

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Regular Meeting
March 8, 2021

Due to the COVID-19 pandemic the March 8, 2021 City Council Meeting was conducted using Zoom's remote webinar platform.

PRESENT: TJ Hoke
Ernie Havens
Forrest Greenwood
Elaine Middlestetter
Nick Edwards
Mayor Mike Schweller

ALSO PRESENT: City Manager Melissa Dodd, Fire Chief Anthony Bizzarro

REGULAR MEETING

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

ROLL CALL

Mr. Hoke, yes; Mr. Havens, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes.

Mr. Edwards made a motion to excuse Dr. Van Veldhuizen from the meeting. Mrs. Middlestetter seconded the motion. All were in favor. Motion passed 6-0.

APPROVAL OF MINUTES

Mayor Schweller asked if anyone had any comments or corrections to the minutes of February 22. Hearing none he declared the minutes approved.

MAYOR'S ANNOUNCEMENTS

- Fire Department Annual Report

Fire Chief Anthony Bizzarro presented the report. He explained that staffing is down two part-time staff. There are 13 Paramedics, seven Emergency Medical Technicians, and one Medical Director.

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COVID-19 really affected everyone in some way. A couple of members of the Fire Department were out for a few days because of it. It has also changed the way the department does some things. CARES money was spent on the following items:

- Individual Voice Amplifiers (each person now has one on their facemask)
- Individual SCBA Regulators
- New Eye Protection
- A Commercial Grade Gear Washer
- Disinfectant Sprayer

Accomplishments for the year include:

Three Firefighters became new paramedics: Damian Foster, Stephen Lawrence, and Kyle Norman. They were able to complete their training even during the pandemic with remote learning and scheduling their clinical time at the hospitals.

Two new part-time firefighters joined the department: Nate Baldrige and Christopher Blanken

There is one Service Award to Chief Bizzarro for 25 years of service.

The Chief gave yearly statistics including that the volume of calls was slightly down. They had 38 calls involving COVID-19. There were 443 EMS calls and 277 fire calls. There was a slight drop of calls for mutual aid with the Department responding to 70 and receiving 21.

The average response time was 1:32 minutes. The goal is under 2 minutes.

Mayor Schweller thanked the Chief. He asked if we know what the response times are for other local municipalities. Chief Bizzarro did not have this information. ISO rating went from 3 down to 2 which is an improvement and shows a decrease on the response time. Bellbrook is in the top 3% in the nation. There are only 2 in Ohio that have achieved a 1 rating and only 20 nationally. This is a good rating. Achieving a level one would require a training ground and the closest one is in Washington Township which we are able to use.

Mr. Hoke congratulated the Chief on 25 years of service to the City.

Mr. Greenwood echoed the congratulations. He asked the Chief it was difficult to find personnel. Chief Bizzarro answered that at the present time there is one full-time and two part-time positions open that

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they are in the process of filling. Then they will be completely staffed. He thanked the Council and City for their support. He added that Bellbrook does not have a large turnover rate. He has asked the part-time personnel why they stay, and the answer was that they really enjoy this community. The pay is not as high, but the atmosphere makes it a good place to work.

Chief Bizzarro wanted to emphasize that the Fire Department is asking for residents that are housebound, or know someone who is housebound, to call the department at 937-848-3272. They will help those people to connect with Greene County to receive the COVID vaccine.

Mrs. Middlestetter and Mr. Havens added their thanks to the Chief.

PUBLIC HEARING OF ORDINANCES

Mr. Havens read **Ordinance 2021-3 An Ordinance Amending Ordinance 2020-13 to Adjust the City of Bellbrook Appropriations for 2021.**

The City Manager explained that the changes were the result of the capital improvement budget discussed at the February 8, 2021 City Council work session. A spreadsheet detailing the changes was included in the packet.

Mr. Havens made a motion to adopt **Ordinance 2021-3 An Ordinance Amending Ordinance 2020-13 to Adjust the City of Bellbrook Appropriations for 2021.** Mr. Greenwood seconded the motion. The Clerk called the roll. Mr. Havens, yes; Mr. Greenwood, yes; Mr. Hoke, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes. The motion passed 6-0.

INTRODUCTION OF ORDINANCES - none

RESOLUTIONS

Mr. Greenwood read **Resolution 2021-H A Resolution Authorizing the City Manager to Enter into an Agreement with the Ohio Department of Transportation for the Installation of a Traffic Signal.**

The City Manager explained that the City just learned about this a week ago. Originally, ODOT had not realized that the signal is partially in Bellbrook. ODOT will handle the entire project and there is no cost to the City.

