF ORDINANCES

Mr. Schweller **read Ordinance 2018-3** An Ordinance Authorizing the City Manager/Finance Director to Submit the Tax Budget for Fiscal Year 2019 to the Greene County Auditor. Mr. Schweller said this is a reoccurring item each year. This ordinance certifies our need for the property tax dollars that we receive annually.

Mr. Schweller made a motion to **introduce Ordinance 2018-3**. Mr. Greenwood seconded the motion. The Clerk called the roll. Mr. Schweller, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 5-0.

Mr. Greenwood **read Ordinance 2018-4** An Ordinance Amending Part Four – Traffic Code of the Bellbrook Municipal Code. Ms. Dodd said this ordinance continues to delete sections of the code that are duplicates of the ORC which is what the Police Department uses.

Mr. Greenwood made a motion to **introduce Ordinance 2018-4**. Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 5-0.

RESOLUTIONS

Mrs. Middlestetter **read Resolution 2018-T** A Resolution Approving the Replat and Vacation of the Drainage and Access Easement on Lot 1D of Highview Terrace, Section 1 and Replacing it with an Adjusted Easement on Lot 1F. Ms. Dodd said this resolution was approved by the Planning Board on June 7th and is simply relocating the drainage and access easement from Lot 1D to Lot 1F after additional engineering had been done by the property owners.

Mrs. Middlestetter made a motion to **adopt Resolution 2018-T**. Mr. Schweller seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Schweller, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 5-0.

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

June 25, 2018

CITY MANAGER REPORT

Ms. Dodd attended a MVRMA Board of trustees meeting on Monday, June 18th. At that meeting the City of Bellbrook was designated the overall winner of the 2017 Standard of Excellence Award. This award was presented to Bellbrook for having the lowest losses per full time employee of all of the members. In addition to that award, the Fire Department, Police Department and Water/Wastewater Department all received zero loss awards.

Ms. Dodd said the Fire Department welcomed Firefighter Joshua Lipps who began on Monday, June 18th. She also said with the passage of the ordinance tonight, we will post internally the position of Deputy Fire Chief.

Next, Ms. Dodd said we now have an Information Technology Services Contractor that will provide all-inclusive IT services for the City. They started last week.

Ms. Dodd said the Pressure Reducing Valve (PRV) pit has been installed with the exception of the electric power and fiber components. She said we are waiting on the full assessment from DP&L to determine if we can attach fiber for communications to the PRV pit to the poles. The next steps are paving and yard restoration. Ms. Dodd said that yard restoration will probably take place in late August and early September because that is the best time to plant grass seed.

Mr. Schweller asked Ms. Dodd if everyone in the Upper Hillside area has switched to the high pressure system and if there were any issues. She said yes, the residents in that area are on the high pressure system and there have been no issues.

COMMITTEE REPORTS

Service: No Report.

Safety: Mr. Greenwood reminded residents to be safe over the Fourth of July holiday.

Finance/Audit: No Report.

Community Affairs: No Report.

OLD BUSINESS

NEW BUSINESS

Ms. Dodd said there is a request tonight for appeal of Village Review Board Case #17-01, 79 West Franklin St. The property owner went before the VRB on August 9, 2017. The VRB instructed the property owner to make three changes: install a gable, install railings on the north and south side of both porches and install faux windows on the north side of the property. Ms. Dodd said she has met with the property owner to have a discussion. The property owner said it would be expensive to install the gable but he offered to install the porch railings, install shutters on the north end of the property and pay the \$250.00 fine. Ms. Dodd said she told the property owner since this is outside of the 45 day limit to appeal to the VRB, he would need to appeal to City Council. Council would need to make a

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

June 25, 2018

motion to accept or deny this request for appeal. If Council would accept this appeal, the property owner would come before Council and would request a revision to the VRB motion. Council could approve or deny that request. Mayor Baird asked what the other option was. Ms. Dodd said that Council could deny the request and the original motion that the VRB made in August 2017 would need to be upheld.

Mr. Schweller made a motion to accept the request for appeal of Village Review Board Case #17-01, 79 West Franklin St. Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. Schweller, yes; Mrs. Middlestetter, yes; Mr. Greenwood, no; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 4-1.

OPEN DISCUSSION

Mrs. Seger-Lawson said the Eagle 5K will be held on July 29th at Bellbrook High school. This benefits the football program.

Mr. Schweller thanked Ms. Dodd for continuing to update the Code with Ordinance 2018-4 tonight.

ADJOURN

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 7:33 pm.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 2018-3

July 9, 2018

City of Bellbrook

Ordinance No. 2018-3

An Ordinance Authorizing the City Manager/Finance Director to Submit the Tax Budget for Fiscal Year 2019 to the Greene County Auditor.

WHEREAS, the City is required to prepare and submit the tax budget for 2019 to the Greene County Auditor no later than July 20, 2018 following a public hearing.

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the Tax Budget for fiscal year 2019, as attached hereto, be approved for submission to the Greene County Auditor to guarantee the City's eligibility for the allocation of local government funds in 2019.

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

PASSED this ____ day of _____, 2018.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

GENERAL FUND

For **For** **Current Year** **Budget Year**
2016 **2017** **Estimated for** **Estimated for**
Actual **Actual** **2018** **2019**

REVENUE

Local Taxes				
Property Tax	\$ 575,527	\$ 587,420	\$ 588,000	\$ 655,000
Property Tax - Inside 10 Mill Limitation	-	-	-	-
Property Tax - Outside 10 Mill Limitation	-	-	-	-
Total Local Taxes	<u>575,527</u>	<u>587,420</u>	<u>588,000</u>	<u>655,000</u>
Intergovernmental Revenues				
Local Government	86,823	88,665	88,268	88,000
Estate Tax	-	-	-	-
Cigarette Tax	260	260	260	260
Liquor and Beer Permits	6,514	6,215	6,500	6,000
Property Tax Allocation	91,263	91,256	91,500	91,500
Property Tax Allocation - Inside 10 Mill Limitation	-	-	-	-
Property Tax Allocation - Outside 10 Mill Limitation	-	-	-	-
Total Intergovernmental Revenues	<u>184,860</u>	<u>186,396</u>	<u>186,528</u>	<u>185,760</u>
Charge for Services	25,599	25,597	23,572	19,500
Special Assessments	1,680	6,400	-	-
Fines, Licenses, and Permits	137,696	122,819	130,237	114,700
Investment Earnings	31,640	51,875	75,118	70,000
Miscellaneous	12,577	12,072	5,931	650
TOTAL REVENUE	\$ 969,579	\$ 992,579	\$ 1,009,386	\$ 1,045,610

