

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 13

2009

BELLBROOK CITY COUNCIL **MEETING MINUTES** **APRIL 13, 2009**

PRESENT: Mr. Bob Baird
Mr. Denny Bennett
Mrs. Pat Campbell
Mr. Ralph Fussner
Mr. Joe Ritzel
Mayor Mary Graves

ABSENT: Deputy Mayor Mike Schweller

This is a summary of the City Council meeting held on Monday, April 13, 2009.

Mayor Mary Graves called the meeting to order at 7:30 p.m. and asked everyone to stand and say the Pledge of Allegiance. The Clerk called the roll. Mr. Schweller was absent. Mr. Bennett moved Mr. Schweller be excused. Mrs. Campbell seconded the motion. There being no further discussion, the Clerk called the roll: Mr. Bennett, yes; Mrs. Campbell, yes; Mr. Baird, yes; Mr. Fussner, yes; Mr. Ritzel, yes; Mayor Graves, yes. The motion carried 6-0.

There being no corrections or additions to the prior minutes of the Regular City Council Meeting of **March 9, 2009, Mr. Bennett moved they be approved as written.** Mrs. Campbell seconded the motion. The Clerk called the roll: Mr. Bennett, yes; Mrs. Campbell, yes; Mr. Baird, yes; Mr. Fussner, abstain; Mr. Ritzel, yes; Mayor Graves, yes. The motion carried 5-0 with one abstention.

SPECIAL GUESTS/SPECIAL ANNOUNCEMENTS:

Mr. Bill Mercer, President, Bellbrook-Sugarcreek Chamber of Commerce, was scheduled to attend to speak about the Chamber of Commerce, but he was not present.

Mayor Graves read a Proclamation declaring **April 12 – 18, 2009, National Public Safety Telecommunications Week** in the City of Bellbrook.

Mayor Graves read a Certificate of Achievement for new **Eagle Scout Joseph R. Craven.** Joe was not present this evening so the Clerk will mail his certificate.

MAYOR'S ANNOUNCEMENTS:

Mayor Graves welcomed **new employee Michael Alan Miller (Alan) as part-time firefighter/EMT.**

Mayor Graves read an announcement for the **Red Cross' "Great Escape 2009",** Friday, April 17, 6 p.m., a fundraising event for the Dayton Chapter of the American Red Cross to be held at the Schuster Center.

Mayor Graves reminded everyone that the **Sugar Maple Festival** would be held this coming weekend, April 17 – 19. She said the dog show would be held Friday and the parade at 11:30 on Saturday. Mayor Graves expressed her appreciation to the festival committee.

PUBLIC HEARINGS: NONE

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 13

209

INTRODUCTION OF ORDINANCES:

ORDINANCE 2009-3 AMENDING CHAPTER 230, "MANAGER," OF THE BELLBROOK MUNICIPAL CODE WHICH SETS FORTH THE CITY'S POLICIES REGARDING THE AUTHORITY OF THE CITY MANAGER AS RELATES TO THE DISPOSAL, SALE OR TRANSFER OF SURPLUS CITY-OWNED REAL AND PERSONAL PROPERTY INTERESTS

Mrs. Campbell read Ordinance 2009-3 through Section 1. Mr. Schlagheck explained that currently the city relied on the Ohio Revised Code to get rid of surplus property. He said this Ordinance would put a couple different stipulations in the municipal code simply stating that if the piece of surplus property was under \$2,500 it would not have to come before Council but could be disposed of without having to come before Council but if it was valued at more than \$2,500, it would have to have Council's approval. He said it also authorized him to sell surplus property via different methods, for example, Internet auctions. He said later Council would see a Resolution authorizing him to advertise a surplus truck on www.govdeals.com, an Internet-based auction primarily for government surplus. He said only governments can put items on this site but anyone can bid on them. He said we were going to start experimenting with some different ideas like that because would allow us to get rid of surplus items in a more timely manner than waiting for an auction. He said a lot of governments have used "govdeals" with a lot of success and have received more money for their surplus items than in the past.

Mayor Graves explained this was an introduction of an Ordinance and a public hearing will be held on April 27, 2009.

There being no further discussion, **Mrs. Campbell moved to introduce Ordinance 2009-3.** Mr. Bennett seconded the motion. The clerk called the roll: Mrs. Campbell, yes; Mr. Bennett, yes; Mr. Baird, yes; Mr. Fussner, yes; Mr. Ritzel, yes; Mayor Graves, yes. The motion carried 6-0.

ADOPTION OF RESOLUTIONS:

RESOLUTION 2009-J AUTHORIZING THE CITY MANAGER TO EXECUTE THE SALE OF SURPLUS EQUIPMENT

Mr. Baird read Resolution 2009-J in its entirety. Mr. Schlagheck said this was the truck he mentioned, would be our first foray into www.govdeals.com and we hoped to get a good return. He said this truck was replaced as part of our normal capital replacement schedule and is no longer needed. He said he would report back.

