

## MINUTES FOR THE REGULAR COUNCIL MEETING JUNE 22, 2015

The regular City Council meeting of Monday, June 22, 2015, began at 7:30 p.m. Following the Pledge of Allegiance a prayer was offered by Pastor Venno Kuhl, of The River Church. Council persons present: MR. BAKER, MR. FEUERSTEIN, MRS. HENRY, MR. HILL, MR. MILLER, MRS. MISSLER, and MISS NASCONE.

The minutes from the June 8, 2015 regular Council meeting were presented for approval. Mrs. Missler made a motion to approve the minutes as written. Mrs. Henry seconded the motion. All were in favor. The minutes are approved as written.

**President Smith** asked Mr. Baker to introduce his guest, **Gary Mortus**. Mr. Mortus is the Area Manager at First Energy. He attended Council meeting tonight to answer any questions regarding street lighting. He stated that the lights in the City have been recently worked on and should be all up to date and working well. He stated that if citizens notice a light that needs to be fixed, they can call First Energy or go to their website. He circulated a fact sheet regarding outage restoration and reporting an outage, streetlight information, and he passed out his business cards. Safety-Service Director, Mr. Crosby, thanked Mr. Mortus for all the help that First Energy has given to the City. He gets calls returned immediately when he leaves messages. After the tornados came through last summer, First Energy was very helpful.

**Mrs. Henry** thanked Mr. Mortus for what First Energy does to help the City. She then inquired if First Energy should be notified if citizens notice loose wires on poles. Mr. Mortus stated that certainly they will come and check on the wires to keep citizens safe. They may or may not be their wires. Verizon also has wires. If it is First Energy's wires, they will see that they are promptly taken care of.

### REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS:

**Mayor Berkey** reminded everyone that this weekend is our annual Community Days celebration. Friday, June 26, at 7:00 p.m. Central Park will be the dedicated. The Ohio Flags of Honor Ceremony will immediately follow. Central Park is coming along very nicely. He then read a Mayor's Proclamation for the Flags of Honor and declared June 21-27, 2015 Ohio Flags of Honor week.

**Treasurer, Mr. Freitag**, updated everyone on House Bill 5 and Senate Bill 64 which were passed last week. Although they are both regarding income tax revisions, there are some differences in the two versions which will have to be ironed out. He attended a meeting with RITA last Tuesday where he was informed that they are working along with the Ohio Municipal League to draft an ordinance regarding the new income tax revisions and they should have it to him by the middle of July. It should be ready to present to Council in August.

**Law Director, Mr. Wallingford** stated that today he attended an open meetings and public records seminar held in Ottawa, Ohio. It is required that every elected official attend a seminar either themselves or by an authorized representative. He obtained signatures from Administration and Council members to represent the City and attend the meeting. He stated it was very informative.

He also stated that he has some brief comments regarding Resolution R-4-15 concerning emergency management service, but he will wait until right before he reads the resolution. Also, for the record, a Public Hearing was held tonight at 7:20 p.m., just prior to the regular City Council meeting regarding Ordinance 11-15 concerning rezoning or property on East Main Street.

#### REPORTS OF CITY COUNCIL MEMBERS:

**Mr. Feuerstein** stated that until the public hearing tonight, he was not aware of all the concerns of the citizens regarding changing the zoning. He would like to have known sooner. He feels that these concerns should be taken into consideration.

**Mr. Miller** thanked Mr. Crosby and the City Street Department for responding quickly to a recent sinkhole problem. They did a good job.

**Mr. Baker** inquired about trees that are uprooting the sidewalks. Mr. Crosby stated that if there are problems with trees or tree roots raising up sidewalks and causing safety issues, the citizens can contact Vickie at the City Offices. She will report it to the Tree Commission who in turn will check it out and determine if the tree should come down. Mr. Baker then stated with reference to the recent sinkhole issue, it appears that we need some documentation about where sinkholes and drains are in the City.

**Mrs. Missler** stated she was concerned about the residents who came to the public hearing tonight regarding zoning. She was remembering all the remarks and concerns when the Family Dollar store went in. At the time, residents were concerned about bright lights and extra traffic but she doesn't feel it has been a problem. She said there was a lot of concerned citizens back in 1948 when Council did not let the bypass go through. People are still complaining about it. She stated that there is a lot of work with all the parks going in. The City is trying to do them all--a little at a time.

Some more comments were made by residents about the rezoning issue, but President Smith stated this is not the time for more comments regarding that.

**Mr. Hill** thanked the committees and artists involved with the City's new mural. They did an awesome job. Along with the new library, it is really beautifying the area. He also thanked all those involved with Central Park. He is excited to see it this weekend with all the flags.

**Mrs. Henry** stated that she is also excited about the flag ceremony.

## COMMITTEE REPORTS:

**Miss Nascone** scheduled a Budget & Finance Committee meeting for Monday, July 13, 2015, directly following the regular City Council meeting. The City Auditor should be in attendance.