EXPENDITURES

Legislative

Wages & Compensation	35,332	37,838	39,263	39,500
Fringe Benefits	5,449	5,819	6,027	6,200
Contract Services	1,540	5,215	3,281	3,845
Supplies & Materials	-	176	100	100
Other Expenses	2,675	2,675	2,675	2,675
Total Legislative Expenses	<u>44,996</u>	<u>51,723</u>	<u>51,346</u>	<u>52,320</u>

Administrative

Wages & Compensation	107,377	119,571	138,038	105,330
Fringe Benefits	34,083	33,752	32,938	33,465
Contract Services	164,240	163,994	158,948	154,858
Supplies & Materials	5,321	5,635	5,200	5,200
Other Expenses	18,109	11,652	11,921	12,150
Total Administrative Expenses	<u>329,130</u>	<u>334,604</u>	<u>347,045</u>	<u>311,003</u>

Library

Contract Services	39	25,743	2,000	2,000
Total Library Expenses	<u>39</u>	<u>25,743</u>	<u>2,000</u>	<u>2,000</u>

Museum

Wages & Compensation	5,917	5,909	8,736	8,736
Fringe Benefits	913	913	1,350	1,430
Contract Services	4,845	6,300	16,865	6,500
Supplies & Materials	1,332	263	2,000	2,000
Capital Outlay	-	-	-	-

GENERAL FUND	For 2016 Actual	For 2017 Actual	Current Year Estimated for 2018	Budget Year Estimated for 2019
Other Expenses	-	-	-	-
Total Museum Expenses	13,007	13,385	28,951	18,666
Community Environment				
Wages & Compensation	65,020	70,559	15,822	20,448
Fringe Benefits	17,672	16,149	2,377	3,200
Contract Services	4,857	12,822	20,322	10,322
Supplies & Materials	274	28	602	700
Other Expenses	-	-	-	-
Total Community Environment Expenses	87,823	99,558	39,123	34,670
Other Uses of Funds				
Transfer to the Police Fund	100,000	100,000	100,000	100,000
Transfer to the Fire Fund	100,000	150,000	200,000	25,000
Transfer to the Capital Improvement Fund	250,000	250,000	250,000	250,000
Total Other Uses of Funds	450,000	500,000	550,000	375,000
TOTAL EXPENDITURES	\$ 924,995	\$ 1,025,013	\$ 1,018,465	\$ 793,659
Revenues over/(under) Expenditures	\$ 44,584	\$ (32,434)	\$ (9,079)	\$ 251,951
Beginning Unencumbered Balance	\$ 1,240,191	\$ 1,281,087	\$ 1,242,472	\$ 1,233,393
Ending Cash Fund Balance	\$ 1,284,775	\$ 1,248,653	\$ 1,233,393	\$ 1,485,344
Estimated Encumbrances (outstanding at year end)	\$ 3,688	\$ 6,181	\$ -	\$ -
Estimated Ending Unencumbered Fund Balance	\$ 1,281,087	\$ 1,242,472	\$ 1,233,393	\$ 1,485,344

POLICE LEVY FUND	For 2016 Actual	For 2017 Actual	Current Year Estimated for 2018	Budget Year Estimated for 2019
REVENUE				
Local Taxes				
General Property Tax -- Real Estate	\$ 1,303,862	\$ 1,328,752	\$ 1,330,000	\$ 1,485,000
Total Local Taxes	1,303,862	1,328,752	1,330,000	1,485,000
Intergovernmental Revenues				
Property Tax Rollback & Homestead	206,348	205,897	204,571	206,000
Federal Grants or Aid	-	-	-	-
State Grants or Aid	1,080	5,240	-	-
Total Intergovernmental Revenues	207,428	211,137	204,571	206,000
Charges for Services	16,430	20,035	18,200	18,200
Fines, Licenses & Permits	730	653	460	500
Miscellaneous	7,825	15,392	8,565	6,000
Transfers-in from the General Fund	100,000	100,000	100,000	100,000
TOTAL REVENUE	\$ 1,636,275	\$ 1,675,969	\$ 1,661,796	\$ 1,815,700
EXPENDITURES				
Police				
Wages & Compensation	1,033,561	1,054,140	1,099,351	1,095,918
Fringe Benefits	323,861	327,550	341,963	355,042
Contract Services	220,131	217,277	243,482	258,945
Supplies & Materials	29,271	25,170	38,378	35,550
Other Expenses	8,886	8,979	8,865	9,200
Total Police Expenses	1,615,710	1,633,116	1,732,039	1,754,655
TOTAL EXPENDITURES	\$ 1,615,710	\$ 1,633,116	\$ 1,732,039	\$ 1,754,655
Revenues over/(under) Expenditures	\$ 20,565	\$ 42,853	\$ (70,243)	\$ 61,045
Beginning Unencumbered Balance	\$ 216,628	\$ 237,069	\$ 279,525	\$ 209,282
Ending Cash Fund Balance	\$ 237,193	\$ 279,922	\$ 209,282	\$ 270,327
Estimated Encumbrances (outstanding at year end)	\$ 124	\$ 397	\$ -	\$ -
Estimated Ending Unencumbered Fund Balance	\$ 237,069	\$ 279,525	\$ 209,282	\$ 270,327

FIRE LEVY FUND	For 2016 Actual	For 2017 Actual	Current Year Estimated for 2018	Budget Year Estimated for 2019
REVENUE				
Local Taxes				
General Property Tax -- Real Estate	\$ 737,033	\$ 751,633	\$ 755,000	\$ 1,153,000
Total Local Taxes	737,033	751,633	755,000	1,153,000
Intergovernmental Revenues				
Property Tax Rollback & Homestead	116,915	116,660	115,908	117,000
State Grants or Aid	-	2,500	3,075	
Total Intergovernmental Revenues	116,915	119,160	118,983	117,000
Charges for Services	130,622	120,748	84,336	90,000
Miscellaneous	5,282	13,952	7,615	4,750
Transfer-in from the General Fund	100,000	150,000	200,000	25,000
TOTAL REVENUE	\$ 1,089,852	\$ 1,155,493	\$ 1,165,934	\$ 1,389,750
EXPENDITURES				
Fire				
Wages & Compensation	756,563	756,749	813,757	922,349
Fringe Benefits	206,226	213,300	210,089	245,150
Contract Services	142,645	134,855	149,506	167,068
Supplies & Materials	23,912	17,002	33,748	28,300
Other Expenses	8,624	7,933	9,255	9,255
Total Fire Expenses	1,137,970	1,129,839	1,216,355	1,372,122
TOTAL EXPENDITURES	\$ 1,137,970	\$ 1,129,839	\$ 1,216,355	\$ 1,372,122
Revenues over/(under) Expenditures	\$ (48,118)	\$ 25,654	\$ (50,421)	\$ 17,628
Beginning Unencumbered Balance	\$ 171,307	\$ 122,839	\$ 148,393	\$ 97,972
Ending Cash Fund Balance	\$ 123,189	\$ 148,493	\$ 97,972	\$ 115,600
Estimated Encumbrances (outstanding at year end)	\$ 350	\$ 100	\$ -	\$ -
Estimated Ending Unencumbered Fund Balance	\$ 122,839	\$ 148,393	\$ 97,972	\$ 115,600

