

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Meeting  
September 9, 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 9, 2019. Mayor Schweller called the meeting to order at 7:00 pm and the Clerk called the roll.

**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 August 26, 2019 Mayor Schweller declared the minutes approved as written.

**MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST**

Karen Puterbaugh, Executive Director Greene County Council on Aging updated City Council on the Bellbrook Senior Center. The Center is located in the Educational Service Center building in the old library at 3757 Upper Bellbrook Road. They have been in that location for 11 years. Mrs. Puterbaugh thanked Council for approving the Center's new sign. The Senior Center is open to all community members and there are no dues, just occasionally a fee for an activity. It is funded by the Senior Services levy. The Center hosts a multitude of programs including the September Chamber of Commerce meeting, Friday night euchre, yoga, bridge, book club, art, games, and lunch and learns. The Center is also a resource for seniors to review insurance and Medicare information. The public is encouraged to fill out the Program/Activity Interest Survey which is available at [www.GCCOA.org](http://www.GCCOA.org).

**PUBLIC HEARING OF ORDINANCES** - none

**INTRODUCTION 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.

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. This includes two engineering studies for Little Sugarcreek Road and repair to the City's fuel system.

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

## **RESOLUTIONS**

Mrs. Seger-Lawson read **Resolution 2019-BB A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.**

City Manager Mrs. Dodd explained that this is the result of the tax budget that came before Council in July. Those amounts are then put into the first pass of the 2020 budget.

Mrs. Seger-Lawson made a motion to adopt **Resolution 2019-BB A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.** 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; Dr. Van Veldhuizen, yes; Mayor Schweller, yes. The motion passed 7-0.

**Mr. McGill** read **Resolution 2019-CC A Resolution Authorizing the City Manager to Enter into a Contract with Ohio Department of Transportation for Bridge Inspection Program Services.**

City Manager, Mrs. Dodd explained standard three-year inspection service. The State pays for 100% of this cost unless an issue is discovered requiring further work.

Mr. McGill made a motion to adopt **Resolution 2019-CC A Resolution Authorizing the City Manager to Enter into a Contract with Ohio Department of Transportation for Bridge Inspection Program Services.** The motion was seconded by Mr. Greenwood. The Clerk called the roll. Mr. McGill, yes; Mr. Greenwood, yes; Mr. Edwards, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Dr. Van Veldhuizen, yes; Mayor Schweller, yes. The motion passed 7-0.

## **CITY MANAGER'S REPORT**

Mrs. Dodd shared an update on the Kindness Symbol that the Council voted for in August. The Greene County Commissioners also chose to adopt this symbol on September 5 and have said they have ideas for incorporating the symbol throughout the county.

Saturday, September 14 is going to be a big day in Bellbrook. The first ever Brook Mills 10k will be run with the kids' fun run at 8 and the 10k starting at 8:30 AM. There will be 300 runners participating. The route starts and finishes by the old school on East Street. Staff has been organizing for the street and lane closures. The main concern is the Vineyards neighborhood which only has one way in and out.

Starting at 9:00 AM Be Well Bellbrook will be taking place on Franklin Street in front of the Administration building. There will be vendors, activities, mobile mammography vehicle, and fitness demos will be happening using the Lion's Club trailer. This event has only cost the City \$25.00 to have

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postcards printed. This is the first time for an event like this. If it is successful, the City Manager hopes that the new Revitalization Committee will take it over.

The Farmer's Market will be in full swing from 9:00 AM until 1:00 PM.

A Second Saturday Street Fair will be happening from 4:00 PM until 8:00 PM in Bellbrook Plaza. At 6:00 PM the Optimist Club will present Hometown Hero awards.

Mr. Greenwood asked if the Ohio Fusion Soccer Tournament will be happening at Sackett-Wright park this year. Mrs. Dodd answered that they will with one date in September and one in October. The soccer club's website has more information.

**COMMITTEE REPORTS**

**Service:** none

**Safety:** Mr. Greenwood reminded the public to avoid putting debris on the streets as it is a danger to motorcyclists.

**Finance/Audit:** none

**Community Affairs:** Mrs. Middlestetter announced that the City is accepting applications for a vacant position on the Planning Board through September 13.

**OLD BUSINESS -**

Mayor Schweller explained that his appointment as Mayor required a new Deputy Mayor by appointed.

Mrs. Seger-Lawson nominated Mr. McGill to serve as Deputy Mayor. 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, abstain; Dr. Van Veldhuizen, yes; Mayor Schweller. The motion carried 6-0 with one abstention. The Mayor congratulated Mr. McGill.

