

Approved
Bellbrook-Sugarcreek Merger Study Commission Meeting
Minutes
April 7, 2010

1. The meeting was called to order at 7:00 PM by Joan Gallagher, Co-Chairperson of the Merger Study Commission.
2. Mrs. Gallagher called the roll with Commission members Tom Frantz, Bill Berry, Linda Hummel, Mike Shank, Charlie Schwegman, Howard Ackerman, Ron Folkerth present. Dr. Sam Staley was not present. Donna Hellmann arrived shortly after roll call.
3. Others present were, Bill Schieman, Jim Martin, Scott Bryant, Cindy Porter, Harold Rodgers, Jim Tharpe, Ben Rader, Scott Bryant, Barry Tiffany and Mark Schlagheck.
4. The minutes from the March 3, 2010 meeting had been circulated and were presented for approval. A motion was made by Mrs. Hummell to approve the minutes. Mr. Folkerth seconded the motion. The motion passed with Tom Frantz abstaining because of being absent for the March meeting.
5. Mr Tiffany, the Township Administrator, made a presentation entitled Contrast of the Zoning Regulations of Sugarcreek Township and City of Bellbrook. The intent was to discern the major differences of the City and the Township Zoning. This gave an idea of how zoning could be aligned in the Conditions of Merger. Such alignment would be necessary if the Commission would approve placing a merger of the two entities on the ballot in November 2010.

There were some differences which could be reconciled. Other differences would be able to be addressed by the new government. Mr. Schwegman asked if there was any agriculturally zoned land in Bellbrook and if so how would a merger affect it? Mrs. Hummell stated there are two properties that have boarding. Mr. Schwegman and Mr. Tiffany agreed that the best way to handle it would be to leave the Township and City zoning the way it is until a new government took effect. Possibly there would be a period of 365 days to have elections. Then in January 2012 Sugarcreek would disappear. It wouldn't be until 2013 that the zoning could be blended by the new City's Planning Board. Mr. Schieman stated that what he has seen was the new government formed a Planning Board review team which included an equal number of Township and City people who have zoning expertise.

He also said that a condition for merger can be created so agriculture can be maintained. He recommends having a land use plan. This would mean a vision for the communities land use.

6. The Mercer Group's Final Report Draft was sent to the Commission by e-mail and Mr. Tiffany distributed a hard copy to the Commissioners at the meeting. Mr. Ackerman noted and objected to Appendix A of the report "Possible Development Scenarios for prime Commercial area in Sugarcreek Township". Mr. Schwegman agreed with the objection stating that Mercer was tasked to do Phase I of the original proposal, which did not include any analysis of the Dille property annexation. A motion was made by Mr. Frantz, "Requesting Mercer to remove Appendix A from the final report" and seconded by Mr. Ackerman. The motion passed unanimously. Mr. Shank will contact Mercer regarding this and problematic typos.

Also Mr. Schwegman noted that anyone reading the report, especially on the web site, would have difficulty following the Phase I content which was a result of cost considerations. He was tasked with writing an explanatory paragraph or two to remedy this problem.

Mr. Schwegman praised Mark Schlagheck and Barry Tiffany for their Cost of Merger Financial Model which was presented at the March 3, 2010 meeting. This model was able to assess the cost of the merger without deficit spending there-by giving a more concise picture of taxpayer's burden.

7. Mrs. Gallagher introduced Kathryn Ulmer of the Dayton Daily News. Ms. Ulmer will be replacing Jeremy Kelly, the former news paper representative, who has been transferred to the Kettering beat. Ms. Ulmer actually didn't need an introduction since she had covered Sugarcreek Township previously, as well as the other jurisdictions in the southern suburbs of Dayton for years.
8. The Commission reviewed the February 2010 invoice from the Wright State Center of Urban and Public Affairs for the Life Style Impact Study utilizing Focus Groups. Mrs. Gallagher praised the work of Jane Dockery and her Graduate Student Jon Fisher for a very efficient and professional job. A motion was made by Mr. Shank to "Authorize payment of \$ 2,760 to Wright State University for the Life Style Impact Study which had been approved by vote at a previous MSC meeting". Mrs. Hummell seconded the motion which passed unanimously.

