



## **BELLBROOK CITY COUNCIL AGENDA**

**February 8, 2016**

**City of Bellbrook**

15 E. Franklin Street  
Bellbrook, Ohio 45305

T (937) 848-4666

F (937) 848-5190

[www.cityofbellbrook.org](http://www.cityofbellbrook.org)

### **7:00 pm—Regular Meeting**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Formal Approval of the City Council Executive Session and Regular Meeting Minutes of **January 25, 2016**

#### 5. Mayor's Announcements/Special Guest-Oath of Office

- Scott Carlson, Village Review Board, Oath of Office
- Police Chief Doug Doherty- Police Department 2015 Annual Report

#### 6. Public Hearing of Ordinances

**Ordinances 2016-1** An Ordinance Amending Certain Sections of the City of Bellbrook Zoning Code. (Edwards)

#### 7. Resolutions

**Resolution 2016-G** 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 Police Vehicles for the City of Bellbrook. (Greenwood)

**Resolution 2016-H** 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 Police Vehicle for the City of Bellbrook. (Martin)

**Resolution 2016-I** 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 Bucket Truck for the City of Bellbrook. (Seger-Lawson)

**Resolution 2016-J** A Resolution Authorizing the City Manager to Enter into a Contract with Interstate Ford for the Purchase of a Box Truck for the City of Bellbrook. (Schweller)

#### 8. City Manager's Report

#### 9. Committee Reports

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

12. Old Business

13. New Business

- 2016 Water Rates Review

14. Open Discussion

15. Adjourn

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

January 25, 2016

**PRESENT:** Mr. Nick Edwards  
Mr. Forrest Greenwood  
Mr. Jon Martin  
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, January 25, 2016. 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 January 11, 2016**, Mayor Baird declared the minutes approved as written.

## **MAYOR'S ANNOUNCEMENTS**

The Mayor administered the Oath of Office to Sharon Schroder- Board of Zoning Appeals; Donna Gibson and Janis Stratis both serving on the Historical Museum Board.

The Mayor thanked the Board Members for serving on these Boards.

## **INTRODUCTION OF ORDINANCES**

Mr. Edwards read **Ordinance 2016-1**. An Ordinance Amending Certain Sections of the City of Bellbrook Zoning Code. The changes will be discussed at the Public Hearing scheduled for the February 8 Council Meeting.

**Mr. Edwards made a motion to introduce Ordinance No. 2016-1.** Mr. Martin seconded the motion. The Clerk called the roll: Mr. Edwards, yes; Mr. Martin, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

## **RESOLUTIONS**

Mr. Greenwood read **Resolution No. 2016-D**. A resolution directing the Greene County Auditor to enter the delinquent cost of weed and grass mowing on the tax duplicate for the properties attached hereto. Mr. Martin asked Mr. Schlagheck how the amounts are arrived at and do the owners receive bills. Mr. Schlagheck said that owners do receive multiple bills and that Council has set the rates at previous meetings. This is always the City's last resort.

**Mr. Greenwood made a motion to adopt Resolution No. 2016-D.** Mrs. Middlestetter seconded the motion. The Clerk called the roll: Mr. Greenwood, yes; Mrs. Middlestetter yes; Mr. Edwards, yes; Mr. Martin, yes; Mrs. Seger-Lawson, yes; Mr. Schweller yes; Mayor Baird, yes. The motion was carried 7-0.

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

January 25, 2016

Mrs. Middlestetter **read Resolution No. 2016-E.** A resolution directing the Greene County Auditor to enter the delinquent cost of unpaid water bills on the tax duplicate for the properties attached hereto. Mr. Greenwood asked if the property owners receive any notice. Mr. Schlagheck said that the property owners do receive several notices.

**Mrs. Middlestetter made a motion to adopt Resolution 2016-E.** 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. Martin, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

Mr. Edwards recused himself from voting and any discussion on **Resolution 2016-F.**

Mr. Schweller **read Resolution No. 2016 F.** A resolution directing the Greene County Auditor to enter the delinquent cost of minor nuisance abatement on the tax duplicate for the properties attached hereto. Mr. Schlagheck said there is just one property. It is a property in foreclosure. The City went and cleaned up the yard and all around the property. It is been a nuisance for several years.

**Mr. Schweller made a motion to adopt Resolution No. 2016 F.** Mr. Greenwood seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion was carried 6-0.

