



BELLBROOK CITY COUNCIL AGENDA

November 27, 2017

5:30 pm Work Session-Five Year Financial Forecast and Future Levy Discussion.

7:00 pm-Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Formal Approval of the City Council Work Session and Regular Meeting Minutes of November 13, 2017.
5. Mayor's Announcements/Special Guest

Joe Braden-Auditor of State Award Presentation

6. Public Hearing of Ordinances

Ordinance 2017-11 An Ordinance Amending Chapter 1454 "Registration of Abandoned Properties" of the Bellbrook Municipal Code. ([Seger-Lawson](#))

7. Introduction of Ordinances

Ordinance 2017-12 An Ordinance Amending Chapter 1010 "Curb Cuts" of the Bellbrook Municipal Code. ([McGill](#))

Ordinance 2017-13 An Ordinance Amending Ordinances 2016-14 and 2017-6 to Adjust the City of Bellbrook Appropriations for 2017 to Reflect Additional Costs in some Line Items and Reduced Costs in other Line Items. ([Edwards](#))

Ordinance 2017-14 An Ordinance Approving the Appropriations of the City of Bellbrook for the Fiscal Year Ending December 31, 2018. ([Schweller](#))

8. Resolutions

Resolution 2017-EE A Resolution Establishing the Fees Charged for Emergency Medical Transport Services. ([Greenwood](#))

Resolution 2017-FF A Resolution Authorizing Robert Baird, Mayor of the City of Bellbrook, and Michael Schweller, Deputy Mayor of the City of Bellbrook, to Execute an Officer's Certification for KeyBank. ([Middlestetter](#))

9. City Manager's Report

City of Bellbrook

15 E. Franklin Street
Bellbrook, Ohio 45305

T (937) 848-4666
F (937) 848-5190

www.cityofbellbrook.org

10. Committee Reports

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

11. Old Business

12. New Business

Ohio Division of Liquor Control Notice-A notice of an Application for Change of LLC Membership Interests

13. Open Discussion

14. Adjourn

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
Work Session
November 13, 2017

PRESENT: Mr. Nick Edwards
Mr. Forrest Greenwood
Mr. Darryl McGill
Mrs. Elaine Middlestetter
Mr. Mike Schweller
Mrs. Dona Seger-Lawson
Mayor Bob Baird

GUESTS: Police Chief Doug Doherty
Fire Chief Jim Neidhard

This is a summary of the City Council work session held on November 13, 2017 at 5:30 pm to discuss the levy results and the 2018 Budget.

Mr. Schlagheck discussed the detailed results of the levy request from November 7, 2017. Council agreed to identify possible strategies for the future at the conclusion of the current budget discussion.

Fire Chief Neidhard and Mr. Schlagheck discussed the Fire Department's proposed 2018 budget. This included a five-year capital plan which detailed anticipated costs and replacement of equipment. The current and proposed staffing arrangements for the Fire Department were reviewed with Council. Fire Chief Neidhard and Mr. Schlagheck also discussed the future financial needs of the Fire Department.

Police Chief Doherty and Mr. Schlagheck shared the Police Department's proposed 2018 budget and five-year capital plan with Council. Mr. Schlagheck and Chief Doherty talked about the future financial needs of the Department with Council.

Finally, Mr. Schlagheck reviewed the proposed 2018 budget for Administration with City Council. Being no further business the work session ended at 6:54 pm.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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Minutes of Bellbrook City Council Meeting
November 13, 2017

PRESENT: Mr. Nick Edwards
Mr. Forrest Greenwood
Mr. Darryl McGill
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 13, 2017. 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 October 23, 2017, Mayor Baird declared the minutes approved as written.

MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST

Employees were recognized for their milestone years of service with the city. They each received a water bottle and gift card.

