

BELLBROOK CITY COUNCIL AGENDA
May 8 2017



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

T (937) 848-4666
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www.cityofbellbrook.org

6:00 pm-Executive Session-Collective Bargaining Matters
Work Session immediately following the Executive Session

7:00 pm-Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Formal Approval of the City Council Regular Meeting Minutes of **April 24, 2017**.
5. Mayor's Announcements/Special Guest
6. Public Hearing of Ordinances
7. Introduction of Ordinances
8. Resolutions

Resolution 2017-N A Resolution Authorizing the City Manager to Sign an Agreement with Patricia N. Campbell, LLC to Serve as Municipal Attorney. (McGill)

9. City Manager's Report
10. Committee Reports
 - A. Service
 - B. Safety
 - C. Finance/Audit
 - D. Community Affairs
11. Old Business
12. New Business
13. Open Discussion
14. Adjourn

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
April 24, 2017

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

This is a summary of the City Council meeting held on Monday, April 24, 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 April 10, 2017** Mayor Baird declared the minutes approved as written.

MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST

The Bellbrook Garden Club was represented by Tea Yankel and she presented awards to this year's poster contest winners. The winners include: Karin Peterson, Honorable Mention; Hamilton Bridges, 3rd place; Ella Dudley, 2nd place; and Brittany Rivera, 1st place. The contest was held in honor of Earth Day.

Mayor Baird read a Proclamation declaring May Motorcycle Awareness Month at the request of Abate of Ohio, Inc.

Christine Wolfe, a nurse in the Emergency Department at Miami Valley South, came to Council to present an award to Lt. Greg Nartker of the Fire Department. At church on Sunday February 19th Gregg administered CPR to a member of the church who was having a medical issue. Lt. Nartker also played a vital role in being the liaison between the family and the Emergency Room Staff at the hospital. Christine said Lt. Nartker showed great compassion to the patient, family and staff.

PUBLIC HEARING OF ORDINANCES

INTRODUCTION OF ORDINANCES

RESOLUTIONS

CITY MANAGER REPORT

Mr. Schlagheck said next Tuesday, May 2nd there is a General Renewal Levy on the ballot. This is a renewal levy so there is no increase in taxes. Mr. Schlagheck encouraged everyone to get out and vote.

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April 24, 2017

Mr. Schlagheck said the Sugar Maple Festival was a success this past weekend. Mr. Schlagheck wanted to recognize and thank the City workers who do a lot of work behind the scenes at the festival.

Next, Mr. Schlagheck spoke about the annual water rate survey. The City of Oakwood conducts an annual survey of water rates. The City of Bellbrook has the 22nd lowest water rate of the 66 local governments.

At the last council meeting, Mr. Schlagheck provided Council with information on the National League of Cities (NLC) Service Line Warranty Program. The program provides property owners with a warranty for the water and sewer service lines to their homes. There is no cost to the City to offer this program to our residents. The Mayor asked Mr. Schlagheck for additional information at the last meeting. Mr. Schlagheck did forward a copy of the contract, what is covered by the warranty and a copy of the letter that residents would receive. Mr. Schlagheck also said he did follow up with another community that offers this program. One of the things this program would do is send a letter out to residents on city letterhead. As a result of the letter, the community received a lot of phone calls. Residents were also confused because they thought they had to purchase the warranty since the City endorsed it.

Mayor Baird researched this also to see how it was received by other communities. He said he does not want this program to cause confusion for the residents. He is not in favor of it. He asked Council for their thoughts.

Mr. Edwards said he is not comfortable with the City endorsing this program. He also said that he contacted his Insurance Agency and found out that his home owner's policy includes service lines.

Mr. Greenwood said to check your home owner's policy too.

Mrs. Middlestetter said she is not comfortable with the program.

Mrs. Seger-Lawson said she feels it would give residents a false sense of comfort because it looks like the program is offered by the City.

Mr. Schweller said he is bothered why they want to link this program with the name of the City of Bellbrook. He also said that this is not an insurance contract. He said if the warranty company goes under, the warranty is worthless. Mr. Schweller said he does not like it and is not in favor of it.

Mr. Schlagheck said he will let the company know that the City is not interested in the program. Mr. Schlagheck said the key component here is residents are responsible for their water and sewer service lines. He said that the City can continue educating the residents about this.

COMMITTEE REPORTS

Service: Mrs. Seger-Lawson wanted to thank the Service Department along with the Police and Fire Departments for their contribution at the Sugar Maple Festival.

RECORD OF PROCEEDINGS

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Safety: Mr. Greenwood also thanked the Fire and Police Departments along with the Service Department for their help at the Sugar Maple Festival.

Finance/Audit: Mr. Schweller said the general fund renewal money is important since Bellbrook does not have a city income tax. He also said that the City spends this money like it is their own. Mr. Schweller encouraged everyone to get out and vote on Tuesday, May 2nd.

Community Affairs: Mrs. Middlestetter said there is a vacancy on the Village Review Board. The opening is posted on the City's website. She also thanked the Service Department and everyone involved with the Sugar Maple Festival.

OLD BUSINESS-

NEW BUSINESS-

Ohio Division of Liquor Control Notice-The City was sent a notice of a new liquor permit for Thai Grille LLC. Council did not have any objections.