The above three resolutions assess property owners for the cost of delinquent weed mowing, water bills and nuisance abatement. These assessments are sent to the County Auditor for inclusion on the 2017 tax bills.

## **CITY MANAGER REPORT**

Mr. Schlagheck wanted to review with Council some statistics from 2015. The first was waste collection. The total waste collection for 2015 was 3,018 tons. On average, each household generates 1.23 tons of waste and recycle per year. This includes single family residential customers only. Bellbrook's waste collection tonnage appears to be comparable to other cities. Recycling tonnage is actually higher than other cities. The rate charged for waste collection services by the City, \$13 per month, is the lowest in the area.

Mr. Schlagheck next talked about property taxes. The overall property tax values for the City went up slightly at .3%. Residential property taxes did increase for 2016. He presented a breakdown of the taxes and the differences from 2015 to 2016. In total for every \$100,000 of property value, the taxes increased by \$187.00. If residents have questions or need information on their tax bill, they can call the Greene County Auditor or visit their website at [www.co.greene.oh.us](http://www.co.greene.oh.us).

Mr. Schlagheck next shared some zoning and property maintenance statistics. A total of 135 zoning permits were issued in 2015. The majority of these permits were issued for fences and accessory buildings. There was 159 property maintenance or zoning violations noted in 2015. The majority of

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

January 25, 2016

the increase from 2014 were a result of letters that went out to residents asking them to cut down dead trees.

Mr. Schlagheck told Council that he received the invoice from the Greene County Regional Planning Commission for 2016 membership. The dues would be \$1,736.00 which was included in the budget. In the past, the City has not used their services much. Mr. Schlagheck said that there are a couple of items that the City could use them for this year. One item would be a review of the Old Village and the other item would be to help with the strategic plan of State Route 725. The Mayor and Council agreed to pay the dues this year and revisit it next year.

Mr. Schlagheck also shared that the Bicentennial Committee continues to meet. He showed Council a proposed banner that will be displayed in the Old Village District. These are being purchased from a local vendor.

Finally, Mr. Schlagheck discussed proposed taglines received from Schlegel Creative Resources. The Mayor and Council agreed that this is the first pass so they would like to see others. Mr. Schlagheck will contact Schlegel Creative to identify other tagline options.

## **COMMITTEE REPORTS**

**Service:** Mrs. Seger-Lawson reminded residents to not park on the streets during snow events.

**Safety:** No Report.

**Finance/Audit:** No Report.

**Community Affairs:** No Report.

## **NEW BUSINESS**

### **OPEN DISCUSISON**

Mr. Martin said he liked the banners and would like to see them used at other times of the year. He said it could add a lot to the down town area.

Mr. Greenwood thanked the Board members for serving.

Mrs. Middlestetter mentioned current Board openings. There are two openings on the Village Review Board. One member needs to be a resident of the Old Village. There is also one opening on the Historical Museum Board.

Mrs. Seger-Lawson thanked the Girl Scout Troop for coming to the meeting.

Mr. Schweller also thanked the Girl Scouts.

There was one Boy Scout at the meeting. The Mayor asked him to come up front. His name is Corbin DeLong from Troop 375. He is working on his Citizenship and Community Merit Badge.

The Mayor wanted to offer his condolences to the Penewit family in the passing of Bill Penewit. He was a long time resident of Bellbrook.

## **ADJOURN**

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 7:54 pm.

RECORD OF PROCEEDINGS  
Minutes of Bellbrook City Council Meeting  
January 25, 2016

---

Robert L. Baird, Mayor

---

Jami L. Kinion, Clerk of Council

# RECORD OF ORDINANCES

Ordinance No. 2016-1

February 8, 2016

## City of Bellbrook

### Ordinance No. 2016-1

#### **An Ordinance Amending Certain Sections of the City of Bellbrook Zoning Code.**

WHEREAS, the City of Bellbrook Zoning staff routinely identifies sections of the Zoning Code that should be clarified, updated and/or completely changed; and

WHEREAS, the City staff recommended a series of such amendments to the Bellbrook Planning Board which then conducted a public hearing on those amendments on January 13, 2016; and

WHEREAS, the Bellbrook Planning Board unanimously approved the amendments and recommended adoption by City Council; and

WHEREAS, all amendments to the Zoning Code must be approved by ordinance.

