

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Meeting  
September 23, 2019

**PRESENT:** Nick Edwards  
Forrest Greenwood  
Darryl McGill  
Elaine Middlestetter  
Dona Seger-Lawson  
David Van Veldhuizen, PhD  
Mayor Mike Schweller

This is a summary of the City Council meeting held on Monday, September 23, 2019. Mayor Schweller called the meeting to order at 7:00 pm and the Clerk called the roll.

**PLEDGE OF ALLEGIANCE**

The Council and public were led in the pledge of allegiance to the flag by the members of Girl Scout Troup 33263.

**ROLL CALL**

Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Dr. David Van Veldhuizen, yes; Mayor Schweller, yes.

**FORMAL APPROVAL OF MINUTES**

After polling members of City Council, as there were no corrections or additions to the regular meeting minutes of September 9, 2019 Mayor Schweller declared the minutes approved as written.

**MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST**

Mayor Schweller extended his and the City Council's prayers were with the construction worker who was injured earlier that day and his family.

The Mayor welcomed Girl Scout Troup 33263. He presented each member with a certificate of appreciation for their work on the Little Free Libraries in Bellbrook. The four Little Free Libraries were erected in the spring. The troupe was responsible for the book drive to fill the libraries and continue to monitor and replenish them as needed. The Mayor presented each troop member with a certificate of appreciation and a city pin.

Alaina Bayer	Rebecca Cyphers
Olivia Beale	Maddy Dann
Lauren Becker	Maddy Hileman
Emily Betts	Evie Olds
Kaylynn Chain	Avery Scott

**PUBLIC HEARING OF ORDINANCES**

Mr. Edwards read **Ordinance 2019-14 An Ordinance Amending Ordinance 2018-6 to Adjust the City of Bellbrook Appropriations for 2019**. He added information from the attachment outlining the differences being adjusting.

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City Manager Melissa Dodd explained that this ordinance makes adjustments for items that occurred with the changes in staff and items that were unknown at the time the budget was approved.

Mr. Edwards made a motion to adopt **Ordinance 2019-14 An Ordinance Amending Ordinance 2018-6 to Adjust the City of Bellbrook Appropriations for 2019**. Dr. Van Veldhuizen seconded the motion. The Clerk called the roll. Mr. Edwards, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. McGill, yes; Mayor Schweller, yes. The motion passed 7-0.

## INTRODUCTION OF ORDINANCES

Mr. Greenwood read **Ordinance No. 2019-15 An Ordinance Amending Section 1450.15 – “Demolition” of the Codified Ordinances of the City of Bellbrook**. He stated that requirement to obtain a bond is new and a permit. Mr. Greenwood asked if this permit was in conjunction with the one that the county requires. The City Manager explained that this ordinance added specifics to the section concerning demolitions. She added that the county’s regulations were concerned with the proper removal of hazardous materials. The proposed city permit are concerned with having the site restored to a cleared park-like condition.

Mr. Edwards asked if we could include a way to know that the county’s permit has been completed in addition to the city’s. Mrs. Dodd agreed with adding this and a procedural guideline to bring before Council for the public hearing of this ordinance. This language was originally going to be included in the Zoning Code but was determined to be better placed within the Municipal Code.

Mr. Greenwood made a motion to introduce **Ordinance No. 2019-15 An Ordinance Amending Section 1450.15 – “Demolition” of the Codified Ordinances of the City of Bellbrook**. Mr. McGill seconded the motion. The Clerk called the roll. Mr. Greenwood, yes; Mr. McGill, yes; Mr. Edwards, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Schweller, yes. The motion passed 7-0.

Mrs. Middlestetter read **Ordinance No. 2019-16 An Ordinance Adding Section 412.07 – “Special Events” to the Codified Ordinances of the City of Bellbrook**. She explained that the ordinance defined what the city considers a Special Event and creates a permit to be completed by applicants.

The City Manager explained that this idea was discussed at the previous council meeting. Special events are defined as an event that affects streets, traffic flow, or sidewalks. Garage sales and the like would not qualify. The guidelines are being added so that the city and services are aware of any needs. A check box asking if alcohol will be served was added to the permit per Council’s request. The time limit of 14 days was added for the time required for a permit to be requested in advance of a special event.

Mrs. Middlestetter read **Ordinance No. 2019-16 An Ordinance Adding Section 412.07 – “Special Events” to the Codified Ordinances of the City of Bellbrook**. The motion was seconded by Mrs. Seger-Lawson. The Clerk called the roll. Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mayor Schweller, yes. The motion passed 7-0.

Dr. Van Veldhuizen read **Ordinance No. 2019-17 An Ordinance Adding Chapter 1011 – “Sidewalks” to the Codified Ordinances of the City of Bellbrook**. Dr. Van Veldhuizen condensed the content of the ordinance to explain that the purpose is to define the standards for sidewalks.

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Mrs. Dodd explained that there were no standards in the code. This allows property owners and city staff to determine if a sidewalk is in need of repair.

Dr. Van Veldhuizen made a motion to introduce **Ordinance No. 2019-17 An Ordinance Adding Chapter 1011 – “Sidewalks” to the Codified Ordinances of the City of Bellbrook.** Mrs. Middlestetter seconded the motion. The Clerk called the roll. Dr. Van Veldhuizen, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. McGill, yes; Mayor Schweller, yes. The motion passed 7-0.

