

**BELLBROOK CITY COUNCIL AGENDA**  
**February 10, 2020**



City of Bellbrook  
15 E. Franklin Street  
Bellbrook, Ohio 45305

T (937) 848-4666  
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[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 Executive Session and Regular Meeting Minutes of January 27, 2020
5. Mayor's Announcements/Special Guests
  - Resignation of Council Member Tim Taylor
  - Oath of Office for Historical Museum Trustees Dan Tieman
  - Police Department Annual Report – Chief Doherty
6. Public Hearing of Ordinances - none
7. Introduction of Ordinances
  - **Ordinance 2020-1 An Ordinance Amending Section 412.06 “Parades and Assemblages” of the City of Bellbrook Municipal Code.**
  - **Ordinance 2020-2 An Ordinance Repealing Old Section 856.03 and Enacting New Section 856.03 “License Application and Requirements” of the City of Bellbrook Municipal Code**
8. Resolutions - none
9. City Manager Report
10. Committee Reports
  - A. Service
  - B. Safety
  - C. Finance/Audit
    - a. Acceptance of 4<sup>th</sup> quarter financial report
  - D. Community Affairs
    - a. Application Deadline for the Village Review Board and the Board of Zoning Appeals/Property Review Commission
11. Old Business
  - Little Sugarcreek presentation by Ron Wine, Channel Maintenance Systems
12. New Business
13. Open Discussion
14. Adjourn



**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Meeting  
January 27, 2020

**PRESENT:** Tim Taylor  
Ernie Havens  
Dave Van Veldhuizen  
Forrest Greenwood  
Nick Edwards  
Elaine Middlestetter  
Mayor Mike Schweller

**ALSO PRESENT:** City Manager Melissa Dodd and Planning and Zoning Administrator Jessica Hansen

Mayor Schweller called the meeting to order at 5:30 pm.

Mr. Edwards made a motion to enter into Executive Session to discuss the possible sale/lease of real property. Dr. Van Veldhuizen seconded the motion.

At 7:00 PM Mayor Schweller called the regular session of the City Council to order.

**ROLL CALL**

Mr. Taylor, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes.

**FORMAL APPROVAL OF MINUTES**

After polling members of City Council, as there were no other corrections or additions to the regular meeting minutes of January 13, 2020 Mayor Schweller declared the minutes approved as written.

**MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST**

- Mayor Schweller announced the passing of Township Trustee Mike Pittman who was a dedicated trustee for 14 years. He expressed his condolences to Mr. Pittman's family and friends. The rest of council echoed the thoughts.
- Oath of Office of Museum Board of Trustees Janis Stratis, David Casler, and Pete Wixted. Mayor Schweller swore in returning trustee Janice Stratis and new trustees David Casler and Peter Wixted.

**PUBLIC HEARING OF ORDINANCES** - none

**INTRODUCTION OF ORDINANCES** - none

**RESOLUTIONS**

Dr. Van Veldhuizen read **Resolution 2020-C A Resolution Authorizing the City Manager to Enter into a Contract with Software Solutions for the Acquisition of Finance and Utility Software for the City of Bellbrook and Waiving Competitive Bidding.**

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City Manager Melissa Dodd explained that the new software is widely recognized and used locally. There are more safeguards and better customer service. The company is based in Dayton, Ohio.

Mayor Schweller added that the auditors prefer it.

Mr. Edwards asked if there would be any anticipated issues with the transition including work tickets, possible double billing, or fee to terminate Springbrook. Mrs. Dodd stated that most of that has been anticipated and planned. She does expect there will be some fees for extracting the data.

Mr. Greenwood asked if there would be a savings in employee time. Mrs. Dodd recounted that it would definitely be a savings considering that when a City employee puts in a help ticket it can take up to a week to get a resolution.

