

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Meeting  
February 11, 2019

**PRESENT:** Nick Edwards  
Forrest Greenwood  
Darryl McGill  
Elaine Middlestetter  
Dona Seger-Lawson  
Mike Schweller  
Mayor Robert Baird

**CALL TO ORDER**

Mayor Baird called the meeting to order at 7:00 pm.

**ROLL CALL**

Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Deputy Mayor Schweller, yes; Mayor Baird, yes.

**FORMAL APPROVAL OF MINUTES**

After polling members of City Council, as there were no corrections or additions to the regular meeting minutes of January 28, 2019 Mayor Baird declared the minutes approved as written.

**MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST**

Mayor Baird welcomed the guests and thanked the new and reappointed board members.

- **Board Appointments**

The mayor swore in the following board members: Ed Stangel, Planning Board; Jeff Owens, Village Review Board; Karen McGill, Village Review Board; Mary Graves, Records Commission.

- **Police Department Annual Report**

Police Chief Doug Doherty presented the department's annual report to City Council. He explained the first picture from the Department's Christmas party. The men had been growing beards from a "Beards for Brian" fundraiser that raised \$800 for Sgt. Brian Mead who is battling cancer.

The number of calls for the year compared to previous year's shows negligible changes in the numbers or types of crime. Bellbrook's biggest problem is theft from vehicles. The Chief reminded

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citizens to lock their vehicles. Drug-related crime is down in the city. Traffic accidents are up, partially due to more vehicles on our roads. The department is seeing improvement when using the speed board in troublesome areas followed by radar patrols. One location that has seen a great improvement is Little Sugarcreek Road. The resident across the street from the Vineyard neighborhood is very pleased.

In 2018, the Bike Patrol Unit expanded its reach in the community. Officers Jamey Johnson and Josh Warren joined with Officer Mark Burns on the Bike Patrol. An extra bike rack was added to an additional patrol vehicle so multiple bike units could be deployed at once in the city, providing more flexibility to the program. Thanks to the Council for providing the bicycles. More hours are being put in on the bikes since the two part-time officers who ride have both become full-time employees. They put in 300 hours on the bikes. The officers have done an outstanding job making contact with the public.

In 2018, Bellbrook Officers used force two (2) times. Each use of force was reviewed by the shift Sergeant and Lieutenant to make sure each instance is justified. Both instances were found to be justified.

Fleet Management expenses are down with the new Ford SUVs and miles per gallon are up.

Last year the city honored retiring Officer Bob Loudermilk. Officer Loudermilk is coming back part-time for a time to help as the Department looks at other part-time options.

The "Cones for Kids" was a partnership with The Dairy Shed to hand out to children a coupon for a free ice cream cone if we witnessed them doing something nice or they were obeying traffic rules on their bikes. The Community walks in May and September were also well received by the public.

Officer Jamey Johnson received an award from the county at their domestic violence meeting.

Chief Doherty opined that the FOP Shoe Program is heartwarming and worthwhile to see the joy in the children's faces.

Mr. McGill asked about the effectiveness of the body worn cameras. Chief Doherty said the decrease in the use of force is probably partially due to the cameras.

Mr. Schweller asked what the number one take-away is from this review. The Chief opined that the community policing efforts have been fantastic. The Department is being mindful of how we impose the laws of our city.

Mr. Schweller thanked our Police Department. He expressed his surprise that drug-related crime is down in Bellbrook when the Greene County Prosecutor has reported that indictments are up from 600 last year to 1,200 in 2018. The Chief explained that major drug crimes are investigated by the task force.

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Denis Egan, 1682 Fox Trail, asked if the Department conducted any sting operations. The Chief answered that they had not, but would if any certain type of crime was rampant. Chief Doherty again stressed that the public should lock their vehicles.

Mrs. Seger-Lawson opined that it is possible that people leave their vehicles unlocked to prevent thieves from breaking the windows. The Chief explained that these are usually crimes of opportunity and the thieves are trying to be stealthy so they would not break the window.

Mrs. Seger-Lawson asked about “porch pirates” who steal packages from porches. Chief Doherty said that the new video doorbells could be an aide to the police in some situations but this has not been a big issue in Bellbrook.