Mrs. Seger-Lawson read **Ordinance No. 2019-18 An Ordinance Amending Section 1450.31 (c) “Sidewalks and Driveways” of the Property Maintenance Code.** This ordinance adds the sidewalk requirements from the previous ordinance to the Property Maintenance Code.

Mrs. Seger-Lawson made a motion to introduce **Ordinance No. 2019-18 An Ordinance Amending Section 1450.31 (c) “Sidewalks and Driveways” of the Property Maintenance Code.** The motion was seconded by Mrs. Middlestetter. The Clerk called the roll. Mrs. Seger-Lawson, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Dr. Van Veldhuizen, yes; Mr. McGill, yes; Mayor Schweller, yes. The motion passed 7-0.

**RESOLUTIONS** - none

## **CITY MANAGER’S REPORT**

City Manager Melissa Dodd explained that Mr. Clemens had rescinded the request he had brought before Council at the previous meeting to have a lot in Highview Terrace given back to Sugarcreek Township. The Mayor asked her to research what the steps would be to do something like this since it is normally cities that annex land from townships. Mr. Greenwood opined that this is not a precedence he wants to set.

Mrs. Dodd reported that LJB Engineering has begun the work required for the city to be ready if money becomes available to complete the Franklin Street Bridge Path project with ODOT.

The City Manager met with Miami Valley Lighting to discuss decorative lighting for downtown on Franklin Street. Newer, more efficient decorative lighting is a goal for the downtown to replace the plain wood utility poles and aluminum lighting that is currently in place. This is not holiday lighting.

Mrs. Dodd was thrilled to announce that the inaugural running of the Brook Mills 10k and the Be Well Bellbrook event were a huge success. The debrief meeting with all of the department directors and the race coordinator will happen in a week or two. A follow up report will be made to Council after that meeting. Feedback was incredibly positive, especially from runners who loved the course. A plan will be made to make next year’s event even better.

Mr. Greenwood added that it was a great event and hopes that the city makes plans and checklists to streamline the processes.

Mr. McGill recommended that the local HAM radio group, BARC, be involved.

## **COMMITTEE REPORTS**

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**Service:** Mrs. Seger-Lawson reminded Bellbrook citizens that the city does not do leaf pickup. Leaves can be mulched or put in yard bags for Rumpke to remove with garbage pickup.

**Safety:** none

**Finance/Audit:** Mr. Edwards reported that Budgeting work sessions are being scheduled for 10/28 for Service, 11/12 for Police and Fire Departments, and 11/25 will be the introduction of the budget ordinance. The public hearing of the budget ordinance will be on December 9.

**Community Affairs:** Mrs. Middlestetter relayed that the committee held interviews for the opening on the Planning Board and a candidate will be recommended at a future meeting. The Museum Trustee Board is accepting letters of interest for two openings. Please send letters to Dwight Bartlett at w.mitty@att.net.

**OLD BUSINESS** - none

**NEW BUSINESS** - none

**OPEN DISCUSSION**

Mr. Edwards and all of Council thanked the Girl Scouts for their service and for staying for the entire meeting.

Mr. Greenwood thanked everyone who came out for the race and health fair and looks forward to the second annual event next year.

Mrs. Middlestetter added that she was a Girl Scout and she encouraged the scouts to keep up the good work.

Mrs. Seger-Lawson reminded citizens that the high school football game was on Thursday night this week.

Dr. Van Veldhuizen added that he has taken advantage of the little free libraries.

Mr. McGill echoed the thanks to the Girl Scouts.

Doug Johnson, 208 Pinegrove Drive, asked if the city has an ordinance like Oakwood does concerning bagging mattresses that are being thrown out due to bed bugs. Council answered that Rumpke has rules for the disposal of mattresses and since they are contracted to do the city's garbage disposal, the city does not need an ordinance. Mr. Johnson stated that the city could sell the bags like Centerville does. He asked if the city closed a deal for the city land that the person wanted to open a tubing business on. The City Manager answered there was no deal to sell city land. Mr. Johnson asked about Ordinance 2019-17 Sidewalks means that the downtown business owners will take care of their own sidewalks. The City Manager answered that sidewalk maintenance by the property owners has always been in the code.

Charles Skipper, 209 Sheffield Drive, asked if the sidewalk ordinance include regulations about trees planted near sidewalks since the roots eventually affect the sidewalks. Mr. Edwards said if the tree is in the right of way or within an easement, the owner might have to do something about them. Mr. McGill said there is a section that speaks to long-standing trees being preserved.

James Cyphers, told Council that the Planning Board recently heard a request he has made to remove a walking path that runs along his property in Highview Terrace. He hopes that Council will listen to the

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request with an open mind even though the request was denied by the Planning Board. He added that there is another walking path on the county plans. His concern has to do with liability.

**EXECUTIVE SESSION –**

Mr. McGill made a motion to exit Executive Session to discuss the discipline of a public employee at 7:58 PM. The motion was seconded by Dr. Van Veldhuizen. The Clerk called the roll. Mr. McGill, yes; Dr. Van Veldhuizen, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Schweller, yes. The motion passed 7-0.

Council came out of executive session at 8:50 PM.

**ADJOURN**

Being no further business to come before the Bellbrook City Council, Mayor Schweller declared the regular meeting adjourned at 8:52 PM.

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Michael W. Schweller, Mayor

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Pamela Timmons, Clerk of Council