Dr. Van Veldhuizen made a motion to adopt **Resolution 2020-C A Resolution Authorizing Melissa J. Dodd, City Manager/Finance Director**. Mrs. Middlestetter seconded the motion. The Clerk called the roll. Dr. Van Veldhuizen, yes; Mrs. Middlestetter, yes; Mr. Taylor, yes; Mr. Havens, yes; Mr. Greenwood, yes; Mr. Edwards, yes; Mayor Schweller, yes. The motion passed 7-0.

#### **CITY MANAGER REPORT**

Mrs. Dodd reported that the fourth quarter financial report will be presented at the February 10 Council meeting.

The City Manager, Service Director and the EPA met to discuss the city's wellfield Protection plan. The current plan is from 1992. City Council should be represented on the committee being created of staff to work on this plan. There is a template and the EPA will assess any changes to the area or any threats.

Mrs. Dodd shared that there is a group who is interest in filming a submission to the HGTV Hometown Takeover Contest. Hometown takeover will be a five episode show that will do work to rejuvenate a town of less than 40,000 people. The organizers are from Bellbrook by Design and For Bellbrook By Bellbrook. The videographer Corey Weaver would like to film a drone shot over a group of residents at the four corners intersection of Franklin and Main Streets. The intersection will need to be closed for about 30 minutes from 9:45 to 10:15 am. A Special Event Permit is being submitted by the organizers. City Council is very supportive of the idea.

#### **COMMITTEE REPORTS**

**Service:** none

**Safety:** Mr. Taylor reported some safety tips for the community:

- The Fire Department wants to remind everyone that house numbers need to be visible so that first responders can get to you quickly. They even sell reflective numbers.
- The Police Department warns residents to NEVER let a stranger into your house. Keep the door locked while talking to anyone who comes to your door.

# RECORD OF PROCEEDINGS

## Minutes of Bellbrook City Council Meeting

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- The Service Department requests that all vehicles be kept off the streets so that in the event of snow or ice the plows and salt trucks can do their jobs.

**Finance/Audit:** none

**Community Affairs:** Mrs. Middlestetter reported that there are two board positions opening: one on the Village Review Board and one the Board of Zoning Appeals and Property Review Commission. The postings are open until February 14.

### **OLD BUSINESS**

- Little Sugarcreek Road

Mrs. Dodd reported that a meeting was held with Channel Maintenance Systems. This company was recommended to us by Barry Tiffany Sugarcreek Township Administrator and Luke Trubee Greene County Engineer. The founders worked with Ohio Department of Natural Resources (ODNR) Scenic Rivers program. They utilize a method of anchoring and tethering trees and natural materials to stop erosion and correct rivers. They walked the Little Sugarcreek and found two log jams that need to be cleared out. They sent a proposal to the City. For \$175,000 to start working on the area along Little Sugarcreek Road where there is slippage. The ongoing cost over five years to stop the erosion, repair, and maintain the stretch of the creek would be \$500,000. This could eliminate the need for the \$6 million-dollar concrete retention wall that LJB is proposing.

Mr. Edwards asked if the road problem was coming from water coming from above the road. Council remembered that LJB said there were problems from water on both sides but only studied the base of the road on the east side of the road.

Council requested that someone from Channel Maintenance Systems present information at a future meeting and address the report from LJB.

Mr. Greenwood asked if the Army Corp of Engineers could provide a third opinion.

Concerns include the difference in cost of the retaining wall which only fixes a small portion of the road. How has recent water levels and erosion changed the course of the creek and how will more development upstream effect it. What are some of the company's successes and failures? Is there any kind of guarantee for their work? Staff will begin looking into these questions.

**NEW BUSINESS** - none

### **OPEN DISCUSSION**

Mr. Taylor presented a summary of the January 16 Planning Board meeting. He reported that the board elected Mitchell Thompson as the Chairman and Denny Bennett as the Vice Chair. The board prioritized zoning codes to be reviewed and possibly amended including fees, subdivision regulations, repeat offenders, and sign codes. Updating Article 14 was discussed including the presence and scope of the Village Review Board. The board also agreed to meet monthly on the third Thursday of every month. He requested that the board delegates receive all pertinent information for each meeting.