POLICE PENSION LEVY FUND	For 2016 Actual	For 2017 Actual	Current Year Estimated for 2018	Budget Year Estimated for 2019
REVENUE				
Local Taxes				
General Property Tax -- Real Estate	\$ 43,395	\$ 44,330	\$ 44,500	\$ 50,000
Total Local Taxes	43,395	44,330	44,500	50,000
Intergovernmental Revenues				
Property Tax Rollback & Homestead	6,886	6,892	6,900	7,000
Other State Shared Taxes	-	-	-	-
Total Intergovernmental Revenues	6,886	6,892	6,900	7,000
TOTAL REVENUE	\$ 50,281	\$ 51,222	\$ 51,400	\$ 57,000
EXPENDITURES				
Police				
Fringe Benefits	50,000	50,000	48,000	52,000
Other Expenses	285	287	340	340
Total Police Expenses	50,285	50,287	48,340	52,340
TOTAL EXPENDITURES	\$ 50,285	\$ 50,287	\$ 48,340	\$ 52,340
Revenues over/(under) Expenditures	\$ (4)	\$ 935	\$ 3,060	\$ 4,660
Beginning Unencumbered Balance	\$ 805	\$ 805	\$ 1,740	\$ 4,800
Ending Cash Fund Balance	\$ 801	\$ 1,740	\$ 4,800	\$ 9,460
Estimated Encumbrances (outstanding at year end)	\$ -	\$ -	\$ -	\$ -
Estimated Ending Unencumbered Fund Balance	\$ 801	\$ 1,740	\$ 4,800	\$ 9,460

FUND	Estimated Unencumbered Fund Balance 1/1/2019	Budget Year Estimated Receipts	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Balance 12/31/2019
				Personal Services	Other	Total	
Special Revenue Funds:							
Street Fund	110,394	294,500	404,894	274,591	44,210	318,801	86,093
State Highway Fund	46,905	23,800	70,705	-	12,400	12,400	58,305
Fuel System Fund	4,333	1,800	6,133	-	1,200	1,200	4,933
Motor Vehicle License Fund	193,868	57,020	250,888	-	14,500	14,500	236,388
TOTAL SPECIAL REVENUE FUNDS	\$ 355,500	\$ 377,120	\$ 732,620	\$ 274,591	\$ 72,310	\$ 346,901	\$ 385,719
Capital Project Funds:							
Capital Improvement Fund	1,044,930	260,000	1,304,930	-	413,000	413,000	891,930
TOTAL CAPITAL PROJECT FUNDS	\$ 1,044,930	\$ 260,000	\$ 1,304,930	\$ -	\$ 413,000	\$ 413,000	\$ 891,930
Enterprise Funds:							
Waste Collection Fund	201,006	435,000	636,006	23,984	438,200	462,184	173,822
Water Fund	1,808,976	1,426,750	3,235,726	648,521	646,295	1,294,816	1,940,910
TOTAL ENTERPRISE FUNDS	\$ 2,009,982	\$ 1,861,750	\$ 3,871,732	\$ 672,505	\$ 1,084,495	\$ 1,757,000	\$ 2,114,732
TRUST AND AGENCY FUNDS							
Performance Bond Fund	24,440	10,000	34,440				34,440
Agency Fund	-	-	-				-
TOTAL TRUST AND AGENCY FUNDS	\$ 24,440	\$ 10,000	\$ 34,440	\$ -	\$ -	\$ -	\$ 34,440
TOTAL (MEMORANDUM ONLY)	\$ 3,434,852	\$ 2,508,870	\$ 5,943,722	\$ 947,096	\$ 1,569,805	\$ 2,516,901	\$ 3,426,821

RECORD OF ORDINANCES

Ordinance No. 2018-4

July 9, 2018

City of Bellbrook

Ordinance No. 2018-4

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 are duplicated from sections of the Ohio Revised Code; and

WHEREAS, the City will use the Ohio Revised Code section when appropriate; and

WHEREAS, the City desires to eliminate the sections of the Traffic Code that are duplicates of the Ohio Revised Code.

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the following sections of Chapter 474 “Bicycles, Mopeds and Motorcycles Generally” of the Bellbrook Municipal Code be deleted in their entirety:

- §474.07 Safe riding regulations for bicycles
- §474.08 Parking; locks
- §474.09 Parent’s responsibility
- §474.10 Suspension of riding privileges; impounding of bicycles
- §474.12 Safe riding regulations for mopeds

Section 2. This ordinance shall take effect August 2, 2018.

PASSED this ____ day of _____, 2018.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

RECORD OF RESOLUTIONS

Resolution No. 2018-U

July 9, 2018

City of Bellbrook

Resolution No. 2018-U

A RESOLUTION INDUCTING DALE WILSON TO THE CITY OF BELLBROOK WALL OF HONOR

WHEREAS, The City of Bellbrook established the Wall of Honor in order to recognize the outstanding contributions of its citizens and other community members who make the City of Bellbrook an exceptional place to live, work and grow; and

WHEREAS, This honor is bestowed only to those who have been deemed worthy by the Mayor and City Council of the City of Bellbrook; and

WHEREAS, Mr. Wilson has served the City of Bellbrook in various capacities and most recently as Service Director for a total of over 41 years; and

WHEREAS, Mr. Wilson has worked tirelessly to accomplish a number of projects large and small during his tenure including modernizing the city's water system, managing major street projects including the expansion of Franklin Street, creating the city's computer network system, and managing various flood prevention projects all while leading his team and ensuring the seamless operations of the city's water treatment and distribution systems, street maintenance, and facilities upkeep; and

WHEREAS, Mr. Wilson was conscientious in the performance of his various duties and helped shape the City of Bellbrook into the community that it is today; and

WHEREAS, the Mayor and City Council wish to acknowledge Mr. Wilson's dedication to the performance of his duties and responsibilities in all of his endeavors and recognize Mr. Wilson's many contributions to the local community during his tenure;

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. That the Mayor and City Council of the City of Bellbrook hereby commend Mr. Wilson for his devotion to duty and exemplary service. Council, for itself, the City Administration and citizens of Bellbrook, extends its appreciation and very best wishes to Mr. Wilson in his retirement.