Mrs. Gallagher also noted that Xerox copies were made.

9. A Work Session was scheduled for Mon, April 12, 2010 at the Township facility on Ferry Road at 7:00 PM. The Commission decided to have the session to review results of the Financial Impact of a merged government. Future Merger Study Commission meetings were scheduled. They are May 5, June 2, July 7, and Aug 4.
10. In the Web Page reminder Mr. Schieman stated that there continued to be use of the Web Page for Merger Study information. The total number of hits is above 2,200.
11. Additions to the Agenda focused on the Annexation Impact Study. Mr. Schwegman asked the status of this important information. Mrs. Gallagher stated that the Township did not want to go into the particulars of such sensitive information. Mr. Shank informed the Commission that Mr. Tiffany had made this known to the Co-chairs after the March 3, 2010 meeting. Thus it was being discussed at the April meeting.

When Mr, Tiffany was challenged by Mr. Schwegman he answered that the information was too specific to be reviewed at a public meeting. Mr. Schwegman claimed that this information was key as to whether a merger could be justified from a financial stand point. While a merger would have a certain cost increase, this increase may be off-set by increased property tax revenue through the years. Mr. Schwegman and Mr. Tiffany eventually seemed to agree on a course of action. Mr. Schwegman asked for it to be noted that Mr. Tiffany had agreed to do the report. He encouraged the Commissioners to find a way to get the information even if it won't be provided by Mr. Tiffany. Mr. Ackerman asked about hiring someone to research the information. Mrs. Gallagher recommended discussing it at the work session scheduled for April 12.

The banter between Mr. Schwegman and Mr. Tiffany was heated and Mr. Tharpe responded in an Out of Order manner. Mr. Schwegman asked that Mr. Tharpe be removed from the meeting. The Merger Study Commission meetings are open to the public however attendees must behave themselves! Mr. Berry stated that he could appreciate Mr. Tiffany's position since he also was in a highly competitive job which requires some restriction on sensitive information. Mr. Berry also acknowledged the considerable co-operation and professional help that both Mr. Tiffany and Mr. Schlagheck had provided to the MSC since it's inception in December of 2008.

12. Public Comment:

Mr. Bryant stated that he doesn't want speculation to impact what he does today. He said that he read in the Columbus Dispatch that New Albany, OH just annexed many acres of land and the revenue will be shared between the City and Township. He recommended the Commission looking into the details of it to see if that would be possible in this situation.

Mr. Rader commented that having been in real estate, there is little difference in homes in the City of Bellbrook and Centerville. It's important to find out why the Dille property was annexed.

Mr. Martin said that court papers stated that the reason the Dille property went to Centerville was that they tried to get something out of the Township for one and a half years and couldn't. He claimed that as long as Sugarcreek has strict zoning, they are going to lose land. He stated that the people working at the strip mall aren't interested in annexation because then they would have an income tax. Mr. Shank commented that Mr. Cloud was not sworn in because he is an attorney; therefore it is not sworn testimony that he gave, instead an opinion. He also said that if the Commission puts a Merger on the ballot it will be up to the people to vote!

Mr. Schieman stated that the merger study was passed because people want to know if annexation continues what the financial impact will be. He urges the Commission to complete the Annexation Impact study. Mr. Berry asked if he thinks the numbers are speculative. Mr. Schieman stated that they are but revenue will have an impact on taxes over time. Thus the tax rate could be moderated for the property owner in the Township.

Mrs. Toth spoke about the importance of getting the information to the voters in enough time that they can read and discuss all the information.. She also said that the worst case scenario for her would be scaring people to vote a certain way without being realistic. She suggested giving voters realistic scenarios instead of worst and best case scenarios. Mr. Toth agreed how important it is to get the information to the voters unlike the Limited Home Rule that the Township recently had on the ballot. Mrs. Hummell asks for suggestions. He stated putting information at Dot's Market to let people know there is a website. Mr. Shank added that there has been information in the papers about meetings and that any recommendations on getting the news out are welcome.

13. Mrs. Gallagher asked for a motion to adjourn. All in favor said Aye. The meeting was adjourned at 9:10 PM.