Mayor Schweller said that at the Work Session held earlier, Council decided not to make any changes in the current Committee assignments except to add Dr. Van Veldhuizen to the Finance/Audit and Service Committees.

**NEW BUSINESS**

Chad Clemens, 1682 Greene Valley Drive, presented a request to have a lot in Highview Terrace released from the City of Bellbrook back to Sugarcreek Township. He explained that the lot has a very steep drop off of about 40 feet which makes it unbuildable. The lot to the left is vacant due to the easements for utilities, water and gas that run through it. The proposal combines the two lots so that a switchback driveway can be built to get to the location of a house. Mr. Clemens added that he was planning to build a house for himself on this lot. Sugarcreek Township has approved the plan.

Council members asked Mr. Clemens why this request is being made or why the combined lot cannot remain within Bellbrook especially since the rest of Highview Terrace is in Bellbrook. The plans for the

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development have gone through all the required approvals. Members of Council expressed their unwillingness to split this lot off from the rest of the development and also to lose the tax revenues from it.

Mayor Schweller asked the City Manager what the process would be to do this. Mrs. Dodd explained that this is a unique situation of basically a reverse annexation. The combination of the lots will also require approval by the Planning Board.

Mr. Clemens was asked to investigate the idea of combining the lots into Bellbrook and return with answers to a future Council meeting.

Mrs. Dodd proposed a meeting schedule to work on the 2020 Budget. These meetings will tentatively be held on Mondays except for November 11 which is Veteran's Day so will take place on Tuesday, November 12. This schedule is much like the one from last year and takes into account that the council meeting that would normally take place on the fourth Monday of December usually is cancelled due to its proximity to Christmas.

The City Manager explained that through the course of business it has been discovered that Bellbrook does not have sidewalk regulations. The Ordinances speak to sidewalks being the responsibility of the property owner but no regulations on what that entails. The City needs to have standards that the condition of sidewalks can be compared. The proposed regulations are based off of the ones that Sugarcreek Township has. The staff is bringing this to Council to hear if this is agreeable, in which case, an Ordinance will be proposed. It looked like in the past the City sent letters to property owners to request that repairs be made. The property owner would have to figure out how to make the repairs. These regulations are the first step. The City has never taken the step of fixing a sidewalk and assessing the cost to the property owner. The regulations would be adding the standards that will be expected of all. She added that pitting, trees, width, and properties in the Old Village District are all topics that will require investigation by the staff. After the standards are adopted the next step would be to outline the process that will be taken to ensure sidewalks are constructed and maintained properly including how often inspections will be done, timing for repairs, etc.

Council members agreed that standards are needed, and that connectivity and access are of high importance to our citizens.

Mrs. Dodd introduced a Special Event Permit that staff believes would be helpful. The number of special events happening in the City has grown. The permit gives the City important information including the names and contact information of the organizers and details about the event. Staff has prepared the permit, a liability release and an ordinance requiring the forms. The information would be used internally among the departments to coordinate for events as necessary.

Mrs. Middlestetter asked if garage sales or the Garden Club Plant Sale would require a permit. Mrs. Dodd answered they would not. This would be for events that require the blocking of traffic on streets or sidewalks.

Mrs. Seger-Lawson asked what the advance notice requirement is. Mrs. Dodd said that needed to be added.

Mr. Greenwood, as Chair of the Safety Committee, requested that a space be added to the permit to designate if alcohol will be present at the event.

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**OPEN DISCUSSION**

Mr. McGill thanked Council for appointing him Deputy Mayor.

Mayor Schweller invited the public to enjoy all the great things happening in Bellbrook this Saturday.

David Buccalo, 126 Lower Hillside Drive, shared his opinion of the kindness symbol that was temporarily painted on the side of the old firehouse building downtown before the Lion's Club Bellbrook SummerFest. He opined that he felt it was not well-thought out and put up quickly without public input. He asked if it complied with the City's zoning code. Mr. Buccalo also wanted to share his opinion on the property at the corner of Franklin and Main Streets. He opined that the violations that the property owner has been charged with are unfair. He asked that the City show empathy and work with the owner without going to the prosecutor.

**EXECUTIVE SESSION – Bellbrook Mountain**

Mrs. Middlestetter made a motion to enter Executive Session to discuss a real estate transaction for Bellbrook Mountain, LLC at 8:06 pm. Mr. Edwards seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Seger-Lawson, yes; Dr. Van Veldhuizen, yes; Mayor Schweller, yes. The motion passed 7-0.

City Attorney Stephen McHugh was asked to attend the session.

Dr. Van Veldhuizen made a motion to exit Executive Session at 8:50 PM. The motion was seconded by Mr. McGill.

**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