Section 2. That Mr. Wilson be inducted to the City of Bellbrook Wall of Honor and permanently honored for his contributions to the community.

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. 2018-V

July 9, 2018

City of Bellbrook

Resolution No. 2018-V

A Resolution Authorizing the City Manager to Enter into an Agreement with the Bellbrook-Sugarcreek Local School District for School Security.

WHEREAS, the Bellbrook-Sugarcreek Local School District has requested that the Bellbrook Police Department continue its increased presence at schools within the City limits beyond its normal patrol; and

WHEREAS, the School District agreed to compensate the City for this increased presence; and

WHEREAS, the agreement will be effective for the 2018-2019 school year.

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.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

School Security Agreement For Bellbrook Police Officers

This agreement is made this ____ day of _____, 2018 by and between the City of Bellbrook and the Bellbrook - Sugarcreek Local School District, Bellbrook, Ohio, hereafter referred to as the "District".

WHEREAS, the District wishes to utilize the services of Bellbrook police officers in a security assignment.

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

1. Security and Enforcement

A. Officers assigned to this detail will focus on providing visible security for the students, staff and visitors of the District's school buildings. The security assignment will include the following;

1. Vehicle patrol of parking areas and the grounds of any building.
2. Foot patrol of parking areas and grounds of any building.
3. Foot patrol of the interior of any building.

B. Buildings to be patrolled

1. Sugarcreek Education Center / School Administrative Building
2. Bell Creek Intermediate School
3. Bellbrook-Sugarcreek Transportation office (on request).
4. Sugarcreek Elementary School
5. Stephen Bell Elementary School
6. Other school buildings on an as needed basis.

C. Assignment Times

This assignment will be based on the preceding schools' regular school day hours. The City of Bellbrook Police Department will strive to provide a minimum of 4 hours of security on site at any one or more of the buildings set forth in Item (1)(B), each school day. Other time necessary for the assignment, or requested by the District, will be provided as officers are available.

D. Documentation

Each school day, an on-duty officer will be assigned the school security detail, in addition to the officer's normal patrol duties. The on-duty dispatcher will log the time the officer signs off at a school for this assignment, and will log the time the officer returns to regular patrol service. The minimum amount of time counted for this assignment will be 30 minutes. As the officer returns to service, he/she will indicate to the dispatcher what activity was performed during the time period (A 1-3).

The records for this assignment will be retained by the Bellbrook Police Department; however copies will be available for the District, if requested.

- E. Officers assigned to this security detail will be responsible for the enforcement of the Municipal Code, 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.
2. 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 the security assignment, unless directed to the contrary by a police supervisor.
3. Supervision
The Bellbrook Police Department on-duty supervisor has the responsibility to oversee the activities of officers assigned school security during their respective tour of duty.
4. Release from Service
In the event of a city emergency requiring the services of a police officer assigned to security for the District, the District agrees that such officer will be released immediately from the security assignment.
5. Cost of Services
This agreement covers the 2018-2019 school year. Hours of the assignment will be based on the school days in each of the school buildings in the City of Bellbrook. The District agrees to pay the City of Bellbrook a flat rate of \$16,500 for the 2018-2019 school year. The District may request additional officers, or assignment times, if necessary.
6. 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, nor have breached this contract, 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.

7. Invoice

The City shall invoice the District for the amount provided under this Agreement in two separate billings, each for one half of the total amount due. Invoices will be sent by the City in January and August. 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.

8. 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.

9. This Agreement shall terminate on July 1, 2019 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.

City Manager
City of Bellbrook

Superintendent
Bellbrook-Sugarcreek Local School District

Chief of Police
City of Bellbrook

RECORD OF RESOLUTIONS

Resolution No. 2018-W

July 9, 2018

City of Bellbrook

Resolution No. 2018-W

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 2018 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.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

Extra Duty Employment Agreement For Bellbrook Police Officers

This agreement is made this _____ day of _____, 2018 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 2018 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 2018 Fall Bellbrook High School (Home game) football season from the first home football game in August 2018 until December 2018. 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 \$125.00 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, 2018 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.

City Manager
City of Bellbrook

Superintendent
Bellbrook Sugarcreek Local School District

Chief of Police
City of Bellbrook

RECORD OF RESOLUTIONS

Resolution No. 2018-X

July 9, 2018

City of Bellbrook

Resolution No. 2018-X

A Resolution Approving the Combination of Lots 58 and 59 of the Highview Terrace Subdivision, Section 3, Phase 2 into a Single Lot, Lot 58A.

WHEREAS, the Ohio Revised Code sets forth the Planning Board as the municipal platting authority; and

WHEREAS, the requested plat meets the requirements of the City's zoning code and subdivision regulations; and

WHEREAS, the Bellbrook Planning Board has recommended approval of the combination of lots 58 and 59 of the Highview Terrace Subdivision, Section 3, Phase 2 into a single lot, Lot 58A of the same 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 combination of lots 58 and 59 of the Highview Terrace Subdivision, Section 3, Phase 2 into a new single lot, Lot 58A 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.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council



To: City Council
From: Don Buczek, Assistant to the City Manager
Date: July 2, 2018
Subject: Staff Report for Lot Combination (Lots 58 & 59 – Highview Terrace)

Summary of the Request

The engineer representing the builder has submitted a request to combine Lots 58 and 59 of Highview Terrace Section 3 Phase 2. The property addresses are 3634 and 3638 River Birch Drive respectively. This action is a replat of Section 3 Phase 2 which was originally approved in February 2018. The Planning Board approved the request on June 7. Each public utility has approved the vacation of the utility easement between the two existing lots. The action being presented before you is to either approve or deny the lot combination request.

Additional Actions or Next Steps to be taken by the City

If a replat is approved by City Council, the Mayor and Planning Board Chair will be able to sign the documents and the owners can record the replat.

If a replat is denied, the property owners can submit revisions to the Planning Board.

Applicant's Reason for the Request

The owners bought both parcels and would like to put one residence on the newly formed parcel.

Previous Related Development Decisions in the Immediate Area (3-5 Years)

In 2011, the Planning Board approved the combination of Lots 30 and 31 in Highview Terrace Section 2 into Lot 31A. The owners wanted to combine the lots so they could build a garage on the neighboring lot. They had already completed their primary residence at the time. After reviewing documents from the replat, the Planning Board approved the lot combination, but did not discuss the impacts of the decision.