Mr. Bennett asked if there was a minimum bid. Mr. Schlagheck said we could set a minimum bid and the increments for the bid. He said we could also put a reserve on the item. He said the successful bidder would have to come here and buy it "as is" and "where is" so the city would not have to ship it anywhere. The buyer would have to come to the City Building and pay for the item and receive the title then go to the Service Department and drive it away or otherwise remove it from our property.

Mrs. Campbell asked if there was a fee involved. Mr. Schlagheck said there was no fee but the site receives a 7-1/2% commission on the purchase price. He said that was similar to other auctions.

There being no further discussion, **Mr. Baird moved for adoption of Resolution 2009-J.** Mr. Bennett seconded the motion. The Clerk called the roll: Mr. Baird, yes;

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council

Meeting

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Held April 13

2009

Mr. Bennett, yes; Mrs. Campbell, yes; Mr. Fussner, yes; Mr. Ritzel, yes; Mayor Graves, yes. The motion carried 6-0.

RESOLUTION 2009-K INVESTMENT POLICY

Mr. Ritzel read Resolution 2009-K in its entirety and stated this was a Resolution adopting a policy for investing public funds. He said it was a comprehensive document that the Finance Committee reviewed a few weeks ago and was a very good policy. Mr. Schlagheck said Mr. Ritzel summarized it very well and said it would allow us to explore some other opportunities for investment. He said currently the city invests primarily in Star Ohio which is an investment pool but there are some other options we could look into once this policy is in place.

There being no further discussion, **Mr. Ritzel moved for the adoption of Resolution 2009-K.** Mr. Fussner seconded the motion. The Clerk called the roll: Mr. Ritzel, yes; Mr. Fussner, yes; Mr. Baird, yes; Mr. Bennett, yes; Mrs. Campbell, yes; Mayor Graves, yes. The motion carried 6-0.

RESOLUTION 2009-L AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT WITH GREENE COUNTY ENGINEER FOR THE 2009 448 ASPHALT OVERLAY PROGRAM

Mr. Bennett read Resolution 2009-L in its entirety. Mr. Schlagheck explained that this was the bid we do each year with Greene County for asphalt overlay on some of our streets. He said the streets included in the 2009 project are Belaire Circle, Hess Rd., Lower Hillside, Eckworth Dr., Cornish Ct., S. Linda from Portage Path to Cornish, and S. Main St. from S. Main St. to the corporation line. He said this would authorize the City Manager to enter into a contract with Greene County so they can bid this project. He said he would get the project underway as soon as possible.

There being no further discussion, **Mr. Bennett moved for adoption of Resolution 2009-L.** Mrs. Campbell seconded the motion. The Clerk called the roll: Mr. Bennett, yes; Mrs. Campbell, yes; Mr. Baird, yes; Mr. Fussner, yes; Mr. Ritzel, yes; Mayor Graves, yes. The motion carried 6-0.

CITY MANAGER REPORT:

Mr. Schlagheck recognized **Jason Culham, a part-time Bellbrook firefighter/paramedic and full-time Huber Heights firefighter/paramedic for performing CPR on a fellow UD Basketball fan on Saturday, March 7.** He said the man was in full cardiac arrest and he immediately began CPR and then assisted Dayton firefighter/paramedics by placing an advanced airway device and electrical defibrillation to the victim. Due to the efforts of Jason and the Dayton Firefighters, the man with no pulse was successfully resuscitated and one hour later was sitting up and talking. He said this was an example of the level of employee we have here in Bellbrook and he said we would have Firefighter Culham in to a Council meeting.

Mr. Schlagheck said last weekend the **Fire Department had their smoke detector "blitz" and canvassed nearly all of Bellbrook and placed smoke detectors in homes** that did not have them and checked and replaced batteries. He said that was a great service our Firefighters provide and was a huge success. Mayor Graves commented that we received excellent press.

Mr. Schlagheck stated that about two weeks ago there was a **home invasion** in Bellbrook that made the news. He said he was happy to report that the suspects in that home invasion, who also committed another burglary later that week in

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council

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Held April 13

2009

Bellbrook, were currently incarcerated pending charges. He said no one ever wants to hear about home invasions in the community but it was a credit to our Police Department that they had the suspects under arrest within four to five days. He wanted to assure the community that there was no one in the community that was a threat, as relates to this home invasion.

Mr. Schlagheck said he had been contacted by Buckeye Energy, a broker for natural gas aggregation. He reminded Council that back in 2003 there was an issue the city put on the ballot to allow the city to aggregate natural gas for its residents. He said that passed in May of 2003. He said this broker has suggested an "opt out" program where we, as a city, can enter into a contract for the purchase of natural gas for all residents unless that resident specifically "opts out" of that program. He said Buckeye Energy has offered a slight discount over the market rate over a period of time. He said he was simply bringing this to Council's attention right now but was not recommending that action at this time. He said he wasn't sure it was our place to put all our residents under contract for natural gas because it is an open market. He said within the next few years everyone was going to have to choose a supplier because Vectren Energy Delivery is getting out of the business. He said if anybody on Council would like him to explore this further he would be happy to do so.

Mr. Baird said the typical programs would include an "opt out" program where everyone would be included in the program unless they make an effort to "opt out," and an "opt in" program would offer a program that any resident could "opt in." He said an "opt out" program would be more of a burden to the resident who would be forced to call to "opt out." Mr. Schlagheck said in 2003 we offered an "opt in" program. He said he would not recommend it at this time.

