

**BELLBROOK CITY COUNCIL AGENDA**  
**October 11, 2021**



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

T (937) 848-4666  
F (937) 848-5190

[www.cityofbellbrook.org](http://www.cityofbellbrook.org)

**6:00 pm-Budget Work Session**

- Administration and Service Departments

**7:00 pm-Regular Meeting**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the minutes of the September 27 meeting
5. Mayor's Announcements and Special Guest
  - Tom Koogler, Greene County Commissioner
6. Public Hearing of Ordinances - none
7. Introduction of Ordinances - none
8. Resolutions - none
9. Old Business
10. New Business
11. City Manager Report
12. Committee Reports
  - A. Service
  - B. Safety
  - C. Finance/Audit
  - D. Community Affairs
13. Clerk's Update
14. Open Discussion
15. Public Comment
16. Adjournment

Future Agenda Items (dates are subject to change)

- October 25 - 6pm Budget Work Session– Police & Fire Departments
- November 8 – 6pm Budget Work Session– Capital Improvement Plan
- November 22 – Introduction of 2022 Budget Ordinance
- December 13 - Public Hearing of 2022 Budget Ordinance

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Regular Meeting  
September 27, 2021

**PRESENT:** TJ Hoke  
Ernie Havens  
David Van Veldhuizen  
Forrest Greenwood  
Elaine Middlestetter  
Mike Schweller, Mayor

**ALSO PRESENT:** City Manager Rob Schommer

**REGULAR MEETING**

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

**ROLL CALL**

Mr. Hoke, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes;  
Mayor Schweller, yes.

**APPROVAL OF MINUTES**

Mayor Schweller asked if anyone had any comments or corrections to the minutes of September 13.  
Hearing none he declared the minutes approved.

**MAYOR'S ANNOUNCEMENTS AND SPECIAL GUESTS**

Mayor Schweller announced that this was the last Council meeting for Clerk of Council Pamela Timmons who had resigned. Mrs. Timmons was sworn in as the Clerk in November of 2018. He stated that Council had enjoyed working with her. He complimented her organizational skills and willingness to help when she was needed. During her tenure the role of the Clerk changed tremendously. One of her strengths was keeping Council informed and introduced the Clerk's Update to the meeting agendas which is now part of the ongoing agendas. The search for a replacement will begin this week.

Mrs. Middlestetter stated she would miss Mrs. Timmons who was an awesome Clerk.

Mr. Greenwood added that he thought she had done an outstanding job working for Council and appreciated the amount of research that she did.

Mr. Hoke added that it had been a challenging time dealing with COVID and thanked her for all her work.

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Mayor Schweller read a proclamation naming the week of October 3 through 9 as **Fire Prevention Week**. and invited Chief Bizzarro to speak. Chief Bizzarro thanked the Mayor for the proclamation. He explained that this is his favorite time of the year. The activities of Fire Prevention week for the schools had started that day. Tuesday October 5 is the annual Open House from 6:00 until 8:00 pm.

Mayor Schweller read a proclamation naming October as **Domestic Violence Awareness Month**. There will be a candlelight vigil on October 4 at 6:00 pm at The Greene.

Mayor Schweller swore in LaKisha Taylor to the Village Review Board and Kyle Boehmer to the Board of Zoning Appeals and Property Review Commission.

**PUBLIC HEARING OF ORDINANCES**

Dr. Van Veldhuizen read **Ordinance 2021-8 An Ordinance Amending Ordinance 2021-4 By Making Supplemental Appropriations To Adjust The City of Bellbrook Appropriations for 2021**.

Mr. Schommer reviewed the information that had been reported at the introduction of this Ordinance detailing the updates to the City's appropriations.

Dr. Van Veldhuizen made a motion to adopt **Ordinance 2021-8 An Ordinance Amending Ordinance 2021-4 By Making Supplemental Appropriations To Adjust The City of Bellbrook Appropriations for 2021**. Mr. Havens seconded the motion. The Clerk called the roll. Dr. Van Veldhuizen, yes; Mr. Havens, yes; Mr. Hoke, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

**NEW BUSINESS**

Mr. Havens made a motion to appoint Mr. Schommer as the acting Clerk of Council until a new Clerk is hired. Mr. Hoke seconded the motion. The Clerk called the roll. Mr. Havens, yes; Mr. Hoke, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

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**CITY MANAGER REPORT**

Mr. Schommer invited all interested people to the Community Forum to discuss the Kleinger Group's Streetscape Plan on Wednesday September 29 from 6:00 until 8:00 pm at the Art Gallery at 15 W. Franklin Street.