Comments from City and County Agencies

City Engineer: The City Engineer approves of the record plan and requested the utility providers to approve vacating the utility easement.

Other Agencies:

NA

Supporting Maps & Graphics

Figure 1

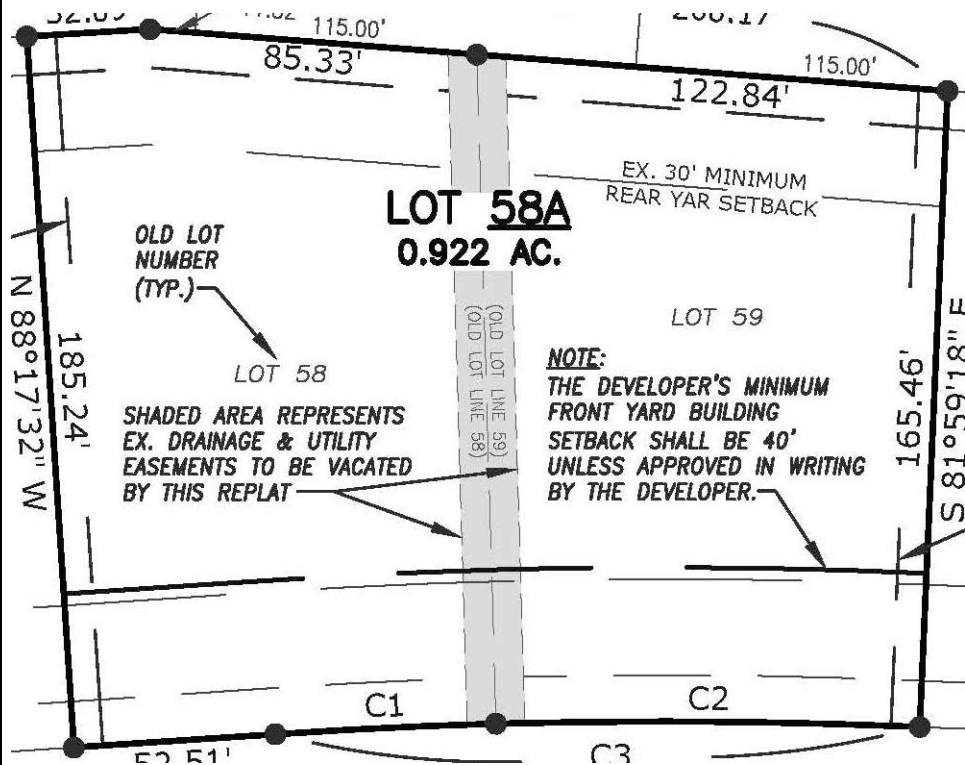
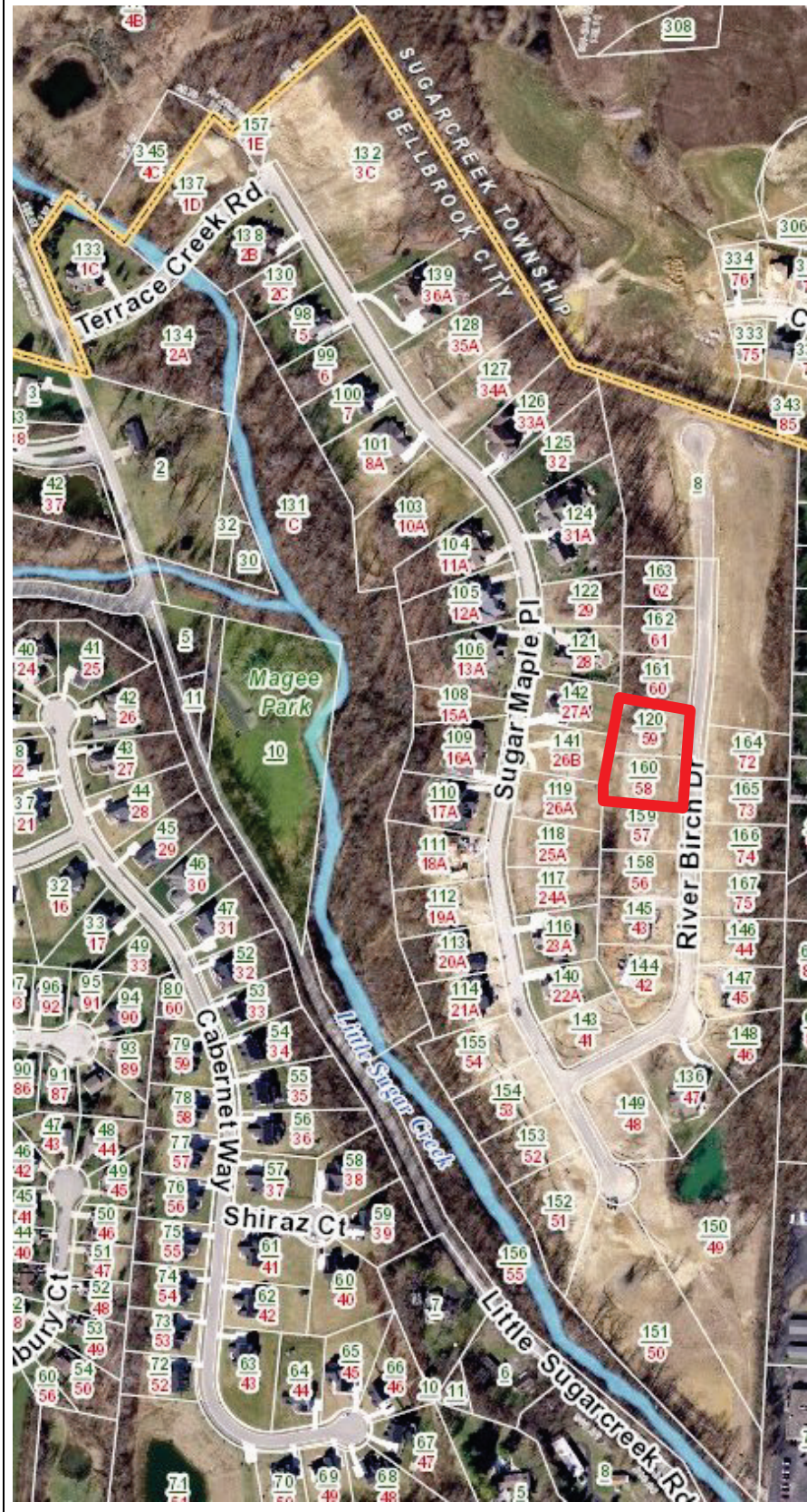


Figure 2



Staff Comments

During the June 7 Planning Board meeting, staff asked the Board to consider the impact of the loss of property taxes (\$3,000+/year) for the city by removing the potential for a second home. Also, staff asked the board to consider that the Planning Board and City Council have approved this subdivision with the assumption that every buildable lot would have a primary residence that would generate property taxes.