Mr. Taylor expressed agreeing with City videographer Louie Schatzberg's idea that the board chairs could present updates to Council on a quarterly or semiannual basis.

Mr. Havens expressed his opinion that the Planning Board review Article 14 of the Zoning Code which also includes the Village Review Board. He opined that the Village Review Board is stifling progress and

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revitalization. The Mayor added that Article 14 and the VRB were adopted in 1996 and it seems that it might need to be revised and the rest of Council agreed.

Dr. Van Veldhuizen also liked the idea of the boards coming to speak to Council.

Mr. Greenwood said that the intent of the Village Review Board is to preserve buildings as they were. The code should be reviewed. There are conflicts between Article 14 and Article 10 as one example. He would also like for downtown businesses to have input.

All of Council welcomed the Museum Trustees and sent get well wishes to Service Director Ryan Pasley.

Louie Schatzberg, 4082 Ridgetop Drive thanked Mr. Taylor for suggesting the Boards make presentations to Council with another benefit being that the public would get to see what the boards do.

Janis Stratis, 2226 Shadowood Circle wanted to express her excitement about the HGTV contest and what a great opportunity it could be for Bellbrook to get a facelift.

**ADJOURN**

Being no further business to come before the Bellbrook City Council, Mayor Schweller declared the regular meeting adjourned at 7:56 PM.

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Michael W. Schweller, Mayor

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Pamela Timmons, Clerk of Council

# RECORD OF ORDINANCES

Ordinance No. 2020-1

February 24, 2020

## City of Bellbrook

### Ordinance No. 2020-1

#### **An Ordinance Amending Section 412.06 “Parades and Assemblages” of the City of Bellbrook Municipal Code.**

WHEREAS, the City of Bellbrook has added Section 412.07 “Special Events” to its Codified Ordinances with the adoption of Ordinance 2019-16; and

WHEREAS, Section 412.06 “Parades and Assemblages” needs to be amended to coincide with the aforementioned addition to the Municipal Code for the City of Bellbrook.

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

Section 1. That the following amendment of Section 412.06 “Parades and Assemblages” of the City of Bellbrook Municipal Code be approved with deletions shown by strikethrough and additions shown by italics and underlined:

Sec. 412.06. - Parades and assemblages.

No person shall conduct or participate in any parade, procession or assemblage upon any street or highway, or block off any street or highway area, without first obtaining a *special event* permit *outlined in section 412.07* ~~from the Chief of Police.~~

~~Applications for such permits shall be made on such forms as may be prescribed and shall contain such information as is reasonably necessary for a fair determination of whether a permit should be issued. Applications shall be filed not less than five days before the time intended for such parade, procession or assemblage.~~

~~The permit may be refused or cancelled if the resultant conditions would unreasonably hinder the movement of traffic or would require the diversion of such number of police officers or firemen as to deprive the Municipality of normal police and fire protection, or would be reasonably likely to provoke disorderly conduct or create a disturbance.~~

~~The permit or any order accompanying it may limit or prescribe reasonable conditions, including the hours, the places of assembly and dispersal, the route of march or travel and the streets, highways or portions thereof which may be used or occupied.~~

~~Activities that create or result in conditions that are unsafe for either the parade participants or parade spectators are expressly prohibited. These include, but are not limited to, the throwing of candy or other items from vehicles or other units in the parade or procession.~~

# RECORD OF ORDINANCES

Ordinance No. 2020-1

February 24, 2020

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

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Michael W. Schweller, Mayor

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Pamela Timmons, Clerk of Council