He reported that Bellbrook's State Route 725 Bridge project was ranked third by the District 11 Ohio Public Works Integration Committee. The project will widen the bridge and add a multiuse path to connect downtown with the rest of the City. The matching funds will greatly reduce the cost to the City. The next required step is to hire a right-of-way acquisition consultant. Once that is done ODOT will acquire the project and continue it from there.

Mr. Schommer reviewed key points of the Renewal Tax Levy that will be voted on at the November 2 election. The levy will provide approximately \$225,000 that the City will use for general operating expenses specially allocated to the public safety subsidy, the street paving program, and storm water system maintenance. He emphasized that the effective tax rate is 13 percent less than it was in 2017. And because this is a renewal of an existing levy it still qualifies for the homestead credit from the state. This and much more information is available on the City website.

Along the upcoming election the City Manager explained that the City will be watching the placement of election signs. All signs need to follow the rules outlined in the Zoning Code specifically concerning safety with line of sight along roadways and at intersections.

**COMMITTEE REPORTS**

**Service** – Mr. Greenwood reported that the Service Department has had a preconstruction meeting to prepare for the painting of the water tower by Ron Keil park. There will be two coats of paint on the inside and three on the outside. The City logo will be repainted. This water tower will be offline for two weeks. Starting October 4, the City's fire hydrants will be flushed. This could cause the water to be cloudy for a day and citizens should be aware.

**Safety** – Mr. Hoke reported that the Police Department completed firearms training with their newly purchased weapons and sighting system.

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**Finance** – Dr. Van Veldhuizen reminded everyone that the next three Council meetings will begin with budgeting work sessions. He added that he will miss Mr. Edwards’ advice.

**Community Affairs** – Mrs. Middlestetter said that WHIO featured Bellbrook on Channel 7 Sees. The video is available on the City’s website.

**COMMENTS**

Mr. Greenwood invited the public to provide input at Wednesday’s Community Forum. He also wanted to highlight a great weekend full of activities in Bellbrook that included music on Friday Night at McGee Park sponsored by Council Member Havens, an Arts Festival on Saturday hosted by Mr. Landseidel, and the first annual Family First Foundation Car Show on Sunday. As a long-time resident of the old village, he is excited by the momentum in the City.

Mr. Havens welcomed the two new board members. He attended the Greene County Regional Planning meeting to hear about the new development being constructed off of Clio Road. There will be a secondary entrance that will connect to Kensington Drive which adds to the safety of that development.

Mr. Hoke also welcomed Ms. Taylor and Mr. Boehmer. He stated he has heard of preliminary plans for 100 E. Franklin Street, and they sound like a great addition to the City. He also urged residents to attend the Community Forum.

Mrs. Middlestetter echoed the other Council Members.

Dr. Van Veldhuizen thanked Mrs. Timmons for her work as the Clerk and highlighted some of the items he most appreciated. These included developing trainings, studying the pertinent laws and regulations, and keeping things focused.

Mayor Schweller welcomed the new board members and added his invitation to the Community Forum.

**PUBLIC COMMENT**

John Stafford, a Sugarcreek Township resident, complimented City Council on their selection of the new City Manager. He stated that he believes a good City Manager is critical to the entire region not just Bellbrook.

Meredith Brinegar, 2221 Ivy Crest Drive, welcomed Ms. Taylor and Mr. Boehmer to the boards as she is the Chair of the BZA-PRC. She expressed her pleasure that the City is looking for input on the uses of the

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ARPA funds. She also appreciates the information being provided on the tax levy. She also wanted to thank Mrs. Timmons for her work for the City and with the Boards.

**EXECUTIVE SESSION**

The Mayor announced that this would end the regular business of Council at 7:49 PM. Mr. Havens made a motion to enter into executive session to consider the employment of a public employee and potential litigation. Dr. Van Veldhuizen seconded the motion. The Clerk called the roll. Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Hoke, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

**ADJOURNMENT**

Mrs. Middlestetter made a motion to adjourn from executive session. Mr. Hoke seconded the motion.