10 Years

Mark Burns, Police Department

15 Years

Brian Meade, Police Department
Cyndy Porter, Police Department
Tony Ruble, Police Department
Louie Schatzberg, Administration

20 Years

Tony Vetter, Police Department

25 Years

Steve Carmin, Police Department
Kathy Emrick, Administration
Athena Haus, Fire Department
Gregg Nartker, Fire Department

PUBLIC HEARING OF ORDINANCES

Mrs. Middlestetter **read Ordinance 2017-9** An Ordinance Amending Chapter 1224 "Subdivision Regulations" of the Bellbrook Municipal Code. Mr. Schlagheck said this ordinance will increase the amount of the cash bond required for plan review and inspection fees for new developments from 4% to 6%. He said the 4% amount has not been sufficient to cover the review and inspection costs for several projects. Developers are invoiced for any amounts due beyond the initial cash bond requirement. Being a public hearing Mayor Baird opened up for public comment. Seeing no comments from the public, the Mayor closed the public hearing and asked for a motion.

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Mrs. Middlestetter made a motion to **adopt Ordinance 2017-9**. Mr. McGill seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. McGill, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 7-0.

Mr. Edwards **read Ordinance 2017-10** An Ordinance Amending Article 19 "Enforcement and Penalties" of the Bellbrook Zoning Code. Mr. Schlagheck said this ordinance amends the Zoning Code to allow for civil penalties to be issued for zoning violations. This amendment is similar to the one previously approved for the property maintenance violations. He also said that this provides another option other than criminal prosecution. Being a public hearing Mayor Baird opened up for public comment. Seeing no comments from the public, the Mayor closed the public hearing and asked for a motion.

Mr. Edwards made a motion to **adopt Ordinance 2017-10**. Mr. Greenwood seconded the motion. The Clerk called the roll. Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 7-0.

INTRODUCTION OF ORDINANCES

Mrs. Seger-Lawson **read Ordinance 2017-11** An Ordinance Amending Chapter 1454 "Registration of Abandoned Properties" of the Bellbrook Municipal Code. Currently a violation of this Code section incurs a penalty of a criminal misdemeanor. The amendment eliminates the criminal penalty and adds a civil penalty. In most cases, abandoned properties are held by banks and criminal prosecution is difficult. Civil penalties for non-compliance will be easier to enforce. This ordinance is set for a public hearing to be held at the November 27th council meeting.

Mrs. Seger-Lawson made a motion to **introduce Ordinance 2017-11**. Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mrs. Seger-Lawson, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 7-0.

RESOLUTIONS

CITY MANAGER REPORT

Mr. Schlagheck provided Council with a couple of options for signage for the Purple Heart City Designation. The new signs will attach to five existing entrance signs to the city. The proposed signs are similar except for the font. Council decided to go with the font that best matched the entrance signs.

Mr. Schlagheck next talked about medical marijuana. The State has awarded the sites for the cultivation of medical marijuana. None of those sites are in or around Bellbrook. Mr. Schlagheck said the next phase is the awarding of sites for dispensaries. He displayed a map of Ohio that showed the number of dispensaries in each area. Greene, Fayette and Madison counties will be allowed a total of one dispensary. Mr. Schlagheck said currently, the City does not have any restrictions relating to medical marijuana. He also said he has been getting calls from out of state people to see if Bellbrook has any restrictions on medical marijuana. Mr. Schlagheck said there are probably some restrictions in our Zoning Code but there is not an overall restriction on medical marijuana. The law that was passed

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Minutes of Bellbrook City Council Meeting
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by the State would allow the City to ban medical marijuana. Mr. Schlagheck asked Council if they would want him to pursue any restrictions on medical marijuana.

Mr. Edwards said we should look into an ordinance. He said he does not know if he would be for or against it but he thinks we need to look into it.

Mr. Greenwood said he thinks we are okay now with our current Zoning Code.

Mr. McGill said we should pursue some legislation. He also said we should see what other areas similar suited does or how their legislation is written. He agreed with Mr. Edwards comment and said he does not know if he would support it.

Mrs. Middlestetter said it warrants us to look into it further.

Mrs. Seger-Lawson said she is not for or against it. She also said she does not think that Bellbrook wants to be known for that. She further said since we don't have an income tax, would we be targeted by businesses to put their operations here. She thinks we need to look further into.

Mr. Schweller said we should look at the current Zoning Code and see if it's even permissible. Mr. Schweller also said we should explore a moratorium. He said he is not concerned about a facility or dispensary in the city but he does not want Bellbrook to be the only city that has not outlawed this and they come to Bellbrook by default.