APPROVED AS TO FORM:  
Stephen M. McHugh, Municipal Attorney

# RECORD OF ORDINANCES

Ordinance No. 2020-2

February 24, 2020

## City of Bellbrook

### Ordinance No. 2020-2

#### **An Ordinance Repealing Old Section 856.03 and Enacting New Section 856.03 “License Application and Requirements” of the City of Bellbrook Municipal Code.**

WHEREAS, the City of Bellbrook outlines the requirements necessary in obtaining a permit for soliciting in the City of Bellbrook in Section 856.03 “License Application and Requirements” of the Municipal Code; and

WHEREAS, Section 856.03 (c) currently has no limit on the number of individuals an organization may obtain a permit for the application fee of twenty dollars; and

WHEREAS, the current application fee does not adequately cover the staff time involved in performing the background checks of numerous individuals to obtain said permit; and

WHEREAS, Section 856.03 needs to be repealed and replaced in order to limit the number of individuals per organization to five per application fee.

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

Section 1. That Section 856.03 “License Application and Requirement” of the City of Bellbrook Municipal Code be and is hereby repealed.

Section 2. A new Section 856.03 “License Application and Requirement” of the City of Bellbrook Municipal Code be enacted to be read as set forth with deletions shown by strikethrough and additions shown by italics and underlined:

#### **Sec. 856.03. - License application and requirements.**

(a) Applications for a license to peddle or solicit within the Municipality shall be filed with the City Manager or the Manager's designee on a form to be furnished by the Manager or the Manager's designee. An application shall require, at a minimum, the information set forth below. An application filed on behalf of any entity or organization shall provide the following information for each and every individual desiring to peddle or solicit on behalf of such entity or organization:

- (1) The name of the applicant;
- (2) A physical description of the applicant;
- (3) The applicant's social security number;
- (4) The applicant's driver's license number with state of issue;

# RECORD OF ORDINANCES

Ordinance No. 2020-2

February 24, 2020

- (5) The name and address of the person or entity, if any, on whose behalf the applicant will be peddling or soliciting and the length of the applicant's service with such person or entity;
- (6) All places of residence of the applicant and all employment during the preceding year;
- (7) A description of the goods to be sold or services to be furnished by the applicant or the purpose for which funds are being solicited; and
- (8) The names of other municipalities in which the applicant has conducted peddling or soliciting activities within the past calendar year.

(b) Applicant shall furnish a photograph of himself or herself taken within one year of the date of the application.

(c) At the time of the submission of a completed application, the applicant shall pay an application fee of twenty dollars (\$20.00) per day or fifty dollars (\$50.00) per six months. If the applicant is an entity or organization, said fee shall be a payment on behalf of ~~an~~ up to five (5) individuals identified in the application who seek to peddle or solicit on behalf of such entity or organization. If an entity or organization wishes to seek a permit for more than five (5) individuals, a separate application and fee must be made.

(d) Any license issued shall be valid for its respective term from the date of its issuance.

(e) If the City Manager or the Manager's designee determines that all information and items required under divisions (a) and (b) of this section have been submitted and is correct and that the applicant proposes to engage in activity permitted by this chapter, he or she shall issue a license to the applicant within five business days of the submission of the application and required fee. This time period shall not commence to run until the required application fee is paid and the application and all required information have been submitted.

(f) Upon receipt of a completed application, the City Police Department will conduct a background check for each individual set forth in the application. Any applicant may be denied a license pursuant to the City's License Disqualification Standards, which are available for review upon request to the City Manager.