Mr. Schlagheck demonstrated a new water and trash invoice that the city will be sending out starting on May 1. He said we have previously sent a postcard as a utility bill and have received a number of complaints because they tend to get lost or inadvertently discarded. He said the new bill would be an 8 X 11" sheet with usage history for the previous five quarters, detailed information on current usage, and the due date and amount due highlighted in yellow. He said the bottom portion was a remittance coupon to be torn off and mailed in the return envelope that will be included. He said on the back of the invoice was some general information. He said he thought this would be a good service to our customers. He said in the future we would like to move toward electronic billing and bill payment. He said we are contracting with a company called Smart Bill out of Columbus who serves many jurisdictions including Xenia and others in the State of Ohio. He said the cost wasn't much more than the postcard and worth it for the extra service to our customers.

Mr. Schlagheck said if any residents have questions they can feel free to call. In response to a question posed by Mayor Graves, Mr. Schlagheck said trash and water were broken out with dates of service.

Council members commented that this format would be much better.

In response to a question posed by Mr. Ritzel, Mr. Schlagheck said the same company would be providing the electronic billing system. He said, also, that currently if a resident calls about his/her bill, we cannot look at it; and now we can pull up a caller's invoice and look at it with them. He said our computers at the Water Department are capable of handling this system and the employees were comfortable with it.

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held April 13

2009

COMMITTEE REPORTS:

SERVICE:

Mr. Bennett read a **report from Dale Wilson** which is attached and made a part of this record.

SAFETY:

Mr. Fussner said there was a lot of activity in Bellbrook right now with **companies providing services** such as trimming trees, etc. He shared that he hired a company to trim trees in his yard at a quote of \$200 and when they presented the bill it had increased to \$2,000. He said he paid \$200, but he cautioned residents to make sure these companies are who they say they are and get a firm quote in writing. He asked if there was anywhere in the city for residents to check on the legitimacy of companies. Mayor Graves suggested residents should contact the Better Business Bureau before contracting with anyone. Mr. Fussner suggested residents call the police if they need to.

FINANCE/AUDIT: NONE

COMMUNITY AFFAIRS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

June 1 Annual Renewal of all Liquor Licenses in the City of Bellbrook

Mr. Schlagheck explained that this is an annual occurrence and we have spoken with the Police Department and have no objections to those renewals so we don't have to do anything.

OPEN DISCUSSION:

Mr. Baird stated the **Bellbrook Sugarcreek Chamber of Commerce would have its tent set up at the Sugar Maple Festival**. He encouraged everyone to stop by and pick up information about Bellbrook businesses and the Chamber.

Mr. Baird said the **golf outing has been set for August 20 at Sugar Valley Country Club** and Phil Martin was the chairperson. He said sign-up sheets would be at the Chamber booth at the festival.

Mr. Baird said the **Community Garage Sale would be May 14-16** and would be a very large event. He said residents should contact the Chamber to get their name on the list and be included on the map. Mr. Bennett said that could also be done on www.bellbrook-sugarcreekchamber.com by clicking on "garage sale." Mr. Baird said this event brings a lot of people to the city.

Mr. Bennett said there would be a **5K run/walk on Saturday morning at the Sugar Maple Festival** and to learn more interested individuals should visit www.sugarmaplefestival.com and click on "5K Run."

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council

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DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Mr. Fussner **thanked everyone who sent cards and letters and visited him** while he was recently hospitalized.

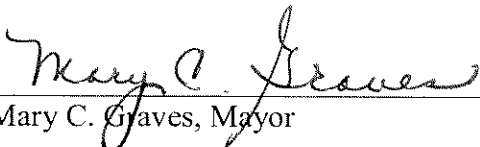
Mayor Graves said Chuck Dickerson, a developer, called her and said he was interested in starting a **new optimists club** in Bellbrook. She said if anybody was interested in becoming a member, they should contact the Clerk of Council.

Louie Schatzberg, 4080 Ridgetop Dr., asked residents to be on the lookout for **motorcycles** since the weather was getting warmer.

Mr. Schatzberg also said there will be **shuttles running from Bellcreek Intermediate School for the Sugar Maple Festival**. He said there was no way to get there any easier or faster. He recommended people come in off Feedwire to south on Upper Bellbrook. He said the shuttle was free and only accepted donations.

Mayor Graves **thanked the viewing audience** and invited viewers to call her or attend any meeting and she thanked **Louie Schatzberg**, cameraman, for his service.

There being no further business to come before this regular session of Bellbrook City Council, **Mr. Bennett moved to adjourn**. Mr. Baird seconded the motion. The Clerk called the roll. Mr. Bennett, yes; Mr. Baird, yes; Mrs. Campbell, yes; Mr. Fussner, yes; Mr. Ritzel, yes; Mayor Graves, yes. The motion passed 6-0 and the **Regular Session of City Council was adjourned at 8:15 p.m.**



Mary C. Graves, Mayor



Jill D. Rosner, Clerk of Council