Next, Mr. Schlagheck talked about Small Cell Facilities. Earlier this year, Council authorized the City's participation in a law suit that was challenging the validity of SB331. Small cell facilities, or wireless antennae, are the latest technology to improve the speed of cellular and data traffic for mobile devices. This bill allows the placement of these facilities in the public right of way, with virtually no local control. There was a court ruling in Franklin County that ruled that the bill was not valid. Replacement legislation is currently being drafted that is more acceptable to local governments. The attorneys are requesting an additional \$1,500 for their work. The City originally paid \$2,000. Mrs. Seger-Lawson asked if this was a one-time only request or will they ask for more in six months. Mr. Schlagheck said the intent is to draft a bill that is acceptable for everyone and then the court case will then go away. Mr. Schweller said he does not disagree that it is worthwhile but he hopes the City is getting a good bang for their buck. Council agreed to move forward with the additional funding.

Lastly, Mr. Schlagheck said the levy failed last Tuesday night by 35 votes. Council will need to make some decisions based upon information provided by Mr. Schlagheck. In two weeks, Council will conclude the 2018 budget process and, at that time, there will be a better understanding of the situation and options for the future.

COMMITTEE REPORTS

Service: Mrs. Seger-Lawson reminded residents to not rake their leaves into the streets. This could back up the storm sewer drains.

Safety: Mr. Greenwood reminded residents to make sure their smoke detectors are working properly and to change the batteries. Mayor Baird said it is a good idea to have a carbon monoxide detector too.

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Finance/Audit: Mr. Schweller said he was disappointed that the levy failed but Council will go back and look at the numbers and adjust going forward.

Community Affairs: No Report

OLD BUSINESS:

NEW BUSINESS

OPEN DISCUSSION:

Mr. Edwards congratulated the employees for their long years of service to the City.

Mr. Greenwood thanked the voters for voting in the election.

Mr. McGill also thanked the voters for exercising their right to vote. He also wanted to thank Mr. Ralph Harper who is a Bellbrook resident that stepped forward to be the Treasurer for the Levy Committee.

Mrs. Middlestetter thanked the voters but also wanted to express disappointment that the issues were not fully understood.

Mrs. Seger-Lawson wanted to congratulate several middle and high school sports teams for a successful fall season.

Joey Derrico-1822 Sugar Run Trail and Drew Ward-4184 Sugarcreek Dr.-They were at Council to embark on a journey to attempt to lower the voting age to 16 years of age in Bellbrook. Joey said the end goal of this is to inspire younger citizens in an effort to increase voter turnout. At a future time, they will return to Council with an ordinance for Council to consider approving. Mr. Schlagheck said he has been working with Mr. Derrico on this issue. Granville, Ohio has discussed passing legislation to lower the voting age. Mr. Schlagheck said the City could amend the voting age for city related issues only. Mayor Baird asked if the Charter could be changed without a Charter Review Committee. Mr. Schlagheck said yes, Council can pass an ordinance to amend the Charter but it would still need to go out to the people to vote. Mr. Schlagheck will do some additional research on the topic and provide further information to City Council.

Louie Schatzberg 4082 Ridgetop Dr.-Louie thanked the Council and City Manager for the opportunity to serve the City.

ADJOURN

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 8:01 pm.

Robert L. Baird, Mayor

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
November 13, 2017

Jami L. Kinion, Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 2017-11

November 27, 2017

City of Bellbrook

Ordinance No. 2017-11

An Ordinance Amending Chapter 1454 “Registration of Abandoned Properties” of the Bellbrook Municipal Code.

WHEREAS, the City of Bellbrook has enacted Chapter 1454 of the Bellbrook Municipal Code which is entitled “Registration of Abandoned Properties”; and

WHEREAS, the purpose of Chapter 1454 is to protect the peace, health, safety and welfare of the citizens of Bellbrook; and

WHEREAS, the City desires to amend Chapter 1454 of the Bellbrook Municipal Code to allow for the assessment of civil penalties for violations.