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Michael W. Schweller, Mayor

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Pamela Timmons, Clerk of Council

## AGENDA ITEM INFORMATION REPORT



**Meeting Type:** City Council Meeting

**Meeting Date:** 10/11/2021

**Department:** Legislative

**Submitted By:** Rob Schommer

### **AGENDA ITEM DESCRIPTION:**

#### Announcements/Special Presentation

Greene County Commissioner Tom Koogler will provide a presentation for ballot Issue 1 to levy a .25 per cent 16 year non-permanent increase to the sales and use tax for the purpose of a new county jail.

### **FISCAL IMPACT:**

**Cost:** N/A    **Source of Funds:** Choose an item.

**Funds Currently Budgeted:** Choose an item.

**Notes/Implications:** Click or tap here to enter text.

### **PURPOSE AND BACKGROUND:**

See attached documents





# Jail Project Fact Sheet

## Facility:

- The current downtown Jail is 52 years old
- The current Sheriff's Administration Office is 100 years old
- The current jail presents major repair and upkeep costs
- There is no avoiding the construction of a new jail - the current County budget could not absorb the bond payment
- The new facility will replace the downtown jail, ADC, and Sheriff's Administration Offices, and Coroner's Office
- Current total square footage is approximately 300,000 square feet
- The new jail and office square footage will be approximately 150,000 square feet
- Currently there is a total of 382 beds, with 146 at the jail and 236 at the ADC
- The new jail will have 384 permanent beds with space for flexibility, treatment, etc.
- Preliminary plans are that the new jail would be built on Greene Way Boulevard next to the current ADC
- Estimates for the cost of the project is \$53M (2019 estimate)

## Funding:

- Funds for new jail construction would come from a bond paid with funds from a **temporary** sales tax increase
- If approved, sales tax would change one-quarter of one percent, 0.25%, going from 6.75% to 7%
- Essential purchases such as grocery food, utilities, gasoline and prescriptions are **NOT taxed**
- A \$100 purchase would add 25 cents, a purchase up to \$397 would add less than \$1
- Nearly 80% of all counties in Ohio have 7% sales tax or higher
- Our surrounding counties are all at, or above, 7% sales tax
- Levy funds can be used only for construction, acquisition, equipping and repairing a detention facility
- Approximately 40% of the sales tax will be paid by people that do not live in Greene County
- No additional property taxes for Greene County property owners

## Justice System:

- Only Judges and Court Officials such as magistrates have the authority to order someone to jail
- The Court orders the Sheriff to place individuals in custody – a person's incarceration is not the Sheriff's decision
- Risk assessments are performed by court staff to limit incarceration of low-security risk individuals
- This new facility has the potential to positively impact our entire community by providing rehabilitative services





# Temporary Sales Tax Increase? What will it cost me?

Sales Tax in Greene County is currently 6.75% and applies to many purchases and services. What happens if that number goes to 7%?

|   |             | Taxable Purchase |           |            |
|---|-------------|------------------|-----------|------------|
|   |             | \$1              | \$10      | \$100      |
|   | Sales Tax % |                  |           |            |
| <i>Current</i>                                  | 6.75%       | \$0.07           | \$0.68    | \$6.75     |
| <i>Proposed</i>                                 | 7%          | \$0.07           | \$0.70    | \$7        |
| <b>What is the Difference in my Total Cost?</b> |             | <b>\$0.00</b>    | <b>2¢</b> | <b>25¢</b> |

**For \$100 it is only a quarter. Purchases up to \$397 would change less than \$1.**

**The cost for many purchases would not change at all.** Essential items such as grocery food, utilities, gasoline, and prescriptions are **NOT TAXED**

All surrounding Counties have 7% or higher sales tax already:

|                   |       |                |       |
|-------------------|-------|----------------|-------|
| Montgomery County | 7.50% | Fayette County | 7.25% |
| Clark County      | 7.25% | Miami County   | 7%    |
| Clinton County    | 7.25% | Warren County  | 7%    |

Many people come to our County and make purchases – at The Greene, The Mall at Fairfield Commons, and CornerStone, plus our many local businesses. With sales tax, those visiting shoppers will help us pay for this new facility – with an estimate of up to **40% coming from visitors that live outside Greene County.**

This change would only be in effect long enough to cover the costs to build a new Greene County Correctional facility **then sales tax would revert back to 6.75%.**



# Greene County Justice System

Project Communication Package



## Summary of Purpose

The County's current 146-bed downtown jail is 52 years old and obsolete and under a Federal Consent Decree limiting capacity regardless of the number of individuals ordered into custody by the Courts. This has resulted in the Sheriff being forced to release sentenced individuals, a practice that would end with a new facility. The County's Adult Detention Center just outside downtown Xenia on Greene Way Boulevard was built in 2000 with a capacity of 236 beds. Both combined, the County's jail system has the capacity to house a total of 382.