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Mr. Greenwood made a motion to adopt **Resolution 2021-H A Resolution Authorizing the City Manager to Enter into an Agreement with the Ohio Department of Transformation for the Installation of a Traffic Signal.** Mr. Havens seconded the motion. The Clerk called the roll. Mr. Greenwood, yes; Mr. Havens, yes; Mr. Hoke, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes. The motion passed 6-0.

OLD BUSINESS

- **2021 Goals Update**

The City Manager explained that after the goals meetings she created a spreadsheet with the 11 goals listed out. The spreadsheet provides the current status and a projected completion date. All of the goals have been started with the exception of the Code Enforcement Plan. The goal of reestablishing the quarterly Community Leaders meetings has been completed and the meeting will take place on Monday March 22 from 5:30-6:30 via Zoom and Livestreamed.

Mayor Schweller asked about an update on the Little Sugarcreek Road project. Mrs. Dodd answered that the Safety Committee recommended that proposals be requested from two engineering firms. The Engineering company will do the borings to understand the extent of the work to be done. Mrs. Dodd has also met with other consultants about creek work like they learned about last year. It was agreed that creek work alone would not be enough to stabilize the road. A wall still looks to be the best answer. The Mayor agreed that a natural alternative would have been nice but understands the serious danger the road is in. Mr. Hoke added that the work done last year was a triage only meant to be a short fix. The engineering study is for a long-term solution.

Mr. Havens asked if the boring were needed along the entire 2,000 foot of road and how often readings are taken. Mrs. Dodd explained that the original area of slippage already has borings. This new request is for ten more borings along the entire stretch of road. Since the initial readings there might have been one more but there had not been any movement. It costs \$1,500 every time they take a reading.

Mr. Hoke asked for clarification about the walkability goal of crosswalks and sidewalks having a completion date of September 1 whether that is completion of the contract being issued or the date for the work to be done. Mrs. Dodd explained the date is for completion of the preliminary engineering

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and cost estimates. September is just an estimate at this point and will be adjusted as the project progresses.

Mr. Hoke asked for more information about number 11 the Code Enforcement Plan including who are the stakeholders. The City Manager answered that it needs to be coordinated with staff. Conversations are needed to decide how and where to start. It will be up to the City Manager and staff.

Mr. Havens asked about goal number 10 the Community Improvement Corporation. The status says the City Manager is collecting the information needed for a formal decision and is that expected by the end of the year. Mrs. Dodd answered that there is a separate page in the packet, and it will be discussed next. Mr. Havens asked specifically if the date listed of December 31 meant that a formal decision would not be made until then or might it happen sooner. Mrs. Dodd answered that since she did not know when this might happen, but it was a 2021 goal the end of the year was the date she put in the spreadsheet.

- **Community Improvement Corporation Follow Up**

The City Manager explained that following all of the Council discussions and individual discussions she has had with all of the members of Council it appears that there are still a number of questions that must be answered to move forward. She compiled these into three areas of concern:

- Establishing purpose and need
- Identifying financial need and funding sources
- Function of the entity

Mrs. Dodd believes it is imperative that Council outline the purpose of the CIC with a mission statement and objectives to guide the organization. Another important need is to set realistic expectations of the function of the board. Prior to the formation of the board a project needs to be identified. She and the Finance Committee recommend the garage located at 12 W. Franklin Street be the property the City puts into the CIC. Pertinent details will be gathered including how much the City paid for the property, square footage and the amenities. Firm figures for budgetary items the entity will need must be established. Once the financial need is known the City can search for a funding source. A final step

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is creating the articles of incorporation. Mrs. Dodd plans to use documents similar to other area CIC's. The make up of the board should include a minimum of five people with at least 2/5 of them being elected or appointed officers of the City.

Mayor Schweller recommended the City Manager also reach out to Centerville's CIC which is working on a project called Uptown Centerville.

NEW BUSINESS

- **Electric Vehicle Charging Grant**

Bellbrook was included in a grant that MVRPC submitted to the Ohio EPA for two electric vehicle chargers. One would be placed at the city building and one at the library. The City was told it would be a \$15,000 grant per charging station and it would cover 100 percent of the cost. The grants were supposed to be awarded in January or February but just happened last week. Now the City Manager has received the quote from the one approved provider, EV United, which is over the \$15,000 grant amount. The overage amounts would be \$5,531 for the library and \$6,941 for the City building. And MVRPC requires an answer within five business days which would be March 11. The library has decided this is not something they are interested in doing. Mrs. Dodd felt that some of the items in the quote are questionable. She had believed that the City's Service Department could do some of the installation work but, that would be above the quoted amount. The agreement includes five years of coverage for the unit and software. The City would have the one unit that can charge two vehicles and could charge users for the electricity. Council needs to decide if they want to proceed.

Mayor Schweller believes that sometime in the future this might make more sense. He asked if the City Manager has received any requests for a charging station from residents. Mrs. Dodd said she has not.