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the following amendments to Chapter 1454 “Registration of Abandoned Properties” of the Bellbrook Municipal Code be approved with additions shown by italics and underlined and deletions shown by strikethrough and brackets:

§1454.08. – Violations; Penalties.

- (a) [Each and every day a violation of this Code continues shall constitute a separate offense.] Whoever violates any provision of this Code [~~shall be guilty of a misdemeanor and shall be fined not more than or less than:~~] has committed a civil offense and is subject to civil penalties.
- [(1) First offense. Not more than five hundred dollars (\$500.00) or less than fifty dollars (\$50.00).]
- [(2) Second or subsequent similar offenses within one calendar year. Not more than five hundred dollars or less than two hundred dollars (\$200.00) and imprisoned not more than 90 days, or both.]
- (b) [~~No person shall be imprisoned under this section for the first offense, and the prosecution shall always be as if for a first offense unless the affidavit upon which the prosecution is initiated contains the allegation the offense is a second or repeated offense.~~] When a civil offense has occurred, the following amounts are hereby assessed upon the violator:
- (1) A first offense shall be twenty-five dollars (\$25) per day, per offense, or two hundred fifty dollars (\$250) per offense total.
- (2) A second offense shall be fifty dollars (\$50) per day, per offense, or five hundred dollars (\$500) per offense total.

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Ordinance No. 2017-11

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(3) A third offense shall be seventy-five dollars (\$75) per day, per offense, or seven hundred fifty dollars (\$750) per offense total.

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

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

RECORD OF ORDINANCES

Ordinance No. 2017-12

December 11, 2017

City of Bellbrook

Ordinance No. 2017-12

An Ordinance Amending Chapter 1010 “Curb Cuts” of the Bellbrook Municipal Code.

WHEREAS, the City of Bellbrook has enacted Chapter 1010 of the Bellbrook Municipal Code which is entitled “Curb Cuts”; and

WHEREAS, the purpose of Chapter 1010 is to protect the peace, health, safety and welfare of the citizens of Bellbrook; and

WHEREAS, the City desires to amend Chapter 1010 of the Bellbrook Municipal Code to clarify the process for obtaining a curb cut permit.

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the following amendments to Chapter 1010 “Curb Cuts” of the Bellbrook Municipal Code be approved with additions shown by italics and underlined and deletions shown by strikethrough and brackets:

§1010.01 – [Permit Required; Application.] Definitions.

[Any person desiring to tear up or open the pavement or curb on any public street or alley or make an enlargement of an opening of more than four feet to an existing curb cut shall make written application to the Chief of Police for permission to do so before making any such opening. Such application shall be accompanied by three scale drawings of the proposed curb cut showing the property boundaries and the location and width of the desired accessway.]

As used in this section:

(a) “Driveway” means an area on private property for the accommodation of automobiles, trucks and other vehicles coming from or entering a public street.

(b) “Driveway approach/curb cut” means an area, construction or facility, between the traveled portion of a public street or right of way and private property, intended to provide access for vehicles from the traveled portion of a public street or right of way to private property.

§1010.02. – [Issuance of permit.] Permit Required.

[The Manager shall, within 60 days of the receipt of the application, either allow or deny a curb cut permit. He or she may grant a permit different from that applied for. Failure of the Manager to act within the specified time shall be taken as approval of such ordinance.]

RECORD OF ORDINANCES

Ordinance No. 2017-12

December 11, 2017

No person, corporation or firm, other than an authorized employee of the City, shall construct a driveway approach connecting to a public street or right of way, or cut, break out or remove any curb along any street or other public way without first obtaining a driveway approach/curb cut permit. The City Manager, or his designate, may require such construction plans or drawings with the permit application as he deems necessary to:

- (a) Permit all reviewing authorities to make intelligent and conclusive review of the application.
- (b) Enable the contractor to construct the proposed facility in accordance with the terms of the permit.
- (c) Enable the individual responsible for inspection to insure that the facility is constructed in accordance with the terms of the permit.
- (d) Serve as a record of the construction authorized by the permit.

