

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Meeting  
November 9, 2015

**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, November 9, 2015. Mayor Baird called the meeting to order at 7:00 pm and the Clerk called the roll.

After polling members of City Council, as there were no corrections or additions to the **work session and regular meeting minutes of October 26, 2015**, Mayor Baird declared the minutes approved as written.

**SPECIAL GUESTS**

**Employee Service Recognition.** Employees are recognized for their years of service. Those honored with 10 years of Service: Nathan Hiester, Fire Department and Vincent Vanscoy with the Police Department. Bev Daugherty, Service Department, was honored for 15 years. Anthony Bizzarro, Fire Department, was honored for his 20 years of Service. Linda Stokes-Crowe, also with the Fire Department, was honored for her 25 years of Service with the City.

Mayor Baird, Council Members and Mr. Schlagheck congratulated and thanked the employees for their continued service to the City of Bellbrook.

**INTRODUCTION OF ORDINANCES**

Mr. Edwards read **Ordinance No. 2015-13**. An Ordinance adopting the Revised City of Bellbrook Personnel Manual. Mr. Schlagheck will make a full presentation of this Ordinance at the Public Hearing.

**Mr. Edwards made a motion to introduce Ordinance No. 2015-13.** 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. 2015-GG**. A Resolution declaring specific equipment no longer needed by the City of Bellbrook as surplus property and authorizing the City Manager to dispose of said surplus property. Mr. Schlagheck said a Medic will be auctioned off on GovDeals.

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**Mr. Greenwood made a motion to adopt Resolution No. 2015-GG.** 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.

## **CITY MANAGER REPORT**

Mr. Schlagheck said the Vemco/Firebird Project is close to completion. The intersection was closed all week and a majority of the new pipe was installed. Paving is scheduled for this Friday. Mr. Schlagheck said that he appreciates the patience that the residents have had with this project.

Mr. Schlagheck also talked about the LED Lighting Replacement project. All of the Administrative Building is finished as well as the exterior lights. The contractor continues to work on the City's other facilities.

Mr. Schlagheck also added his appreciation to the employees for their years of service.

Veteran's Day is Wednesday November 11<sup>th</sup> and City Office will be closed.

Mr. Schlagheck mentioned that there is a final Work Session on November 23rd at 5:30 to review the 2016 budget. The regular City Council meeting will start at 7:00.

## **COMMITTEE REPORTS**

**Service:** Mrs. Seger-Lawson wanted to remind residents not to rake their leaves into the street. This can cause issues with the storm sewers.

**Safety:** Mr. Greenwood reminded residents to be careful of all of the phone scams being reported by the Police Department.

**Finance/Audit:** No report at this time.

**Community Affairs:** No report of this time.

## **NEW BUSINESS**

Appeal of the Village Review Board's denial of the demolition of 79 W. Franklin St. Mr. Schlagheck presented a time line of events of this demolition request. Back in July, the City received an application from the property owner, Mr. Paul Jendrian, to demolish this property. The reason stated on the application was that the remodel of this property was not economically feasible. The Village Review Board met on August 31<sup>st</sup>. The board tabled the case pending additional information from the owner regarding his intentions for the property. On September 1<sup>st</sup>, an email went to the Village Review Board members stating that the additional information requested was not pertinent to the demolition request. The VRB met again on September 30<sup>th</sup>. A motion was made to approve the demolition but it resulted in a 2-2 vote. Since there was not a majority to approve the motion, the

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motion failed. On October 16<sup>th</sup>, the City received a letter from Mr. Jendrian requesting an appeal to City Council. Based on Article 14.17, Council can reverse, affirm or modify the action of the Village Review Board by a simple majority vote of the entire Council. Mr. Schlagheck also wanted to highlight the Work Sheet for Demolition Request, Form VRB 2. The form was put into place when the standards for the Old Village were established. It was a way to determine the value of the property and what investment return it could generate. The building value of 79 W. Franklin St. is \$47,770.00, according to the Greene County Auditor. Mr. Schlagheck said the property was purchased for \$30,000 last year. The cost to repair the property was estimated to range from \$65,000 to \$105,000. The estimated annual lease payments, after renovation, would be \$8,400 per year. There is a formula which is a part of this form that says to determine the Gross Investment Return, divide the annual lease payments by the property value plus the repair cost. If the result of this formula is less than 10%, it is not considered economically feasible to remodel the property. Mr. Schlagheck also showed several pictures of the property. Mr. Schlagheck said that this is not a Public Hearing but we can treat it as if it were a Public Hearing. Mr. Schweller did want to make sure that the decision tonight was about the request for demolition only. Any new development on the property will be subject to Article 14 of the Zoning Code.

### **Paul Jendrian, Property Owner, 79 W. Franklin St.**

Mr. Jendrian said that he has paid \$12,000 in liens against the property. He has cut down several trees and cleaned up the back yard. He is asking permission to tear down the property. He will replace it with a two family unit. Besides being an eye sore, Mr. Jendrian said the property is a hazard.

Mr. Schweller asked Mr. Jendrain how deep the property is. Mr. Jendrian replied that the property is 166 feet deep by 66 feet wide.

