

**BELLBROOK CITY COUNCIL**  
**MEETING MINUTES**  
**MARCH 9, 2009**

**PRESENT:** Mr. Bob Baird  
Mr. Denny Bennett  
Mrs. Pat Campbell  
Mr. Joe Ritzel  
Deputy Mayor Mike Schweller  
Mayor Mary Graves

**ABSENT:** Mr. Ralph Fussner

This is a summary of the City Council meeting held on Monday, March 9, 2009.

Mayor Mary Graves called the meeting to order at 7:30 p.m. and asked everyone to stand and say the Pledge of Allegiance. The Clerk called the roll. Mr. Fussner was absent due to illness. Mr. Bennett moved Mr. Fussner be excused. Mrs. Campbell seconded the motion. There being no further discussion, the Clerk called the roll: Mr. Bennett, yes; Mrs. Campbell, yes; Mr. Baird, yes; Mr. Ritzel, yes; Mr. Schweller, yes; Mayor Graves, yes. The motion carried 6-0.

There being no corrections or additions to the prior minutes of the Regular City Council Meeting of **February 23, 2009, Mr. Bennett moved they be approved as written**. Mr. Ritzel seconded the motion. The Clerk called the roll: Mr. Bennett, yes; Mr. Ritzel, yes; Mr. Baird, yes; Mrs. Campbell, yes; Mr. Schweller, abstain; Mayor Graves, yes. The motion carried 5-0 with one abstention.

**SPECIAL GUESTS/SPECIAL ANNOUNCEMENTS:**

**Carol Bennett from the Bellbrook Garden Club**, presented City Council with a flyer for the upcoming "It's Spring, Think Greene" event at Bellbrook Sugarcreek Community Center on March 14 from 12-3 p.m. She listed for Council what local groups would be participating and what activities would be conducted. She encouraged residents to attend.

**MAYOR'S ANNOUNCEMENTS: NONE**

**PUBLIC HEARINGS:**

**ORDINANCE 2009-2 AMENDING APPROPRIATION ORDINANCE 2008-17 TO ADJUST THE CITY OF BELLBROOK APPROPRIATIONS TO REFLECT ADDITIONAL COSTS IN SOME LINE ITEMS AND REDUCED COSTS IN OTHERS.**

Mr. Schweller read the title and the introduction of Ordinance No. 2009-2 and listed the funds in which there would be transfers for a total of \$197,450. He stated this was a normal housekeeping item and said it was necessary every year to refine the budget to reflect information obtained that was not available at the time the budget was prepared. Mr. Schlagheck explained that in 2009 there would be 27 payrolls instead of 26, which is the typical number, so he had to adjust for that. He said, since he started at the City in November, he didn't have much time to evaluate the numbers before the budget was prepared, so he took time to re-evaluate and needed to make some changes.

Mayor Graves opened the public hearing. There being no one present to speak either in favor of nor in opposition to the Ordinance, the Mayor declared the public hearing closed.

There being no further discussion, **Mr. Schweller moved for the adoption of Ordinance 2009-2.** Mr. Ritzel seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mr. Ritzel, yes; Mr. Baird, yes; Mr. Bennett, yes; Mrs. Campbell, yes; Mayor Graves, yes. The motion passed 6-0.

**INTRODUCTION OF ORDINANCES: NONE**

**ADOPTION OF RESOLUTIONS:**

**RESOLUTION 2009-G AUTHORIZING THE CITY MANAGER TO EXECUTE THE SALE OF SURPLUS EQUIPMENT**

Mr. Ritzel read Resolution 2009-G in its entirety. Mr. Schlagheck explained that we replaced a Cushman utility vehicle in this year's capital budget and had been offered \$500 as a trade-in for our old equipment. He said the schools needed the equipment and offered the city \$1,000 for it. There being no further discussion, **Mr. Ritzel moved for the adoption of Resolution 2009-G.** Mr. Schweller seconded the motion. The Clerk called the roll: Mr. Ritzel, yes; Mr. Schweller, yes; Mr. Baird, yes; Mr. Bennett, yes; Mrs. Campbell, yes; Mayor Graves, yes. The motion carried 6-0.

**RESOLUTION 2009-H ADOPTING AN IDENTITY THEFT POLICY**

Mrs. Campbell read the title and introduction to Resolution 2009-H. Mr. Schlagheck explained that the Federal Trade Commission adopted this policy in 2003 making anyone who is a creditor have an identity theft policy. Because we offer utility services and allow residents to use our service and pay for it later, we're considered a creditor. He said this proposed policy was based on a model that the Ohio Municipal League put together modified to meet our needs and will bring us in compliance with the standards. Mr. Schlagheck mentioned that he asked the Police Department to review this legislation.

Mrs. Campbell said she read an article that stated criminals were now stealing identities of deceased individuals and the article recommended that an obituary not include the birth date or birth city because criminals are acquiring birth certificates of deceased individuals.

There being no further discussion, **Mrs. Campbell moved for the adoption of Resolution 2009-H.** Mr. Bennett seconded the motion. The Clerk called the roll. Mrs. Campbell, yes; Mr. Bennett, yes; Mr. Baird, yes; Mr. Ritzel, yes; Mr. Schweller, yes; Mayor Graves, yes. The motion carried 6-0.