Additional information to consider:

- There are 40 buildable lots remaining in Highview Terrace
- Over the last 3 years, the city has issued an average of 5 New Construction Zoning Permits per year

RECORD OF RESOLUTIONS

Resolution No. 2018-Y

July 9, 2018

City of Bellbrook

Resolution No. 2018-Y

A Resolution Authorizing the City Manager to Adjust the Pay Scales of City Positions not Covered by a Collective Bargaining Agreement.

WHEREAS, the City of Bellbrook wishes to adjust the pay scales for City positions which are not covered by collective bargaining agreement; and

WHEREAS, the City reviews wage rates for its employees on an annual basis; and

WHEREAS, the wages of certain employees will fall outside the new pay scales and ranges for certain positions and the City Manager shall have the authority to adjust those specific wages as necessary including one-time lump sum payments; and

WHEREAS, the pay scales for elected officials and the city manager will not be adjusted; and

WHEREAS, the City wishes to incorporate the wage provisions into the general personnel policies of the City.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. That the City Manager is hereby authorized to adjust the wages for certain positions per the attached pay scales and ranges effective August 1, 2018.

Section 2. That the attached pay scales and ranges be approved as presented.

Section 3. That the City Manager has the authority to adjust the wages of certain employees that fall outside the new pay scales and ranges for their positions as necessary including one-time lump sum payments.

Section 4. That this resolution shall take effect and be in force forthwith.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

City of Bellbrook Wage Scales

	Pay Range	
Police Chief	\$86,549	\$106,309
Fire Chief	\$86,549	\$106,309
Deputy Chief	\$77,894	\$95,678
Service Director	\$74,589	\$99,341

Admin	Pay Scale								
	1	2	3	4	5	6	7	8	9
Assistant to the City Manager	\$23.97 \$49,858	\$25.35 \$52,728	\$26.78 \$55,702	\$27.91 \$58,053	\$29.26 \$60,861	\$30.75 \$63,960	\$32.29 \$67,163	\$33.93 \$70,574	
Admin Assistant-Finance	\$18.77 \$39,042	\$20.03 \$41,662	\$21.37 \$44,450	\$22.53 \$46,862	\$23.87 \$49,650	\$24.89 \$51,771	\$26.06 \$54,205	\$27.38 \$56,950	\$28.76 \$59,821
Senior Secretary	\$14.50 \$30,160	\$15.48 \$32,198	\$16.60 \$34,528	\$17.63 \$36,670	\$18.74 \$38,979	\$19.78 \$41,142	\$20.88 \$43,430	\$21.88 \$45,510	\$22.93 \$47,694

	Pay Range	
	Mininum	Maximum
Code Enforcement Officer (Part-time)	\$14.00	\$18.00
Museum Curator (Part-time)	\$10.00	\$14.00
Camera Operator (Part-time)	\$10.00	\$14.00

Service	Pay Scale							
	1	2	3	4	5	6	7	8
Service Foreman	\$26.07 \$54,226	\$27.41 \$57,013	\$28.78 \$59,862	\$30.23 \$62,878	\$31.42 \$65,354	\$32.70 \$68,016	\$34.03 \$70,782	\$35.36 \$73,549
Maintenance Worker 1	\$21.51 \$44,741	\$22.61 \$47,029	\$23.76 \$49,421	\$24.86 \$51,709	\$26.06 \$54,205	\$27.38 \$56,950	\$28.77 \$59,842	\$29.90 \$62,192
Maintenance Worker 2	\$16.03 \$33,342	\$16.82 \$34,986	\$17.70 \$36,816	\$18.54 \$38,563	\$19.29 \$40,123	\$20.15 \$41,912	\$21.16 \$44,013	\$22.21 \$46,197
Maintenance Worker 3	\$12.48 \$25,958	\$13.37 \$27,810	\$14.25 \$29,640	\$15.19 \$31,595	\$16.03 \$33,342			

Fire (non-union)	Pay Scale						
	1	2	3	4	5	6	7
Firefighter/Medic (Part-time)	12.00	13.00	14.00	15.00	16.00	17.00	18.00
Firefighter/EMT (Part-time)	11.00	12.00	13.00	14.00	15.00	16.00	

Police (non-union)	Pay Scale								
	1	2	3	4	5	6	7	8	9
Police Lieutenant	\$36.47 \$75,858	\$38.34 \$79,747	\$40.24 \$83,699	\$42.28 \$87,942	\$43.94 \$91,395				
Admin Asst-Police	\$18.77 \$39,042	\$20.03 \$41,662	\$21.37 \$44,450	\$22.53 \$46,862	\$23.87 \$49,650	\$24.89 \$51,771	\$26.06 \$54,205	\$27.38 \$56,950	\$28.76 \$59,821
Patrol Officer (Part-time)	\$13.00	\$14.00	\$15.00	\$16.00	\$17.00	\$18.00	\$19.00	\$20.00	



To: City Council
From: Melissa Dodd, City Manager
Date: July 9, 2018
Subject: Staff Report for Appeal of Village Review Board Decision on 79 West Franklin St.

Summary of the Request

The property owner has requested an appeal of a Village Review Board (VRB) decision made on August 9, 2017 to City Council. At the meeting noted, the VRB ordered the property owner to install a false gable on the roof with decorative louvre, faux windows and railings on each porch. The property owner would like to make a compromised list of improvements to the structure. These include shutters on the north end of the property, railings on each of the porches and paying the \$250 fine.

Additional Actions or Next Steps to be taken by the City

Upon hearing this appeal, City Council can approve, modify or deny the appeal.

Applicant's Reason for the Request

The property owner has cited the great expense that installing a false gable and faux windows would create. The original and modified plans by the architect also had a number of errors in them causing confusion.

Comments from City and County Agencies

I have reached out to Greene County Building Regulations to try to get the set of plans that were approved and filed by them.

Supporting Maps & Graphics

Figure 1 - Original drawing



Figure 2 – Amended drawing



Staff Comments

After reviewing all of the materials and meeting with Mr. Jendrian, I believe that everyone can agree that the structure is a vast improvement over what was previously on the property. I also understand that what was built was not what was approved by the Village Review Board. I will acknowledge that the original architectural drawings were problematic because they included two North images in error. The installation of the gable would be a costly project at this point. Mr. Jendrian has accepted fault and wants to make the improvements that he has proposed as well pay the fine of \$250 to the City. It is my belief that all parties involved would like to see this resolved as soon as possible.