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

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

# RECORD OF ORDINANCES

Ordinance No. 2020-2

February 24, 2020

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Michael W. Schweller, Mayor

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Pamela Timmons, Clerk of Council

APPROVED AS TO FORM:

Stephen M. McHugh, Municipal Attorney



**To:** Mayor & City Council  
**From:** Melissa Dodd, City Manager  
**Date:** February 7, 2020  
**Subject:** February 10<sup>th</sup> City Council Meeting

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- **Mayor's Announcements and Special Guests**
  - Chief Doherty will be providing the Police Department's Annual Report from 2019
- **Introduction of Ordinances**
  - **Ordinance 2020-1 Amending Section 412.06 Parades and Assemblages** – This is a change to incorporate and reference the adoption of the special event ordinance which is actually the following section of code – section 412.07. The majority of this ordinance is being deleted but the section being kept to just tie the two together.
  - **Ordinance 2020-2 Amending Section 856.03 License Application Requirements for Solicitors Permits** – This is adding a limit to the number of people that one permit and fee can cover. We have had an issue with companies coming in and permitting dozens of individuals. The money in staff time to run the backgrounds was far exceeding the \$20 permit. The cap will be 5 people per fee to bring that more in line.
- **Public Hearing of Ordinances** – None
- **Resolutions** – None
- **Old Business**
  - **Little Sugarcreek Road** – Ron Wine will be presenting to Council on his business and solution that could help address the issues with Little Sugarcreek Road.
- **New Business**
- **Updates**
  - **Annual Reports** – The department annual reports begin tonight with the Police Department. Fire will be on February 24<sup>th</sup> and Service on March 9<sup>th</sup>.
  - **Greene County Grant** – Greene County Commissioners distributed checks for the second year of their community grant fund. They changed the formula to distribute the money based on population versus classification of City or Village like they did in 2018.

We received an additional \$19,000 which brings the 2020 grant to \$30,000. We have a number of projects on the books for 2020 that this could be used toward. Once a project is selected, I will pass that on to Council. Thank you to the county for revisiting the funding allocation which resulted in an increase for Bellbrook.

- **AARP's Age-Friendly Network Membership** – I received an email from an AARP newsletter I receive about community grants. In reading the requirements it talked about consideration being given to age-friendly communities. I then began to research that designation and the requirements. I would like for Council to consider becoming a member of the network. This would offer our commitment to identifying community needs and creating an action plan over the course of three years. This membership is free and will simply provide us with resources in order to continue the work we are doing to meet the needs and create the most accessible community for all.
- **Sable Ridge/Kensington**– As council is aware, the gate that separates Kensington and Sable Ridge has been having electrical issues and is currently inoperable. A previous City Manager agreed that the City would be responsible for this gate. We received a quote to fix the electrical line which now needs a more extensive repair than has previously. The quote is either \$8,000 or \$12,000 depending on the option selected. I believe that this is something that Council should discuss as this is quite an expense for the City to be responsible for.
- **Community Video for HGTV Contest** – The video was complete and submitted on Monday, February 3. Cory Weaver of Full Frame Photography graciously donated his time and talent to shoot, edit and create the video. I would like to publicly offer my thanks for his generosity and creativity. Now we wait!
  - As a follow up, I would like to see if Council would support another short video simply highlighting the community and its positive qualities for use as a marketing tool to attract businesses downtown. Cory has offered to do this and pitched the idea to me during this. This would be something that we would pay Cory for his services for. I believe his work has definitely shown his value and I would like to do this if Council is supportive.
- **4<sup>th</sup> Quarter Financials** – The 4<sup>th</sup> quarter financials are submitted and included in the packet. The year ended with revenues up approximately 15% from the previous year and expenditures coming in 5% below budget for the year.
- **Zoning Code Changes** – Staff are working to provide drafts of zoning code to Planning Board based on previous meetings. This includes article 14 (old village) and 18 (signs) which are the central articles that have needed revisiting.
- **Beavercreek Tornado Presentation** – On the 28<sup>th</sup> of January myself and several staff members attended a panel presentation on the lessons learned from the Memorial Day

tornados that hit Beavercreek. It was an informative session in which I collected a variety of notes and items to look into and work on.