Mr. Edwards asked Mr. Jendrian what he would do after the house was demolished and what will the lot look like? Mr. Jendrian said he would make it look as nice as he can. It is not his intent to have a vacant lot for six months.

Mr. Greenwood asked Mr. Jendrian what his timeline is. Mr. Jendrian replied that he would likely wait until spring since this is November. He is hoping to meet with the Village Review Board after the first of the year to go over the new plans for the property.

**Shane Russell, 3937 Liam Court** Mr. Russell questioned since it was a 2-2 vote, what were some of the arguments. Is there historical value? Mr. Schlagheck said it was an old house, really no historical significance. Mr. Schlagheck told Mr. Russell that minutes and other information is available if he is interested.

**Brady Harding, 2109 S. Belleview Dr.** Mr. Harding is a member of the Village Review Board. He is also a local architect. He is not really for or against the demolition. His biggest concern is that we do not know much about the property. He has reached out to Mr. Steve Berryhill. The property was platted in 1835. There was a modification in the 1850's. Mr. Berryhill was ill and was not able to continue his research. Mr. Harding stated that there is not an undo on this command. Once it is done, it is done. He would like to know more of the history.

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**Faye Pigg, 71 W. Franklin St.** Mrs. Pigg lives next door and would like to have the property torn down. It is an eye sore to her and also the Village. She also said that Mr. Jendrian has cleaned the property up. He has also done a good job in keeping her informed as to what he is doing with the property. Mrs. Pigg said that Mr. Jendrain wants to do the right thing with the property.

**Amy Wikstrom, 54 Brookwood Dr.** Mrs. Wikstrom is also a member of the Village Review Board. She has lived in the city all of her life. She stated that Mr. Jendrian knew it was an old building when he bought it. She does not want the property tore down.

**Roger Bennett, Construction Worker,** Mr. Bennett does a lot of work for Mr. Jendrian. He stated that Mr. Jendrian's intentions were to not tear the house down as Mr. Jendrian owns other old homes. Mr. Bennett stated the house was in bad shape. He said there is a lot of mold due to the condition of the roof.

**Mr. Paul Jendrian, 79 W. Franklin St.** Mr. Jendrian spoke again, and stated that his original intention was to not tear the house down. He pledged to do his best to construct a similar property.

**Faye Pigg, 71 W Franklin St.** Mrs. Pigg also spoke again. She loves older homes, she lives in one. She is tired of looking at that property.

## **Council Discussion**

### **Mr. Schweller**

Mr. Schweller puts a lot of value in Article 14. It is a controlling feature that will help insure that the property that comes in as a replacement will fit in the area the best it can. He also thanked Mr. Jendrian for paying the back \$12,000 in taxes. He paid those without knowing what he would be able to do with the property. Mr. Schweller also said he put a lot of value in Mr. Jendrian relationship with the neighbors. He also thanked everyone for speaking tonight. He would support demolition of the property.

### **Mr. Martin**

Mr. Martin stated that it does not seem feasible to keep this old home. The reality is people are not standing in line to buy this property to spend \$100,000 for repairs. He is in favor of demolition of this property. He thanked Mr. Jendrian for his pledge to work with the Village Review Board to find a property that will work for his needs as well as the City's.

### **Mr. Edwards**

Mr. Edwards appreciates the desire to maintain the character of the Old Village. We have a problem property located in the middle of our downtown business district. Mr. Edwards said that something needs to be done to the property. He is in favor of demolition of this property. He knows that there is a process in place that will ensure that the new structure will be as architecturally as close as it can be in the Old Village.

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**Mr. Greenwood**

Mr. Greenwood lives in the old Village. He looked at this property about a year ago to purchase it. He said it is not economically feasible. He hates to see it go but he does support tearing down this property.

**Mrs. Middlestetter**

Mrs. Middlestetter is on the Museum Board, she has a great appreciation for history. She said not everything can be saved. We can still maintain the integrity and ambience of our architecture. She is in favor of demolition of this property.

**Mrs. Seger-Lawson**

Mrs. Seger- Lawson said she appreciated everyone that came down to speak tonight and she also thanked the members on the Village Review Board. She does agree with the other comments that have been said tonight. If it does not make economic sense, we can't expect anyone to throw money into a house with no return. She would be in favor of demolition of this property.

**Mayor Baird**

Mayor Baird is also in favor of demolition of this property.

**Mr. Martin motioned to approve** the demolition of 79 W. Franklin St., Village Review Board Case 15-02. Mrs. Seger Lawson seconded the motion. The Clerk called the roll: Mr. Martin, yes; Mrs. Seger-Lawson, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Schweller yes, Mayor Baird, yes. The motion was carried 7-0.

**OPEN DISCUSISON**

Mr. Martin mentioned a letter that went out to property owners about pipeline work. Enterprise Products will be conducting routine maintenance of the pipeline right-of-way including tree trimming and removal. If anyone has questions, they can call Mr. Jeffery Marshall at 256-399-1382.

Mrs. Seger-Lawson thanked the employees who received service awards. She appreciates the good work they do for caring for the citizens.

Mayor Baird once again thanked the employees who received the service awards. The Mayor also thanked everyone for their comments tonight.

**ADJOURN**

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 8:00 pm.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council