§1010.03. – [Failure to obtain permit.] Fees

~~[If a person fails to acquire a permit in accordance with this chapter, the Chief of Police may cause a barricade to be placed along the accessway until such permit has been obtained or until the accessway has been permanently closed by the property owner.]~~

Fees for driveway approach/curb cut permits are hereby established as follows:

<u>Residential Property</u>	<u>\$10.00</u>
<u>Commercial Property</u>	<u>\$25.00</u>

§1010.04 – Restrictions on Construction

The City Manager, or his designate, may impose conditions in the permit upon the construction of the driveway approach/curb cut, which conditions are designed to facilitate the safe movement of pedestrian traffic and the safe and expeditious movement of motor vehicles on the public streets or ways affected by the driveway approaches/curb cut. The conditions imposed upon driveway approaches/curb cuts by the City Manager, or his designate, under this section may include, but are not limited to, the following:

- (a) Limitations of the number, size and location of driveway approaches/curb cuts for any premises to which the permit applies.
- (b) Requiring the use of alternative means of access such as service or private drives rather than direct connection to the public street or way where such alternative means are accessible to the premises to which the permit applies, and/or requiring that direct connection or driveway approaches/curb cuts to the public street or way be limited and used only until alternative means of access such as service or private drives are made accessible to the permit premises.
- (c) Limiting the construction of driveway approaches/curb cuts to only one public street or way where the premises to which the permit applies abuts more than one public street or way.

RECORD OF ORDINANCES

Ordinance No. 2017-12

December 11, 2017

- (d) Requiring that driveway approaches/curb cuts be marked and/or constructed to allow only entrance to or only exit from the permit premises.
- (e) Requiring the construction of safety islands to separate two driveway approaches/curb cuts.
- (f) Requiring the construction of right hand or left hand deceleration, acceleration and/or storage lanes and the appropriate traffic control devices, including but not limited to signals, as necessary.
- (g) Requiring the construction of driveway turn-around facilities so that vehicular traffic can change direction on the permit premises and enter the roadway in a forward direction.

§1010.99. - Penalty.

Whoever violates or fails to comply with any of the provisions of this chapter [~~is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense.] has committed a civil offense and is subject to civil penalties.~~ A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. When a civil offense has occurred, the following amounts are hereby assessed upon the violator:

- (1) A first offense shall be twenty-five dollars (\$25) per day, per offense, or two hundred fifty dollars (\$250) per offense total.
- (2) A second offense shall be fifty dollars (\$50) per day, per offense, or five hundred dollars (\$500) per offense total.
- (3) A third offense shall be seventy-five dollars (\$75) per day, per offense, or seven hundred fifty dollars (\$750) per offense total.

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

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

RECORD OF ORDINANCES

Ordinance No. 2017-13

December 11, 2017

City of Bellbrook

Ordinance No. 2017-13

An Ordinance Amending Ordinances 2016-14 and 2017-6 to Adjust the City of Bellbrook Appropriations for 2017 to Reflect Additional Costs in some Line Items and Reduced Costs in other Line Items.

WHEREAS, the City of Bellbrook adopted the 2017 annual budget based on the best information available at the time; and

WHEREAS, additional costs have or will occur in some line items and reduced costs are projected in other line items which requires the amendment of various appropriation levels.

Now, Therefore, the City of Bellbrook Hereby Ordains:

Section 1. That the 2017 appropriation levels in several of the funds listed below be amended as follows:

Fund	Personal Services	Other Expenses	Supplemental Appropriations
General Fund:			
-Legislative	\$ 1,625	\$ (800)	\$ 825
-Administrative	6,225	11,034	17,259
-Library	0	25,000	25,000
-Museum	(1,500)	500	(1,000)
-Community Environment	<u>2,900</u>	<u>7,500</u>	<u>10,400</u>
Total General Fund	9,250	43,234	52,484
Police Fund	(21,400)	(10,335)	(31,735)
Police Pension Fund	2,000	0	2,000
Fire Fund	(17,250)	(14,739)	(31,989)
Street Fund	0	3,910	3,910
State Highway Fund	0	20,500	20,500
Motor Vehicle Fund	0	20,350	20,350
Waste Collection Fund	1,975	2,450	4,425
Water Fund	10,150	(1,050,386)	(1,040,236)
Capital Improvement Fund	0	(58,650)	(58,650)
Performance Bond Fund	0	19,503	19,503
Agency Fund	0	572	572
Grand Total - All Funds	<u><u>\$(15,275)</u></u>	<u><u>\$(1,023,591)</u></u>	<u><u>\$(1,038,866)</u></u>

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Ordinance No. 2017-13

December 11, 2017

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

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

RECORD OF ORDINANCES

Ordinance No. 2017-14

December 11, 2017

City of Bellbrook

Ordinance No. 2017-14

An Ordinance Approving the Appropriations of the City of Bellbrook for the Fiscal Year Ending December 31, 2018.