To: Mayor & Council  
 From: Melissa Dodd, City Manager  
 Date: February 10, 2020  
 Subject: 4<sup>th</sup> Quarter Financial Update

City of Bellbrook  
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The following is a brief summary of the City's financial status:

**Cash Balance & Investments:**

- Total ending balance of **\$6,416,901** as of December 31, 2019. Total encumbrances outstanding at the end of the month are \$27,737 which leaves an unencumbered balance of **\$6,389,164**. The following is a breakdown of unencumbered balances by fund type:

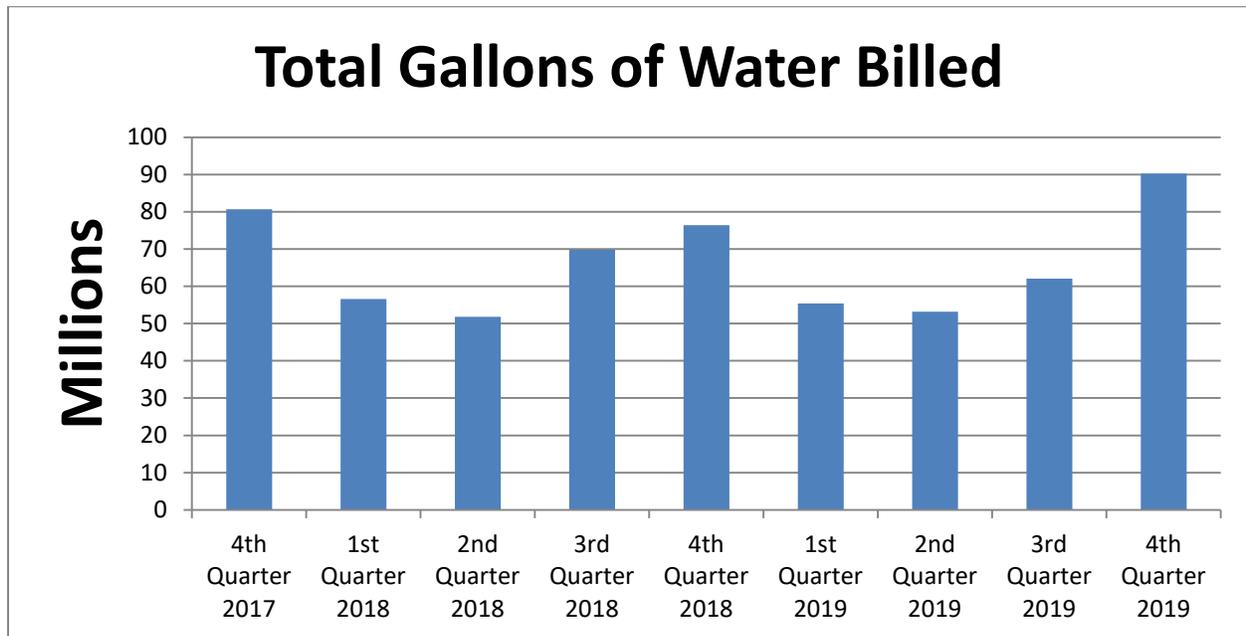
Property Tax Supported Funds .....	\$3,024,358
Transportation Restricted Funds .....	\$417,634
Water Fund .....	\$2,811,221
Waste Collection Fund .....	\$116,668
All Other Funds .....	\$19,283

- Investments** (agency securities) totaled **\$1,909,617.80** as of December 31<sup>st</sup>. In addition, **\$3,321,030.06** was invested with STAR Ohio earning 1.99%.