79 West Franklin Street

Timeline of Events

November 9, 2015	House approved for demolition by Council
February 16, 2016	Village Review Board held public hearing to review the Application for Certificate of Appropriateness for new structure. Board approved and construction occurred throughout 2016
Early 2017	Found that construction did not match plans approved by VRB and several features missing. These missing items included the false gable on roof with decorative louvre, faux windows and railings on each porch.
February 28, 2017	Eileen Minamyler met with owner and builder. They noted that the gable could be done but the window would be difficult.
March 6, 2017	Letter sent by Eileen Minamyler following up on meeting and outlining required documentation to continue discussions with the VRB. Deadline of March 13, 2017 given.
April 26, 2017	Deadline passed with no submission of requested documentation. Follow up letter sent by Eileen Minamyler regarding lack of agreed submission of information. Numerous items requested by May 8, 2017 for review by the VRB.
August 1, 2017	Property owner requested meeting for approval of revised building elevations nearly 3 months after deadline of May 8 passed
August 9, 2017	Bellbrook VRB Meeting to discuss property - case #17-01. Appeal by property owner was denied by the board. Motion was made to modify the case to install the gable with the decorative louver and install the faux windows on the north side of the property. Also install railings on the north and south side of each porch. A 120 day timeline for completion was given.

December 7, 2017	Lapse of 120 day timeline given to make corrections – no corrections to property made to date
December 22, 2017	Letter sent by City Manager regarding notification of violation of Zoning Code section 14.14 Gave another extended deadline of January 19, 2018 to correct violations. If not corrections are not made, civil penalties will be assessed. Option to appeal was given with a requested response within 20 days of receipt of the letter.
January 15, 2018	Response letter from Mr. Jendrian’s attorney stating that he would like to appeal the Zoning Notice of Violations dated December 22, 2017 and would like a hearing on the matter
May 30, 2018	CM met with Mr. Jendrian regarding the violation and he outlined the difficulty in constructing the gable and the false window at this point and offered to instead compromise. This would be an appeal to Council to hear as long as they were willing since it was outside the 45 day period allowed in the Zoning Code.
June 25, 2018	Council made a motion to hear the appeal at the next meeting – July 9, 2018.



BELLBROOK VILLAGE REVIEW BOARD
PUBLIC HEARING MINUTES
AUGUST 9, 2017

PRESENT: Mrs. Jacqueline Greenwood
Mrs. Karen McGill
Chairman Jeff Owens

ABSENT: Mrs. Jennifer Bowersock
Mrs. Dana Duckro

GUESTS: Mr. Brady Harding, Village Review Board's Architect Advisor
Mr. Paul Jendrian

CALL TO ORDER

The public hearing of the Village Review Board (VRB) was called to order at 6:00 PM. Mr. Schlagheck said the board members need to appoint a new chairperson. Mrs. Greenwood made a motion to appoint Jeff Owens to serve as the Board's Chairman. Mrs. McGill seconded the motion. A voice vote of all ayes approved the appointment of Mr. Owens as the chairman of the Village Review Board. After roll call, Mrs. Greenwood moved for the approval of the prior minutes of July 12, 2016; Mrs. McGill seconded the motion. A voice vote of all ayes approved the prior minutes as submitted.

OLD BUSINESS: NONE

NEW BUSINESS:

VRB CASE # 17-01: 79 W FRANKLIN ST (JENDRIAN)

The owner of the property at 79 W. Franklin St. is requesting approval of revised building elevations.

Mr. Schlagheck said that two notable items were missing from the north elevation of the building following construction: a false gable on the roof and faux windows. Mr. Schlagheck said what is before the board tonight is to approve or deny this request to modify the elevation. If the request is denied, the property owner, Paul Jendrian, can appeal to Council.

Chairman Owens requested that Brady Harding, the Village Review Board's Architect Advisor, come forward and give a summary.

Mr. Harding said the original home located at 79 W. Franklin St. was about 150 years old and had a lot of structural issues. It was the sister design to the house that was adjacent to it. The street frontage had the façade with the gable and doorway and the windows were facing out onto the main road. Mr. Jendrian's approved elevation showed that the façade would mimic the adjacent home giving the same feel as to being the front of the house instead of the side of the house. The proposed plans had the restrooms located at the end of the house, which Mr. Harding said he understood. They proposed to install faux windows with louvers that would still have the relative pattern going along the front of the home which is similar to the adjacent structure next door. Mr. Harding said that when the building was built, the gable was removed and the two louvered windows were removed. Mr. Harding said now, instead of having something front facing, there is a side of the house that is facing the main street.

Other items Mr. Harding said were proposed that were not done include: six foot piece of fencing from the porch out to the sidewalk, hand railing on the porches, all four doors were to be the same. Mr. Harding said cut sheets were requested for all of the finishes of the windows and doors. He said that the VRB was told that everything would be coming to the City, which Mr. Harding said to his knowledge, were never received. Mr. Harding also said that originally HardiPlank was the material for the exterior of the property. The VRB approved the change from HardiPlank to vinyl siding at their meeting in July 2016. Mr. Harding also mentioned that the owner and builder were questioned as to why the louvered windows were not installed. The response from the owner was "it is too difficult and impossible to install". Mr. Harding was looking for an explanation concerning this but never received one. Mr. Harding said his biggest concern now is there is a side of the house that is facing the main street in our historical village. Mr. Harding said he was not happy that the old house had to come down but he said the proposed plan was a decent solution.

Chairman Owens asked Mr. Harding about the windows being elongated. Chairman Owens said it appears that the windows are shorter and wider than what was originally approved. Mr. Harding confirmed that the windows were not the same as approved and referenced the house next door to the property that has long and skinny windows.

Chairman Owens requested that the property owner, Paul Jendrian, provide his input to the matter at hand. Mr. Jendrian said he has spent over \$260,000 to demolish the old structure and construct the new structure. There were also three dead trees on the property that had to come down. He said he has received a lot of comments from people in the community about how nice the property looks. He said they did overlook a few things, but it was not intentional and he did apologize. Mr. Jendrian said he is dismayed that his builder was not at the meeting to answer questions. He said he hopes this request can be approved as he does not want to start over again or start tearing out windows. Mr. Jendrian said the difference in what was presented and what was built are minor. He said there are a lot of different structures. Mr. Jendrian also said the neighbors next door have talked about putting up a fence on their property. He does not see any value in him putting up a fence on his property. He said, in summary, this is a nice looking building and it is a nice improvement for Bellbrook. He said if there is a motion to approve this request, he would appreciate it.