Mr. Edwards supports electric vehicles, but he and Mrs. Middlestetter also believe the City might be able to arrange a better deal in the future.

Mr. Havens asked if the company gave any idea of the amount of money one of these can generate.

Mrs. Dodd said they did not because the City would set the rate to charge and then we have no idea how many people would use it. Mr. Havens also asked if electric vehicle owners wouldn't just charge their vehicles at home. Mrs. Dodd said it could be used as an incentive to spend time downtown while

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your vehicle charges. The apps that the vehicle owners use shows them where nearby charging stations are located.

Mr. Edwards added that it could make sense for the City if all of the City vehicles were electric, and we could charge them all which could justify the cost of the unit.

Mr. Greenwood agreed that he was at the MVRPC meeting when this project was presented, and he also feels like the deal changed which he does not like.

Mr. Hoke added that there is also a fee of \$900 just for signs.

The Mayor polled Council and it was agreed that the City does not want to proceed with the electric charging stations.

- **General Fund Levy Renewal**

Mr. Edwards explained that Bellbrook's current expense levy expires in 2022. Council must decide tonight when they want to put the levy issue on the ballot. The Finance Committee discussed it and the options are November 2021, May 2022, or November 2022. He suggested not waiting until November of 2022. Council also needs decide how much to make the levy for. He opined that there is not an interest in raising people's taxes at the current time. The spreadsheet shows how much money the City receives from the levy which is \$226,039.

Mrs. Middlestetter and Mr. Havens stated they would prefer to put it on the ballot this November. Mayor Schweller shared that a consideration is that there will be a few Council members running for reelection. He added that Council will need to work on spreading support for the levy. One of the factors that the November 2017 Safety levy did not pass was that Council only provided weak support. For this levy all of Council will need to act in unison to get it passed. Council went door-to-door and helped get the 2018 Fire levy passed. The previous City Manager has files of who directed the campaign and what was needed.

Mr. Edwards agreed but also stated that we are not asking for additional money. This is a renewal. Mr. Hoke asked if these funds go into the General Fund. Mr. Edwards answered yes.

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Mr. Edwards stated that if Council is in agreement to put this levy on the November 2021 ballot campaigning should begin soon. Mrs. Dodd added that she will provide a timeline of everything that needs to be done. This will include Council approving a piece of legislation to add it to the ballot. Mr. Edwards said they need to identify a non-council, non-staff person to run the campaign.

Mayor Schweller polled Council and all agreed to placing the levy on the November 2021 ballot.

CITY MANAGER REPORT

Mrs. Dodd thanked Fire Chief for the Fire Department Annual Report and stated that the full report is available online.

- Welcome to Christine Florea the new Police Department Administrative Assistant. Mrs. Florea officially started on March 1st in a part-time capacity to help until she was able to begin full-time on March 8th. She also works part-time for the Chamber of Commerce. She is a Bellbrook resident and will be a perfect fit for the department!
- A program has begun to facilitate COVID vaccinations for homebound residents. Our Fire Department is working with Greene County Public Health in coordinating vaccinations for homebound individuals. If you are aware of any Greene County resident who is homebound and wishes to receive the vaccination, please contact our Fire Department by calling 937-848-3272 and they will collect the information to send to Greene County Public Health. This information is also on our website on the COVID Vaccine Information page.
- 2020 Financial Statements and Audit are happening now. Staff has been working diligently to pull all of the information necessary for the preparation of the 2020 financial statements. This has been going on for the last several weeks and is always an all hands-on-deck task. The preliminary audit will begin March 8-10 with auditors on site all three of those days.
- Community Leaders Meeting – Just a reminder that the joint meeting between City, Township, Parks District and School District has been set for Monday, March 22, 2021 from 5:30pm to 6:30pm. This will be held via Zoom and will be a full meeting of Council. The Chamber asked for the Zoom link so there should be a good number of people interested in the meeting. Mayor Schweller asked that the agenda include time for each entity to introduce themselves and speak

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to items of importance. Being such a short meeting there might not be much time for questions from the public. Mr. Greenwood thinks this would be a good opportunity to discuss things the groups can work together on.

COMMITTEE REPORTS

Service – Mr. Greenwood reported that the Service Committee of himself, Mr. Hoke, and Dr. Van Veldhuizen met to discuss the relevant city goals. They discussed two proposals. The first was to commit \$12,950 for the Engineering plans for crosswalks and sidewalks. Which he pointed out that not only will this project enhance walkability, it will also improve safety. The second proposal that was approved was for \$18,000 for additional Little Sugarcreek Road borings.