**RESOLUTION 2009-I AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF OHIO AND PROVIDE FOR THE PAYMENT OF \$123,860 TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 725 OVERLAY PROJECT.**

Mr. Bennett read Resolution 2009-I in its entirety. Mr. Schlagheck explained that this was for the repaving of Rte. 725 from Lakeman to Vemco that will take place

this summer. He said the State of Ohio would do the project and 80% of it would be paid for by the State and 20% by the City. He said based on the engineer's estimate we budgeted \$183,000 and the current estimate from the State is about \$124,000, so he thought we would save some money. He said this legislation authorized him to enter into a contract with the State and pay them \$123,860. He said they will not open bids until they receive this check and the bids would be opened on April 22.

There being no further discussion, **Mr. Bennett moved for the adoption of Resolution 2009-I.** Mr. Schweller seconded the motion. The Clerk called the roll: Mr. Bennett, yes; Mr. Schweller, yes; Mr. Baird, yes; Mrs. Campbell, yes; Mr. Ritzel, yes; Mayor Graves, yes. The motion passed 6-0.

**CITY MANAGER REPORT:**

Mr. Schlagheck explained that we have submitted our streets for the **annual street surfacing program** to Greene County who does the bidding for us saving us a lot of time and effort. He listed the streets as Bellaire Circle, Hess Rd., Lower Hillside, Eckworth Dr., Cornish Ct., S. Linda and S. Main from South St. to the south corporation line. He said the cost would be roughly \$150,000, which is what we budgeted this year. He said legislation would be coming to Council later this spring.

Mr. Schlagheck said everyone in the City who gets a **water bill** now gets a postcard. He said, based on some identity theft reasons, we were working with a company to start sending out 8-1/2" X 11" statements in an envelope with a return envelope. He said that was the first phase and over time we would allow residents to receive them electronically and eventually pay them electronically. He said if everything goes as planned the first paper statement will go out May 1. Mayor Graves cautioned residents not to throw the statements away.

**COMMITTEE REPORTS:**

**SERVICE:**

Mr. Bennett read a **report from Dale Wilson** which is attached and made a part of this record.

**SAFETY: NONE**

**FINANCE/AUDIT: NONE**

**COMMUNITY AFFAIRS:**

Mrs. Campbell reported that the **stimulus package** was discussed at the last **MVRPC** meeting and said all jurisdictions in the five-county area were able to submit programs they would like to be considered for a share of the stimulus money. She said the total of the projects submitted was \$88.3 million but the total the five counties will be receiving is \$17 million. She said, obviously, a lot of the projects would not be completed. She said the transit programs received an additional \$22 million. She said Ohio got a total of \$936 million. She said according to requirements, the projects would have to be started this year and Congress asked that the number of jobs created be reported to them. She said she didn't think any of the bike paths would be considered. Mrs. Campbell said that MVRPC and ODOT would be choosing the projects and they would try to spread the funds among the five counties.

Mrs. Campbell said she also received an e-mail from Mr. Spang stating that there are people objecting to the **primary seat belt law** that has been proposed in the State. She said there would be a debate this week and he recommended people get in touch with their senator, ours being Chris Widener, to ask that this law be passed.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**Liquor License Request – Amelia’s Bistro, 129 W. Franklin St.**

Mr. Schlagheck explained that Amelia’s already has a license that was transferred from the previous business but due to some issues with that license they have applied for a new permit. He said the Police Department has no objection to issuance of this permit which will cover their existing Bistro and outdoor patio. He said there has been talk of their opening a new wine bar in a different location in that center and if that moves forward they will need another liquor license.

**OPEN DISCUSSION:**

Mr. Baird stated he was opposed to the **primary seat belt law**. Mr. Bennett said he was for the new seat belt law.

Mrs. Campbell announced that **Jessica Parringer who was the co-owner of Cuvee Wine shop passed away yesterday** at the Cleveland Clinic. Mrs. Campbell said she had Cystic Fibrosis and had a double lung transplant in February. Mrs. Campbell said the shop would be open tomorrow (Tuesday) for a reception in her memory. Mrs. Campbell extended City Council’s condolences.

Mrs. Campbell said that **Burma Fernandez** was now home and was getting around on a walker and wheel chair. She said she expected to be at the next Chamber meeting.

Four **students from Alter High School** introduced themselves and said they were taking a government class at Alter and required to attend two City Council meetings.

Mayor Graves **thanked the viewing audience** and invited viewers to call her or the Clerk and she thanked **Louie Schatzberg**, cameraman, for his service.

There being no further business to come before this regular session of Bellbrook City Council, **Mr. Bennett moved to adjourn**. Mrs. Campbell seconded the motion. The Clerk called the roll. Mr. Bennett, yes; Mrs. Campbell, yes; Mr. Baird, yes; Mr. Ritzel, yes; Mr. Schweller, yes; Mayor Graves, yes. The motion passed 6-0 and the **Regular Session of City Council was adjourned at 8:10 p.m.**

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Mary C. Graves, Mayor

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Jill D. Rosner, Clerk of Council