Mr. Edwards asked about the effectiveness of the midnight bike patrol. Officer Johnson got credit for stopping a person with an outstanding warrant. Knowing we have a nighttime patrol is a deterrent.

Mr. Greenwood asked about traffic and accidents trends. The Chief said that the main trouble areas are well patrolled and improvements have been made.

Mrs. Middlestetter asked about a rise in accidents due to distracted drivers using phones and GPS units. Chief Doherty explained that the new accident reports have added a column for distracted driving. There is also a breakdown of how the drivers are distracted. This is a growing problem.

Mayor Baird thanked Chief Doherty for the annual report.

- **Board Appointments (continued)**

The Mayor swore in new board member Aaron Burke to the Board of Zoning Appeals.

**PUBLIC HEARING OF ORDINANCES**

Mr. Edwards read **Ordinance 2019-5 An Ordinance Adding Chapter 810 “Small Cell Facilities and Wireless Structures” to the Codifies Ordinances of Bellbrook, Ohio.**

Mrs. Seger-Lawson recused herself from this issue due to her employment by an electric company.

Mrs. Dodd explained the background of House Bill 478 which was passed in May 2018. These structures are used with 5G technology and have a stronger signal. This ordinance gives the city some control over the placement and look of these structures. The units must be put on an existing pole or structure and cannot be in front of any historic locations.

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Mr. Edwards asked about areas where utilities are below ground and there are no existing poles. City Manager Dodd said these would be handled on a case-by-case basis to be possibly be placed on light poles.

Mayor Baird added that this legislation gives the city some control over these structures.

Mr. Greenwood added that these will change as the technology changes and used the example of the old large satellite dishes of the past.

Mr. Edwards made a motion to approve **Ordinance 2019-5 An Ordinance Adding Chapter 810 “Small Cell Facilities and Wireless Structures” to the Codifies Ordinances of Bellbrook, Ohio.** Mr. Greenwood seconded the motion. The Clerk called the roll. Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Middlestetter, yes; Mr. Schweller, yes; Mr. Baird, yes. The motion carried 6-0-1 abstention.

**INTRODUCTION OF ORDINANCES**

Mr. Greenwood read **Ordinance 2019-6 An Ordinance to Approve the Re-zoning of 28 East South Street from O-1 Office District to R-3 Multi-family Residential District.** This property has been used commercially for many years. The owners have not been able to sell the property as commercial and are asking for it to be rezoned. Mr. Greenwood added that the neighbors are in favor of this change.

Mrs. Dodd explained that the real estate agent spoke to the Planning Board about this property. It has two owners and is the only property zoned differently than the surrounding properties. The building can be repurposed into two residential units.

Mr. Greenwood made a motion to introduce **Ordinance 2019-6 An Ordinance to Approve the Re-zoning of 28 East South Street from O-1 Office District to R-3 Multi-family Residential District.** The motion was seconded by Mr. McGill. The Clerk called the roll. Mr. Greenwood, yes; Mr. McGill, yes; Mr. Edwards, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mr. Baird, yes. The motion passed 7-0.

**RESOLUTIONS**

Mr. McGill read **Resolution 2019-G A Resolution Approving the Splitting of Lot 61A of the Highview Terrace Subdivision, Section 3, Phase 2 into Lots 61B and 62A.**

The City Manager said this resolution returns the property to its originally form. Last year the owner had requested, and the Council approved, the combination of the two lots. Since that time, the owner purchased a different property and would like to return the lots to their original state.

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Mr. McGill made a motion to adopt **Resolution 2019-G A Resolution Approving the Splitting of Lot 61A of the Highview Terrace Subdivision, Section 3, Phase 2 into Lots 61B and 62A.** Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. McGill, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mr. Baird, yes. The motion passed 7-0.

## **CITY MANAGER REPORT**

City Manager Dodd reported that Don Buczek's last day with the city is Friday February 15, 2019. Mrs. Dodd made changes to the job description and created the position of Planning and Zoning Assistant. She received 20 applications and interviewed several candidates last week. Jeff Green accepted the position. He has been the Zoning Administrator for Riverside.