#### **Now, Therefore, the City of Bellbrook Hereby Ordains:**

Section 1. That the following amendments to the Bellbrook Zoning Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

#### **Article 3 Construction of Language and Definitions**

##### 3.02 Definitions

Block: Is [~~the property abutting one side of a street and lying between the two nearest intersecting streets, (crossing or terminating) or between the nearest such street and railroad right-of-way, un-subdivided acreage, river or live stream or between any of the foregoing and any other barrier to the continuity of development, or corporate lines of the municipality.~~] *a parcel of land bound on all sides by a street or streets.*

#### **Article 14 Bellbrook Village Plan**

##### Guidelines for the Old Village Bellbrook, Ohio

##### 4.1 Demolition (paragraph 3)

If the Village Review Board determines that there are feasible and prudent alternatives to demolition, it will so inform the applicant and will afford the applicant a period of 180 days to file a written response. Upon receiving that response the Village Review Board shall reconsider the matter based upon the entire record then on file. If the Village Review Board makes a final determination that there are *no* feasible and prudent alternatives to demolition, then it will inquire into any new use to which the applicant may propose to put the property following demolition. If the Village Review Board determines that the objectives of Article 14 of the Zoning Code would be served best by a conversion of the land to the proposed use, then it may approve demolition, subject

# RECORD OF ORDINANCES

Ordinance No. 2016-1

February 8, 2016

to the posting of a bond in such amount as the Village Review Board deems adequate for insuring that the conversion will occur.

## Article 17 Planned Development

### 17.05 PD-1 Planned Residential Development

#### (8) Height:

The height of any residential structure within a Planned Development shall not exceed thirty-~~five~~ [(30)] (35) feet or 2 ½ stories. However, the Planning Board may grant an exception if it is demonstrated that additional height can be achieved with concurrent expansion of suitable open space to protect adjacent structures from adverse reduction of light and air.

## Article 18 General Provisions

### 18.12 Exceptions to Height Limitations:

- (3) [~~Radio towers for licensed amateur radio stations which exceed the allowable height of structures in the residentially zoned districts shall be limited in height from their base to the distance from the base to the nearest property line.~~] Except as otherwise provided herein, an amateur radio station antenna shall be erected at heights and dimensions to accommodate such service communications. Required permits must constitute the minimum practicable regulation necessary to accomplish the city's legislative authority purposes.

### 18.13 Temporary Uses

#### (4) [~~Gatherings under canvas or in open:~~

~~(a) Religious services, shows, meetings, exhibitions, bazaars, carnivals or circuses except that if located within four hundred (400) feet of any residential area, no permit will be issued unless there is first filed with the Enforcing Officer the written consent of the owners of sixty percent (60%) of all residentially used property within four hundred (400) feet from the place of such meeting.~~

~~(b) Temporary tents for special events are permitted in residential districts for a maximum of one week per event. A zoning permit is required for [all] temporary tents measuring 400 square feet or larger. [and is considered an "other" permit for zoning fee purposes.]~~

### 18.16 Off Street Parking Regulations

#### (1) General Provisions

##### (j) Pavement

(1) All parking lots or parking spaces shall be surfaced with a hard, [~~or semi-hard~~] dust-free surface in conformance to the standards of the Bellbrook Service

# RECORD OF ORDINANCES

Ordinance No. 2016-1

February 8, 2016

Department. For zoning purposes, compacted gravel is not considered a dust-free surface;

(2) The parking of vehicles on grass or other areas not designated for parking shall be prohibited.

18.18 [~~Minimum Floor Elevation~~] Reserved

~~[In any zone, no structure intended or used for residential purposes or human occupancy may hereafter be constructed or moved to a site unless the minimum floor elevation is not less than two (2) feet above the base flood elevation level as indicated on the Flood Insurance Rate Map.]~~

## Article 19 Enforcement and Penalties

19.12 Penalties

Violation of any provision of this ordinance or any amendment or supplement thereto, or failure to comply with any of the requirements of this ordinance [~~shall constitute a minor misdemeanor~~] may be enforced either through:

1) Filing of a misdemeanor complaint; or

2) Assessment of a civil penalty; or

3) Both.