WHEREAS, the City Council has reviewed the proposed 2018 annual budget; and

WHEREAS, the City of Bellbrook desires to adopt the 2018 annual budget and authorize the related appropriations.

Now, Therefore, the City of Bellbrook Hereby Ordains:

Section 1. That to provide for the current expenses and other expenditures of the City of Bellbrook, during the fiscal year ending December 31, 2018, the following sums be and they are hereby set aside to be appropriated, as follows:

Fund	Personal Services	Other Expenses	Transfers	2018 Appropriations
General Fund:				
-Legislative	\$ 45,536	\$ 6,370	\$ 0	\$ 51,906
-Administrative	159,401	162,271	550,000	871,672
-Library	0	2,000	0	2,000
-Museum	10,086	7,875	0	17,961
-Community Environment	<u>15,738</u>	<u>20,922</u>	<u>0</u>	<u>36,660</u>
Total General Fund	230,761	199,438	550,000	980,199
Police Fund	1,463,505	303,863	0	1,767,368
Police Pension Fund	48,000	340	0	48,340
Fire Fund	1,040,942	206,474	0	1,247,416
Street Fund	275,158	38,344	0	313,502
State Highway Fund	0	11,140	0	11,140
Motor Vehicle Fund	0	12,100	0	12,100
Waste Fund	23,051	435,769	0	458,820
Water Fund	740,653	1,760,803	0	2,501,456
Capital Improvement Fund	0	341,225	0	341,225
Fuel System Fund	0	1,700	0	1,700
Performance Bond Fund	0	15,000	0	15,000
Grand Total - All Funds	<u>\$3,822,070</u>	<u>\$3,326,196</u>	<u>\$550,000</u>	<u>\$7,698,266</u>

RECORD OF ORDINANCES

Ordinance No. 2017-14

December 11, 2017

Section 2. That the Finance Director is hereby authorized to make payments from any of the foregoing appropriations upon receiving proper documentation approved by the officers authorized by law to approve the same.

Section 3. This ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

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

RECORD OF RESOLUTIONS

Resolution No. 2017-EE

November 27, 2017

City of Bellbrook

Resolution No. 2017-EE

A Resolution Establishing the Fees Charged for Emergency Medical Transport Services.

WHEREAS, the City of Bellbrook has charged a fee for emergency medical transport fees since 2002; and

WHEREAS, Section 246.01 of the Bellbrook Municipal Code authorizes the City to charge the “usual, reasonable, and customary charges currently prevailing in this region” for these services; and

WHEREAS, the fees collected for emergency medical services only cover a portion of the overall costs to provide these services; and

WHEREAS, the City has contracted with AccuMed to bill for emergency medical transport fees effective January 1, 2018.

Now, Therefore, the City of Bellbrook Hereby Resolves That:

Section 1. That pursuant to Section 246.01 of the Bellbrook Municipal Code, the City Manager is hereby authorized to charge fees for emergency medical transport services as follows:

Basic Life Support – Non-emergency	\$400
Basic Life Support – Emergency	\$550
Advanced Life Support – Non-emergency	\$600
Advanced Life Support – Emergency	\$850
Advanced Life Support 2	\$1,050
Mileage	\$13.00 per mile

Section 2. That this resolution shall take effect January 1, 2018.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF RESOLUTIONS

Resolution No. 2017-FF

November 27, 2017

City of Bellbrook

Resolution No. 2017-FF

A Resolution Authorizing Robert Baird, Mayor of the City of Bellbrook, and Michael Schweller, Deputy Mayor of the City of Bellbrook, to Execute an Officer's Certification for KeyBank.