In 2018, the County Commissioners published an RFQ for a Jail Needs Assessment Consultant and chose the firm HDR. The HDR analysis showed that Greene County criminal justice system is a well-functioning and efficient system that focuses on inmate outcomes, not just containment. Community based organizations have an integral role within the system and provide behavioral health services and are important components to the system's outcomes focus.

The end result of the Needs Assessment analysis indicated the County should abandon the current jail building. It presents numerous safety concerns and lacks sufficient areas to conduct critical operational functions and programs. Put simply, it does not contain the space required for current housing capacity nor the design required to accomplish modern correctional goals.

The County placed a sales tax initiative for a new jail and Sheriff's administration facility on the ballot in Spring of 2020. At the time the County was entering the state of emergency for the COVID-19 pandemic. The normal election process was upended and it was a time when people were fearful and anxious. The measure was defeated.

While there may be several factors to the measure not passing, three common objections were identified:

- 500 beds are too many
- Confusion about amount of proposed sales tax increase
- Spend money on rehabilitation not confinement

The County listened to feedback from the community and has reduced the planned facility to 384 beds. The County also intends to publicize more facts about the proposed sales tax initiative as well as discuss the rehabilitation, mental health, and substance abuse services planned for the new facility.

The need for this new facility only grows. To help get facts about this worthy project out to voters before the November election, we are enlisting help from community partners willing to share the information in this packet.

We hope you will consider being one of those partners and sincerely thank you for your help.

## Questions and Answers

### ***Why do we need a new jail?***

The County's current 146-bed downtown jail was built in 1969 and has been in constant 24/7 use for 52 years. The building presents major repair and upkeep costs with daily obstacles to the well-being and safety of the people it houses and the employees that work there. It is obsolete and unable to meet the needs and goals of a modern correctional facility.

### ***How large is the proposed new jail?***

The proposed new facility will accommodate 384 permanent beds. It will replace the downtown jail and the Adult Detention Center which currently house a total of 382 beds. The facility will be designed with the goal of containing "better beds" in a safe building that incorporates the effective correctional designs of an effective and modern facility. Though less overall total square footage than the current Jail, ADC and administrative offices (~300K sqft currently vs ~150K sqft in the proposed facility) the new space would contain much greater flexibility of use, consolidation of operations, both of which result in economies of scale.

### ***Wouldn't our tax dollars be better invested in other community services?***

This investment will ultimately help reduce recidivism and keep our community safer. Greene County officials are committed to being good stewards of taxpayer dollars. The investment in a modern facility helps us serve many of our region's most vulnerable citizens by allowing the County to better address the critical mental health and medical needs of the individuals in custody.

### ***Where would the new facility be built?***

Preliminary plans are to construct the proposed facility on the land adjacent to the current Adult Detention Center on Greene Way Boulevard just outside downtown Xenia.

### ***Will the new facility replace only the downtown jail?***

The facility will also replace the Adult Detention Center and will allow consolidation of the Sheriff's Administration offices that now operate from multiple different locations, as well as the Coroner's Office currently located in the building with the Sheriff's main administration office.

### ***How much will the facility cost?***

A \$53M estimate was included in the original Jail Needs Assessment performed in 2019 for construction of a 384-bed facility. Costs for materials and labor have increased sharply since that time and project costs will largely be driven by then current interest rates and final design.

### ***How will the project be financed?***

The County is placing Issue 1 on the November 2021 ballot that requests voter approval of a 0.25% temporary increase to sales tax. Once the final facility design is determined, the County would borrow funds to cover that estimated cost through a bond at the then-current interest rate and match the bond's terms to be covered by sales tax collections. If tax revenue exceeds expectations the bond would be paid off early and sales tax would revert back to the current 6.75%.

***How would this sales tax increase change the cost of my purchases?***

This increase is for one-quarter of one-percent or 0.25%. For example, only 25 cents more for a \$100 purchase. Purchases up to \$398 would change by less than one dollar. The cost for many essential purchases would not change at all, as they are not subject to sales tax. Things like grocery food, utilities and fuel including gasoline, prescription medicine, medical services and devices, would all continue to be sales tax-free.