**George Kellar, of the Committee to Grow Bellevue/Historical Society/Railroad Museum**, commented that Central Park is coming along very well. The planting will soon be done. Tomorrow is the Committee's meeting. They will be downtown working in preparation for Community Days. He announced a wine and cheese festival on Sept 5. He hopes to turn it into an annual event to raise funds for the Tremont House. The Railroad Museum is doing great. They have had more visitors than they anticipated. He hopes this is helping other businesses in the City. He refers the visitors at the museum to the various restaurants in Bellevue. The museum has already had to reorder things for the gift shop because it is doing so well. He voiced concern about the City perhaps obtaining a security camera so there won't be any issues with the mural.

## CITIZEN COMMENTS:

Several citizens who spoke earlier during the Public Hearing spoke again regarding rezoning issues. They mentioned that they were not aware of the rezoning plans until just recently and they want to know when the decisions are going to be finalized. President Smith stated that nothing is being pushed through tonight and nothing has been finalized. He will let Council know what options are available. Members can table the ordinance, discuss it, schedule an extra meeting regarding it, or vote on it. The citizens stated that they know neighbors who were not aware of it. Mr. Crosby stated that a notice was placed in the newspaper and the City has done everything required by law. Council will have the opportunity to move forward from here. President Smith acknowledged that there are concerns regarding the rezoning.

**Pastor Veno Kuhl** stated that she is thrilled to see what is going on with the parks and the mural is amazing. Everything is exciting about the growth of Bellevue.

## PRESIDENT'S REPORT:

**President Smith** stated that we will be having Council of the Whole work session following tonight's meeting. They will be discussing code enforcement services recommendations. Depending on how legislation goes, there may be other discussions as well. Before he turned the time over to Mr. Wallingford for tonight's legislation, he made everyone aware of the procedures that are available. If Council feels uncomfortable about passing legislation, a member can make a motion to table it and schedule a meeting before our next Council meeting to discuss it.

**Law Director, Mr. Wallingford**, stated that with regard to Resolution R-4-15, the date on the second paragraph is not correct. It needs to be changed from 2012 to 2015. It

runs from July 1, 2015 to June 30, 2016. This is the last meeting before it expires for this year so this may be a case where Council will want to consider suspension of the rules.

#### LEGISLATION:

**Resolution R-4-15** was given its first reading: A RESOLUTION DETERMINING EMERGENCY MANAGEMENT SERVICE FOR THE POLITICAL SUBDIVISION OF THE CITY OF BELLEVUE, AND DECLARING AN EMERGENCY.

Motion was made by Miss Nascone to suspend the rules and give Resolution R-4-15 its second and third readings by title only. The motion was seconded by Mr. Feuerstein. A vote was taken. All were in favor.

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Mr. Baker inquired if there are other services open for bid with other counties. Safety-Service Director, Mr. Crosby, stated that the City has always used Huron County because they have given great service. This is a resolution that we pass every year. Mr. Baker indicated that we should have discussed this previous to tonight's meeting where it needed to be voted on. Mr. Hill also indicated that he would have liked to talk about this prior to tonight. President Smith stated that it is up to Council whether to pass it tonight or not. Plainly put, if we don't pass it tonight we will not have emergency management services.

Motion was made by Mr. Miller to adopt Resolution R-4-15 and as an emergency. The motion was seconded by Miss Nascone. A vote was taken. Motion passed by the vote 7-0.

**Ordinance 12-15** was given its second reading by title only: AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND FOR THE BOARD OF CONTROL TO ENTER INTO A CONTRACT OR CONTRACTS FOR STREET REPAVING, AND DECLARING AN EMERGENCY.

**Ordinance 11-15** was given its third reading by title only: AN ORDINANCE RE-ZONING PARCELS OF LAND OWNED BY CARMELO & NUNZIA RUTA, THEREBY AMENDING THE PLANNING AND ZONING CODE OF THE CITY OF BELLEVUE, AND DECLARING AN EMERGENCY.

Motion was made by Miss Nascone to table Ordinance 11-15. She then stated that she is doing so because she feels that there are many concerns and needs to be discussed further. The motion was seconded by Mr. Feuerstein. A vote was taken. Motion passed by the vote 5-2. Mr. Miller and Mrs. Missler, nay.

CLOSING REMARKS:

**Mr. Miller** stated that the City has issues with zoning in that there is a lot of industry in residential neighborhoods. He feels there are a lot of places that this particular business could go other than across from the residents who were in attendance tonight.

**Law Director, Mr. Wallingford**, inquired if either a work session or a committee meeting was being scheduled so these citizens will be aware of it and can attend. They could check with neighbors and friends and let them know. President Smith then scheduled a meeting for Monday, July 13, 2015, at 6:30 p.m., prior to the next Council meeting.

Motion to adjourn was made by Mr. Baker and seconded by Mrs. Missler. All were in favor.

Respectfully submitted,

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Ronald Smith  
President of Council

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Rhonda R. Soper  
Clerk of Council