Chairman Owens asked Mr. Jendrian if there were any thoughts on the other items mentioned such as the doors not being the same. Mr. Jendrian said he really did not realize the doors were different.

Mrs. McGill said she would like to know what could be done to bring the house more in character to the town. She said if the fence was in the plan, then she thinks the fence should be there. She asked why the false windows could not be put in. Mr. Jendrian replied that he does not know because he is not an architect or builder.

Mrs. Greenwood asked if the plan was presented and approved then why was it not done. She said the gable was a main part of the structure. Mr. Jendrian said it was just overlooked. Mr. Jendrian said if the builder was here, perhaps he could better answer the question.

Chairman Owens said unless someone directs the framer not to follow the blueprint, the gable should have been on the building. Mr. Jendrian said he can't imagine that the builder would have directed someone to not follow the blueprint. Mr. Jendrian said he has built before and things do get overlooked. Chairman Owens said he can understand about the doors not being identical but it is difficult to imagine that if you have a distinct set of prints that specifies a window size and a gable and finished trim, someone has to ask the framer to frame that a different way. He said it is difficult to imagine that the same framer could frame the window incorrectly and could not frame the faux windows and would not build the gable. Chairman Owens said that is a lot to overlook.

Mrs. Greenwood said there was a meeting of the VRB to approve the change in the siding. She said that not installing the gable was a major architectural change, but there was not a meeting to discuss.

Mrs. McGill asked Mr. Jendrian how often he came out to the construction site. Mr. Jendrian said he was out 2-3 times a week. Mrs. McGill said it seemed like he would have noticed that the gable was not being put up.

Chairman Owens asked Mr. Jendrian if he would be willing to do any of these items they have been discussed. Mr. Jendrian said at one time there was some discussion about putting a false gable up. He said that could probably be done. Mr. Jendrian said he is not going to start tearing down walls or making a lot of other modifications.

Chairman Owens asked Mr. Harding to come back up to the podium. Mr. Harding wanted to provide additional comments on a couple of items. He said the project had to be permitted without the gable or there were revised plans. Mr. Harding said he can't imagine the building inspector in Greene County approving the framing inspection without the gable if it was originally on the drawing. He said he finds it challenging that Mr. Jendrian said it was overlooked. Mr. Harding said he is not as concerned that the doors are not identical but he referenced from prior meeting minutes that the doors were going to be identical. Mr. Harding also referenced several other items from prior meeting minutes that were discussed that Mr.

Jendrian and his builder, Mr. Bennett said they would do that sold the VRB on the design of the building.

Chairman Owens asked Mr. Harding about any complications in adding the gable. Mr. Harding said there should be no complications, but the gable needs to be like the original drawing.

Mrs. Greenwood asked about the faux windows. Mr. Harding said there is no reason that the faux windows can't be installed. He said it is just vinyl siding that can be framed out. She also asked if the installed windows are the correct size. Mr. Harding said there was really nothing called out on the dimension of the windows on the original drawing.

After no further questions or comments from Mr. Harding, the board started their discussion.

Mrs. Greenwood said she would like to see the changes made. She understands about the doors and is not so concerned about those. Since the property faces the street on the main road, the gable and faux windows are important.

Mrs. McGill agrees that the faux windows and gable should be added.

Chairman Owens said there are a couple of other items to discuss. The first item is the railing on the side of each porch. All three board members thought the railing should be installed. Second, the six foot fence that would run parallel to the street. Mr. Jendrian said he does not think the fence would look good. Chairman Owens said the fence would just be ornamental. He said he would rather see the railings on the porches.

Mr. Harding said his recommendation would be that the gable, the louvers and the railings on the side of each porch be completed. He said those items would have the biggest impact esthetically. Mr. Harding also said he would recommend a 90 day timeline.

Mr. Jendrian said he would like a year to complete this. Chairman Owens said that a year is too long. Mr. Jendrian then said nine months would be better. There was more discussion amongst the members in regards to the proposed timeline.

Mr. Schlagheck said there are two actions that need to take place. After hearing all of the comments, a motion needs to be made to either approve or deny the original request from the property owner. Another motion will need to be done that will list the items that the VRB would like Mr. Jendrian to complete.

Chairman Owens made a motion to deny VRB Case 17-01. This motion denies the revised building elevations at 79 W. Franklin St. Mrs. Greenwood seconded the motion. A voice vote of all eyes in favor of the denial was recorded.

Chairman Owens made a motion to modify VRB Case 17-01 to install the gable with the decorative louver and install the faux windows on the north side of the property. Also install railings on the north and south side of each porch. The modifications need to be completed as was originally approved. This motion also includes a 120 day timeline for completion. Mrs. McGill seconded the motion. A voice vote of 2 ayes and 1 nay was called. The motion carried 2-1.

OPEN DISCUSSION: NONE

ADJOURNMENT:

There being no further business to discuss, Chairman Owens moved to adjourn the meeting at 6:59 PM.

Jeff Owens, Chairman

Date

Jami Kinion, Acting Secretary

Date

HIGHLAND R.E. GROUP, LTD
P.O. Box 293177
Kettering, Ohio 45429
June 12, 2018

Clerk of Council
City of Bellbrook
Box 285
Bellbrook, Ohio 45305-0285

Dear Mayor and Council Members:

I am writing in reference to the property located at 79 W. Franklin St. As you are aware, the new building was completed in March, 2017 and passed all final inspections from Greene County and a Certificate of Occupancy was issued.

Unfortunately the completed structure does not match up to the drawings presented to the VRB in 2016. There are, in my view, some minor variances. After some research it was discovered that in the original drawings in the elevation sections there are two Norths and no South. I am guilty of not paying closer attention to detail as the building was going up. I recognize that in the end, I am responsible for this oversight, but am surprised that those who know more about architectural drawings did not catch the error as the building went up and was completed.

Although I am pleased with and think the building is a vast improvement to what was there, I am willing to pay the fine of \$250. If it is your desire, I will also install railings on the front and back porches and install black shutters on the Franklin St. side to dress up the building even more. I do understand that a gable is preferred on the Franklin St. side, but now that the building is completed, approved and occupied, tearing into the structure would impact the integrity of the roof, likely causing

leaks into the building, in addition to being very expensive to add at this time.

I am therefore asking that you accept my apology, allow me to pay the fine, and add the railings and black shutters so that we can conclude this matter.

Thank you for your consideration of this request.

Very truly yours,



Paul A. Jendrian, President
HIGHLAND R.E. GROUP, LTD