OPEN DISCUSSION-

Mr. Edwards recently met with a resident who is a Purple Heart recipient. The resident asked Mr. Edwards if Bellbrook would be interested in being designated a Purple Heart city. This is an organization throughout the United States with local chapters. Mr. Edwards said there is no cost to the city. This could entail that the City presents a proclamation, a flag or designates a sub name on a thorough fare. Mr. Edwards wanted to know what his fellow Council members thought. All members of Council were in favor. Mr. Edwards and Mr. Schlagheck will move forward with this.

Mr. Greenwood said there were a lot of good ideas that came from the Walkability Workshop. He said he is looking forward to this process continuing.

Mr. McGill thanked the Service, Police and Fire Departments for their participation in the Sugar Maple Festival. Mr. McGill attended the Walkability Workshop too. He said there are a lot of ideas that need to be looked at. He thought the process was a good idea.

Mrs. Middlestetter participated in the Walkability Workshop too. She said there seems to be a lot of consensus of what residents think the city should look like.

Mrs. Seger-Lawson congratulated the Sugar Maple Festival Committee. She said it was a great festival. She attended the Walkability Workshop too. The parking issues stood out to her. She said it will take the community and businesses coming together.

Mr. Schweller was out of town and unable to attend the festival. He has heard nothing but rave reviews. He congratulated the Sugar Maple Festival Committee.

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Mayor Baird said the Sugar Maple Festival was a success. He also said there was group of Bellbrook kids in Washington DC for a “We the People” competition. He offered his congratulations to them. He also said there was a Bellbrook student that received a perfect score on the ACT.

Mr. Schatzberg-4082 Ridgetop Dr. He is a member of the Sugar Maple Festival Committee. He drives the shuttle and puts up directional signage for the festival. He said it was a good festival. He thanked the Mayor and Council along with the City Manager for supporting the festival.

ADJOURN

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 7:45 pm.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF RESOLUTIONS

Resolution No. 2017-N

May 8, 2017

City of Bellbrook

Resolution No. 2017-N

A Resolution Authorizing the City Manager to Sign an Agreement with Patricia N. Campbell, LLC to Serve as Municipal Attorney.

WHEREAS, the Section 7.09 of the Bellbrook City Charter requires the appointment of the Municipal Attorney; and

WHEREAS, Patricia N. Campbell is an Attorney-at-Law, admitted to the practice of law in the State of Ohio and is in good professional standing; and

WHEREAS, Patricia Campbell has an office located in the City of Bellbrook; and

WHEREAS, the City's current agreement with Patricia N. Campbell will expire on June 30, 2017.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. That the City Manager is hereby authorized to sign the attached agreement with the Patricia N. Campbell, LLC to serve as Municipal Attorney effective July 1, 2017 through June 30, 2019.

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

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

AGREEMENT

This agreement (“Agreement”) is made as of July 1, 2017 between the City of Bellbrook, Greene County, Ohio (the “City”), and The Law Offices of Patricia N. Campbell, LLC, 90 E. Franklin Street, Bellbrook, OH 45305.

1. The City Manager and Council of the City have appointed The Law Offices of Patricia N. Campbell, LLC to the position of Municipal Attorney and Director of Law for the City (“Municipal Attorney”).
2. In the position, of Municipal Attorney, The Law Offices of Patricia N. Campbell, LLC, will act as an Independent Contractor. The Municipal Attorney will act as chief legal advisor to the City Council, the City Manager, and all City departments, boards and commissions, and will perform the duties that are set out in the City Charter, as well as all ordinances, resolutions, and general law. The Municipal Attorney will also manage the City’s Department of Law under the supervisory control of the City Manager.
3. As an Independent Contractor, the Municipal Attorney shall determine the hours required to perform the services to be provided and retains discretion over its schedule when performing services. The City Manager may, from time to time, as he deems appropriate, communicate specific instructions and requests to the Municipal Attorney concerning the performance of the work described in this Agreement. It is expressly understood by the parties that these instructions and requests are for the sole purpose of performing the specific tasks requested to ensure satisfactory completion of said tasks by the Municipal Attorney. The management of the work, including the exclusive right to control or direct

the manner or means by which the work described hereunder remains with and is retained by the Municipal Attorney.

4. The Municipal Attorney is authorized and empowered to do all that is necessary and incidental to the proper administration of the City's legal affairs, and will do so in an efficient and professional manner as required by the Supreme Court Rules for the Government of the Bar of Ohio.
5. The City will pay the Municipal Attorney at the rate of one hundred and ten dollars (\$110.00) per hour for services under this Agreement. The Municipal Attorney will invoice the City quarterly.
6. The City shall be responsible for all expenses reasonably necessary including fees associated and all expenses incurred as a result of the Municipal Attorney's representation of the City, including but not limited to postage fees, court costs, transcripts, expert witness fees, and appraisals.
7. Although not presently anticipated, The Law Offices of Patricia N. Campbell, as Municipal Attorney may relocate its business outside the City Corporation of Bellbrook during the term of this Agreement.
8. This Agreement is effective as of July 1, 2017 and will continue until June 30, 2019 provided, however, that either party might terminate this Agreement for its convenience by giving the other sixty (60) days' written notice.

Patricia N. Campbell
The Law Offices of Patricia N. Campbell, LLC
90 E. Franklin Street
Bellbrook, Ohio 45305
(937) 310-3073
(937) 310-3074 (fax)

Date

CITY OF BELLBROOK

Mark A. Schlagheck
City Manager

Date