***How much would our sales tax be when Issue 1 passes?***

7% - which is less than the average county sales tax across the entire State of Ohio. Nearly 80% of all counties in the State of Ohio pay 7% or higher sales tax. All counties around Greene County have at least 7% sales tax, with Montgomery County being the highest at 7.50%.

***Why a sales tax increase?***

We did not want to raise property taxes for Greene County property owners. With a sales tax, people from outside our County who come here to make purchases help us pay for this facility. Shoppers that come to The Greene Towne Center, the Beavercreek Mall at Fairfield Commons, Cornerstone Shopping Center, around WPAFB, and all the many local businesses in our cities and villages, help contribute to the cost of our facility by estimates of as much as 40%. Which seems fair because typically over 40% of the individuals housed in our jail do not live in Greene County.

***What else will be purchased with dollars from this sales tax increase?***

Ohio Revised Code (Section 5739.021) clearly states the funds can be used only for the construction, acquisition, equipping or repair of a detention facility in the County. Once the facility debt is paid off, the bond would be satisfied and action would be taken to revert sales tax back to the current 6.75%.

***Why wouldn't we spend the money rehabilitating people instead of building a new jail?***

Municipal Judges and Common Pleas Judges within our County order the Sheriff to take certain individuals into custody. It is not within the Sheriff's authority to try to rehabilitate a person instead of keeping them in jail. But if the jail is designed properly, services such as substance abuse treatment and rehabilitation can be provided while that person is there, improving their chance of recovery during incarceration to help avoid repeat offenses.

***Why can't details be shared now about treatment programs to be provided in the new jail?***

Medicaid, Medicare and most health insurance plans do not cover services while incarcerated. The majority of funding for mental health and substance abuse programs comes from State and Federal sources. Dollars from the proposed sales tax initiative cannot be spent on programs or operations. Without a facility in which to conduct those programs, we are unable to apply for related grants and funding. Existing programs from community partners such as TCN Behavioral Health, the Mental Health Recovery Board, the GreeneLeaf Residential Treatment Program, and other emerging community partners could be expanded to be more effectively provided given the proper facility space and design. While discussions are being conducted now with additional potential program providers, only once funding for this new facility is approved can solid plans be developed.



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# Contact Information

## **Greene County Board of Commissioners**

35 Greene Street  
Xenia, OH 45385

President Dick Gould

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Vice President Tom Koogler

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Commissioner Rick Perales

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County Administrator Brandon Huddleson

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Assistant County Administrator Lisa Hale

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## **Greene County Sheriff Gene Fischer**

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Xenia, OH 45385

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Major Kirk Keller, Jail Operations

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Major Shawn Prall, Law Enforcement

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## AGENDA ITEM INFORMATION REPORT



**Meeting Type:** City Council Meeting

**Meeting Date:** 10/11/2021

**Department:** Administration

**Submitted By:** Rob Schommer

### **AGENDA ITEM DESCRIPTION:**

City Manager Report

Update and information on various topics

### **FISCAL IMPACT:**

**Cost:** N/A    **Source of Funds:** Choose an item.

**Funds Currently Budgeted:** Choose an item.

**Notes/Implications:** Click or tap here to enter text.

### **PURPOSE AND BACKGROUND:**

#### **EMPLOYMENT POSITIONS UPDATE**

Interviews and assessments for Planning and Zoning Administrator candidates will be held October 13 and 14. Interview committee comprised of internal administration and outside field expert professional. Selection of final candidate anticipated to occur by week's end and onboarding new employee within 2 weeks.

Application deadline for Clerk of Council October 15<sup>th</sup>. Special Meeting of Council for review and selection process will be held and additional selection process steps will be conducted within the week of October 18. Anticipated selection of final candidate before end of October and onboarding within two weeks.

#### **DRAINAGE IMPROVEMENT STUDY**

We have begun some initial review and site visits to locations with the City's engineering firm to identify areas of concern. More locations will be visited in the coming weeks to identify what priorities will be set for the 2022 budget regarding storm water and drainage management. Should Issue 5 renew, funding will be available to begin addressing the identified issues.

#### **2022 BUDGET and ISSUE 5**

We began the series of Budget Worksessions which will continue through October. The current estimates include amounts considering renewal of Issue 5. Our Get The Facts page regarding Issue 5 on our website provides details for what the renewal will cover.