The City Manager has been disseminating the new draft of the city's Comprehensive Plan. The Planning Board is reviewing the plan and will meet to discuss it again on Thursday February 28 at 6:00 PM. If approved, the plan will be brought before the Council in March. Mrs. Dodd is excited for as many people as possible to look at it and provide feedback. The plan is available on the website.

The city is working to improve the city's newsletter. Our intern, Michaela Grant, is working on the newsletter at this time.

The City Manager informed Council that Little Sugarcreek Road is in a critical state after the recent rain. Mrs. Dodd showed pictures showing how the ground has washed away even to the point of exposing some of the pylons. Erosion has been an issue along this road for 30 years. The City Manager, Service Director, and a local geotechnical engineer met to look at what can be done as an emergency fix for the worst part of the road. The engineer was already working on a plan to permanently correct the problem while taking into consideration pedestrian needs. Originally this plan was due the middle of February. Now that this rain has aggravated the problem, Mrs. Dodd has asked for immediate action. Mrs. Dodd called to Ohio Public Works Commission Director Linda Bailiff to see if the city can receive emergency funding.

The City Manager explained that the engineer is planning to bore down into the street's foundation and drop sensors to check on the stability of the 30 years of fill that is under the road. Service Director Pasley asked about using steel sheeting to shore up the road. We were informed that steel is the more expensive product to use. They are looking at concrete walls which are more economical. The key is to fix the major area of concern immediately but keep the rest of the needed road repairs in mind. Mrs. Dodd will keep Council informed.

Mr. Schweller asked if Little Sugarcreek is a permissive use tax roadway. The City Manager did not think it is. The city has done the best we could to maintain the roadway. But now it must be permanently corrected. It has been less than a year since the last major repair to the road. Mrs. Dodd explained that this area has a water problem exasperated by the county sewer line and the protected creek below it.

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City Manager Dodd was happy to tell the Council about the Little Libraries project. The Service Department was asked to create the boxes to be placed around the city for sharing books. The employees built four of these little buildings. Each is unique and creative. Mrs. Dodd had the challenge of choosing the winner which was built by Matt Sanderman and looks like a fire hydrant. The locations are still being chosen. There will be a ribbon cutting in the spring. The city would like to partner with the Girl Scout troops. Michaela Grant presented a proposal to the troop to be in charge of stocking and maintaining these little libraries.

Mrs. Middlestetter said the Intermediate School has a little library in their reading courtyard.

**COMMITTEE REPORTS**

**Service:** Mrs. Seger-Lawson congratulated the Service Department on their amazing work on the Little Libraries. She also thanked them for again clearing our streets after another round of snow and ice.

**Safety:** none

**Finance/Audit:** Mr. Schweller asked if the audit has been started. The City Manager explained that they are still creating and submitting the financial statements. An audit will start when the statements are complete.

**Community Affairs:** Mrs. Middlestetter thanked the applicants for the open board seats. She and the entire City Council thanks all those who use their time and skills to serve our city.

Mayor Baird thanked the Community Affairs Committee for their work.

**OLD BUSINESS** – none

**NEW BUSINESS**

Mr. Greenwood spoke about Council Communications and how information is disseminated. City staff agreed to send the draft minutes of each board and commission to Council. This way Council is better informed. Mrs. Dodd asked if there is anything else the Council would like to see, like the Police Department Annual Report. The City Manager agreed to provide annual reports from each department including the Service Department.

**OPEN DISCUSSION**

Mr. Edwards and all the Council members thanked the Chief and Police Department for all their hard work.

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Mr. McGill gave a shout-out to Dr. Cozad and Jennifer Hahn for organizing the Lunch with Leaders program. Mr. McGill greatly enjoyed his lunches with the students. He wants parents to know that the kids were well behaved and ate their lunches.

The Future Chef program is coming soon and will be looking for people to mentor and cook with the kids and then judge the food. Mrs. Dodd will provide the information when it becomes available.

Louie Schatzberg, asked for a recap of what the different boards are doing during the year. He opined that the residents do not always see what these boards and commissions are doing. He would like to see residents get more involved. Mayor Baird agreed that a summary is a good idea.

**ADJOURN**

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 8:30 PM.

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Robert L. Baird, Mayor

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Pamela Timmons, Clerk of Council