Prior to filing a misdemeanor complaint or assessment of a civil penalty, the Zoning Inspector shall issue a written notice of the violation to the offending person. The notice shall include:

1) The street address of the property subject to the notice of violation;

2) A description of the violation and the section(s) of the ordinance violated;

3) Corrective action that will eliminate or correct the violations; and

4) A reasonable time frame required to correct the violation.

If the offending party fails to remedy the zoning violation within a reasonable time, the Zoning Inspector may pursue enforcement as set forth in this section.

Except as otherwise provided herein, any person, firm or corporation violating any of the provisions of this ordinance, or any amendment or supplement thereto, shall upon conviction of a minor misdemeanor be fined not more than one hundred dollars (\$100). Except as otherwise provided herein, any person, firm or corporation violating any of the provisions of this ordinance, or any amendment or supplement thereto, may be assessed a civil penalty. The City Council shall establish a schedule of assessed penalties based upon the severity of the violation. The maximum civil penalty shall not exceed fifty dollars (\$50) per day, per offense, or five hundred dollars (\$500) per offense total.

# RECORD OF ORDINANCES

Ordinance No. 2016-1

February 8, 2016

Those who erect signs contrary to the provision of this ordinance shall be fined upon conviction or assessed by civil penalty not more than ten dollars (\$10) per offense, up to a maximum of four (4) offenses in any twelve (12) month period. Illegal signs are subject to confiscation by the City and will not be returned to the owners until all penalties are satisfied; unclaimed signs shall be held for thirty (30) days and then disposed of as surplus property. Convictions or civil penalties for sign violations in excess of ~~[that maximum shall be punishable by fines of not more than twenty-five dollars (\$25) per offense.]~~ four (4) offenses in a twelve month period shall be fined, upon conviction, or assessed a civil penalty an amount not to exceed twenty-five dollars (\$25) per offense. ~~[Each day of continuation of any violation under this ordinance shall be a separate offense.]~~

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

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Robert L. Baird, Mayor

\_\_\_\_\_  
Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:

Patricia N. Campbell, Municipal Attorney

# RECORD OF RESOLUTIONS

Resolution No. 2016-G

February 8, 2016

## City of Bellbrook

### Resolution No. 2016-G

#### **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 Police Vehicles 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 Statewide Ford (Van Wert, 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 Statewide Ford for the purchase of the following vehicles for the Bellbrook Police Department:

Two (2) 2016 Ford Police Interceptor (SUV) with accessories for a gross price of \$52,836  
(\$26,418 per vehicle)

Section 2. That the City of Bellbrook directly pays the vendor 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. 2016-H

February 8, 2016

## City of Bellbrook

### Resolution No. 2016-H

#### **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 Police Vehicle 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 Middletown Ford (Middletown, 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 Middletown Ford for the purchase of the following vehicle for the Bellbrook Police Department:

One (1) 2016 Ford Fusion with accessories for a gross price of \$18,237.52

Section 2. That the City of Bellbrook directly pays the vendor 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. 2016-I

February 8, 2016

## City of Bellbrook

### Resolution No. 2016-I

#### **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 Bucket 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 Altec Industries, Inc. (Birmingham, Alabama), 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 Altec Industries, Inc. for the purchase of the following vehicle for the Bellbrook Service Department:

One (1) Ford Single Axle F-550 Chassis with Altec 108" Universal Small Aerial Body and Altec Model AT37G Telescoping/Articulating Continuous Rotation Aerial Device and other accessories for a gross price of \$101,919

Section 2. That the City of Bellbrook directly pays the vendor 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. 2016-J

February 8, 2016

## City of Bellbrook

### Resolution No. 2016-J

#### **A Resolution Authorizing the City Manager to Enter into a Contract with Interstate Ford for the Purchase of a Box Truck for the City of Bellbrook.**

WHEREAS, the City of Bellbrook included a replacement Box Truck in the 2016 Annual Budget; and

WHEREAS, Interstate Ford (Miamisburg, Ohio) can furnish the required chassis and body to meet the needs of the Bellbrook Service Department.

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the City Manager be authorized to enter into a contract with Interstate Ford for the purchase of the following vehicle for the Bellbrook Service Department:

One (1) 2016 Ford E-450 Chassis with a Supreme Body and other accessories for a gross price of \$40,038

Section 2. That the City Manager is hereby authorized to do all things necessary to execute the contract with the Interstate Ford.

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

---

Robert L. Baird, Mayor

---

Jami L. Kinion, Clerk of Council