WHEREAS, the City of Bellbrook desires to utilize a purchasing card program offered by KeyBank; and

WHEREAS, KeyBank requires an Officer's Certification to be executed that names Mark Schlagheck, City Manager, as the Authorized Person to execute and deliver the documents related to this purchasing card program.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. Robert Baird, as Mayor of the City of Bellbrook, and Michael Schweller, Deputy Mayor of the City of Bellbrook, are hereby authorized to execute an Officer's Certification, attached hereto, with KeyBank.

Section 2. That this resolution shall take effect and be in force forthwith.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

For KeyBank Use Only

TIN # (required)

Account # (optional)

Document Type: Treasury Services Agreement

Aux Doc Type: Public/Governmental Entity

Contact Name:

Phone:

Agreement Modified Yes or No

Officer's Certification

Key2Business® Program

Public/Governmental Entity (herein "Government Entity" or "Entity") City of Bellbrook

State of Organization Ohio

Principal Address of Business 15 E. Franklin St., Bellbrook, Ohio 45305

Federal Tax Identification Number 31-0681801

1. Government Entity Information. This Certificate of Authority has been completed on behalf of the Government Entity identified above.
2. Program. The Government Entity has determined that it is in the best interests of the Entity to obtain and establish a corporate charge card program, known as the Key2Business Program, from KeyBank National Association ("KeyBank"), which program may consist of one or more charge card accounts with one or more authorized users being provided an access device in the form of charge cards for such account(s) (herein referred to as the "Program"), provided that the maximum amount of credit extended under such Program will not exceed:

\$ (the "Credit Limit"):25,000

The Program requires the Entity to designate a Program Administrator (as such term is defined in the Documentation) to provide day-to-day operational instruction and direction to KeyBank for maintenance of the Program.

3. Authorized Persons. In accordance with the governance rules relating to the Government Entity, the following individuals (the "Authorized Person(s)") are authorized, on behalf of the Government Entity, to execute and deliver to KeyBank the Key2Business Application, its incorporated Terms and Conditions as well as any applicable Addendums thereto, and any other documentation and disclosures provided by KeyBank to Entity relative to the Program (collectively the "Documentation") for the purpose of establishing the Program, extending credit, and providing related services to the Government Entity with KeyBank in the United States (collectively, the "Services"):

Name Mark Schlagheck	Title City Manager	Signature
Name	Title	Signature
Name	Title	Signature

4. Execution Requirements. The governance rules relating to the Government Entity require the following number of Authorized Persons to sign the Documents for the Services (choose only one):

One (1) Authorized Person Two(2)Authorized Persons

5. Execution. By signing the Documents, each individual signing in his or her capacity as an authorized signing officer of the Government Entity and not in his or her personal capacity, certifies and warrants that (a) all action required by Government Entity's organizational documents to authorize the signer(s) to act on behalf of the Government Entity in all actions taken under the Documents, including but not limited to, the authority to incur debt on behalf of the Government Entity, has been taken, (b) each signer is empowered in the name of and on behalf of the Government Entity to enter into all transactions and Services contemplated in the Documents and (c) the signatures appearing on all supporting documents of authority are authentic.

Officer's Certification – Key2Business Program

6. Officer's Assurances. The Authorized Person(s) indicated above, in addition to being authorized to execute the Documentation and bind the Entity, have also been put on notice as to the operation of the Program and Services, such that the Authorized Person(s) were/are fully aware, before execution of the Documentation, that:

- The Program (i) will have an initial three-year term (unless otherwise stated in Terms and Conditions) which term will be automatically extended thereafter until cancelled upon 90 days written notice, and (ii) will provide an extension of credit to be paid in full by Entity each month, such extension of credit, including fees, not to exceed the Credit Limit together with other terms as set forth in the Documentation, and which fees and other terms are subject to change in accordance with the provisions of the Documentation.
- A Program Administrator designated by any one of the authorized officers listed above has the full power and authority to act in accordance with the duties and responsibilities of a Program Administrator as set forth in the Documentation, including, but not limited to the ability to (i) establish new accounts and/or cards under the Program, (ii) add or delete Cardholders from the Program, (iii) revise ACLs (as such term is defined in the Documentation), (iv) make electronic payment from depository accounts for the Entity for payment of the accounts established under the Program, (v) direct application of rebates under the Program, (vi) to initiate payment to vendors of Entity through single use and ghost accounts and/or cards, and (vi) take all other commercially reasonable administrative and operational actions appropriate for a Program Administrator.
- KeyBank may accept instructions from any authorized officer or Program Administrator orally, electronically (including through the electronic portal established to administer the Program), or via a writing, and may further conclusively assume that all actions of such individuals are authorized by the Entity until receipt by KeyBank of a written notice to the contrary, in accordance with the provisions of the Documentation.
- KeyBank is not responsible for reviewing the transactions of Entity employees for Entity's compliance with the Documentation requirement that the charge cards under the Program are to be used for business purposes only, and therefore KeyBank will process and pay all transactions of cardholders under the Program without inquiry as to the circumstances of the use of the charge cards, subject to the terms of the Documentation.

7. Certifications.

I certify that I am the (Title of Individual): Mayor

and I am acting in my official capacity as an authorized officer who has been given the authority by the Government Entity make this Certification, and further to specifically certify that the Authorized Person(s) has/have the full power and authority under applicable law and the governance rules relating to the Government Entity to execute and deliver to KeyBank, on behalf of the Government Entity, and to bind the Government Entity under, the Documents for the purpose of establishing and extending the Services. I also certify that the name(s) and title(s) of the Authorized Person(s) set forth above are correct and that the signature appearing beside each name is a true and genuine specimen of his/her signature.

Printed Name of Individual Signing related to Section 7 Robert Baird	Title Mayor
Signature of Individual Signing Above (<u>Cannot</u> be an Authorized Person listed in Section 3)	Date November 27, 2017
I certify that I am an officer of the Government Entity and that my title is: Deputy Mayor	
I certify that the above named individuals in Section 3 and Section 7 are acting in their designated capacity on behalf of the Government Entity and/or the Governing Body of the Government Entity, as appropriate. I further certify the signature below is my genuine signature and the signature above is the genuine signature of the individual listed in Section 7.	
Printed Name of Individual Signing	Title
Signature	Date



**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

0588713		PERMIT NUMBER	STCK	TYPE	BELLBROOK HOLDINGS LLC DBA BELLBROOK MARATHON 4491 SR725 BELLBROOK OHIO 45305
		ISSUE DATE			
05 11 2017		FILING DATE			
C1	C2	D6	D8	PERMIT CLASSES	
29	011	A	F19413	RECEIPT NO.	
TAX DISTRICT					

FROM 11/14/2017

PERMIT NUMBER		TYPE	
		ISSUE DATE	
		FILING DATE	
		PERMIT CLASSES	
TAX DISTRICT		RECEIPT NO.	



MAILED 11/14/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN.

12/15/2017

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A STICK 0588713

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF BELLBROOK CITY COUNCIL
P O BOX 285
BELLBROOK OHIO 45305**

Office Hours
8:00 a.m. - 5:00 p.m.
For Questions call
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005

<http://www.com.ohio.gov/liqr>

**APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS
PROCESSING FEE \$100.00**

CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING



\$100 CK
12/10

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name:
Bellbrook Holdings LLC

Permit Premises Address:

Liquor Permit Number(s):
0588713

Federal Tax ID Number:
[REDACTED]

4491 SR725, Bellbrook OH 45305

Email Address: [REDACTED]

Attorney's Name, Address and Telephone Number (If represented):

Marc E. Myers, 300 West Wilson Bridge Road, Suite 100, Worthington OH 43085

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW

Section A - PREVIOUS List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) hisham A. Shtayyeh	[REDACTED]	President	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> Voting interest 100 % <input checked="" type="checkbox"/> Membership interest 100 %	[REDACTED]
2)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
3)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
4)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	

Section B - REVISED List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) CASC LLC	[REDACTED]		<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> Voting interest 100 % <input checked="" type="checkbox"/> Membership interest 100 %	
2)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
3)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
4)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	