**Revenues:**

- The following is a summary of major revenue sources:

	<u>Actual thru</u> <u>12/31/2018</u>	<u>Actual thru</u> <u>12/31/2019</u>	<u>% change</u> <u>from 2018</u>
Property Tax	\$2,736,645	\$3,081,978	12.62%
Homestead & Rollback	416,052	559,334	34.44%
Local Government Funds	92,412	108,047	16.92%
Cable Franchise Fees	107,712	103,068	-4.31%
Gasoline Tax	273,000	330,036	20.89%
EMS Receipts	81,514	115,856	42.13%
Waste Collection Fees	406,747	444,843	9.37%
Water Fees	1,482,158	1,580,932	6.66%
Tap-in Revenue	374,400	183,200	-51.07%
Grand Total Revenue (excluding transfers)	\$5,873,545	\$6,792,877	15.65%



- The breakdown of **tap-in fees** by subdivision is as follows:

<u>Subdivision</u>	<u>Qty</u>	<u>Amount</u>
Highview Terrace	4	\$ 18,000
Landings	22	\$ 72,000
Redwood/White Oaks	11	\$ 90,200
Waterford	-	\$ -
Regent Park Place	-	\$ -
<u>Miscellaneous</u>	<u>1</u>	<u>\$ 3,000</u>
<b>TOTAL</b>	<b>38</b>	<b>\$ 183,200</b>

**Expenses:**

- The following is a summary of expenses by type:

	<b>2019 Total</b>	<b>Actual thru</b>	<b>% of Total</b>
	<u>Budget</u>	<u>12/31/2019</u>	<u>Budget Spent</u>
Wages & Compensation	\$2,882,733	\$2,752,885	95%
Fringe Benefits	\$986,135	937,176	95%
Contract Services	\$1,505,319	1,388,471	92%
Supplies & Materials	\$264,430	215,758	82%
Capital Outlay	\$568,830	425,650	75%
Other Expenses	\$87,725	64,524	74%
Debt Service	<u>\$141,142</u>	<u>140,975</u>	<u>100%</u>
Grand Total Expenses (excluding transfers)	\$6,436,314	\$5,925,439	92%

**Capital Projects:**

The following is the status of major capital projects included in the 2019 budget:

Project	2019 Original Budget Amount	2019 Estimated Amount	Project Complete
<b>Infrastructure</b>			
<b>Annual Street Repair and Resurfacing</b> Complete	\$150,000	\$138,738	Yes
<b>Downtown Improvements - DART Visit</b> Complete	\$5,000	\$5,000	Yes
<b>Police</b>			
<b>Furniture &amp; Fixtures</b> Project being reevaluated and will no longer happen this year.	\$10,300	\$0	No
<b>Weapon Lighting</b> Complete	\$2,100	\$2,100	Yes
<b>Service</b>			
<b>Fire Hydrant Replacement Program</b> Finished	\$30,000	\$26,461	Yes
<b>Furnace for Garage</b> Finished	\$8,000	\$8,000	Yes
<b>2.5 Ton Dump Truck</b> Waiting on bed and plow equipment to be installed.	\$160,000	\$160,000	No
<b>Well Improvements</b> Complete	\$10,650	\$10,650	Yes
<b>Chlorinators</b> Purchased and received in January	\$2,900	\$2,894	Yes
<b>Trench Box</b> Purchased and received in January	\$9,000	\$8,653	Yes

<b>Fire</b>			
<b>Self-Contained Breathing Apparatus</b> Complete	\$40,000	\$35,412	Yes
<b>Portable and Mobile Radios</b> Complete	\$3,000	\$2,498	Yes
<b>Command Staff Vehicle</b> Complete	\$40,000	\$38,715	Yes
<b>Fire Station #2 Parking Lot Imp.</b> Complete	\$25,000	\$24,300	Yes
<b>Fire Station #2 Sleeping Quarters</b> Complete	\$50,000	\$13,000	Yes

<b>Administration</b>			
<b>Bellbrook TV Portable Video Camera</b> On order	\$3,000	\$3,000	No
<b>Police, Fire &amp; Admin Workstations</b> Finished and complete	\$19,200	\$19,200	Yes
<b>Servers - moving to cloud based</b> Currently working on now	\$42,000	\$42,000	No
<b>Phone system - cloud based</b> Finished and complete	\$14,000	\$18,000	Yes
<b>Network Fiber</b> Waiting to begin	\$14,680	\$14,680	No