Safety – Mr. Hoke reported that the Safety Committee met on March 3. The committee is Mrs. Middlestetter, Mr. Greenwood, and Mr. Hoke. The committee agreed to meet on a quarterly basis. They discussed two topics: tornado sirens and future Fire Department needs. Previously there had been four estimates for tornado sirens. It has been determined that the City would need two sirens. The costs have been coming down so updated estimates will be requested.

The committee determined that there are five options that could be researched concerning fire station needs so that organized information can be brought to Council. They are:

1. Do nothing.
2. Combine the two stations into one.
3. Sell the current two and build a brand-new station.
4. Become part of a fire district.
5. Possibly purchase the house across the street from Station 22 to use as a command post.

Finance – none

Community Affairs – Mrs. Middlestetter reported that the committee recommends the reappointment of the three board members whose terms had expired. They are Mitchell Thompson, Planning Board; Tim Tuttle, Planning Board; and Mary Graves, Records Commission.

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There is a new opening on the Village Review Board. Any interested resident can complete and submit an application to the Council Clerk by March 30.

Mrs. Middlestetter and the Community Affairs Committee made a motion to reappoint to the Planning Board Mitchell Thompson and Tim Tuttle and to the Records Commission Mary Graves. Mr. Havens seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Havens, yes; Mr. Hoke, yes; Mr. Greenwood, yes; Mr. Edwards, yes; and Mayor Schweller, yes. The motion passed 6-0.

CLERK'S REPORT

Mrs. Timmons announced that the March 22 meeting will include the Planning and Zoning annual report. She also reviewed the Monthly Board Update which included that the VRB did not meet in February. The Planning Board met and is still working through the zoning code. They approved an update of codes for Recreational Vehicles and for Trailers, Commercial Semi-trailers, and Trucks. Those codes have been sent to the Municipal Attorney for legal review. The BZA-PRC met and approved an accessory structure at 4184 West Franklin Street, and they discussed an appeal of a property maintenance violation at 129 West Franklin. They are reviewing the Property Maintenance Code.

COMMENTS

Mr. Greenwood announced that there is an increase in activity downtown in the evenings with the Dairy Shed opening for the season. He also wanted to recognize that today is National Women's Day which has been celebrated for the past one hundred years. He recommends celebrating the women in our lives.

Mr. Hoke wished his son a happy sixth birthday.

Mr. Edwards had a question about the Kircher property since he saw that it was for sale and wanted to know if it was considered part of the old village district. The City Manager explained that it was not. The bridge at Little Sugarcreek Road is considered the western limit of the old village.

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Mayor Schweller thanked Fire Chief Bizarro for an informative annual report. He feels these are a good thing to present each year. He also is proud to recognize that the Chief has risen through the ranks over 25 years to become the new Chief.

PUBLIC COMMENT –

David Buccalo, 126 Lower Hillside Road, explained that he was again speaking to Council about ethics concerns. Any member of the city who has business interests could have conflicts of interest. In the past that person would simply recuse themselves. If a council member does have business interests such as real estate interests or if they're pursuing real estate deals in their day-to-day life that touch upon public businesses that becomes a concern. If this person is involved in planning and zoning issues through the BZA, Planning Board or a CIC it is an important issue. He does think a conflict currently exists, so it would be prudent for that person to voluntarily step back from planning and zoning issues in all forms. And what he means by all forms is board meetings, council meetings, and CIC participation.

Mr. Buccalo related a situation in Xenia that by the end of it two reputations were ruined and over \$150,000 in legal fees had been incurred with \$80,000 in defense work. Xenia ended up picking up the entire tab. He also informed Council that the state's ethics commission will expect the situation to be handled at the local level. The state only gets involved if there is criminal prosecution. He explained that his concerns center around Mr. Havens.

Mr. Havens responded to Mr. Buccalo asking for more detail as he stated he is not aware of what Mr. Buccalo is referring to. Mr. Buccalo answered that he believes Mr. Havens has a conflict of interests. He explained that at an earlier meeting he had asked for a process to follow to discuss his concerns, but the sections of the charter provided by the City's attorney do not provide a step-by-step process. Mr. Buccalo believes Council could assign a committee to look into the allegations. Mr. Buccalo stated that Mr. Havens has a magazine that sells advertising space to local businesses meaning each one of those ads is a point of potential conflict of interest. He gave an example of a dentist who has an office in the shopping center and buys an ad in the magazine. If there is a zoning issue with that shopping center Mr. Havens would have a conflict. He also said he has been told that Mr. Havens has tried to purchase or facilitate a purchase of properties owned by Greg Dart. And Mr. Havens wanted strict property

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maintenance violations put on the properties which is the job of City staff. Mr. Buccalo stated he has heard from others about similar conflicts.

Mayor Schweller stated that he and staff would look into what the next steps would be.

Mr. Hoke said he had not heard of any conflicts of interest and believes that in the year that they have worked together Mr. Havens has always had Bellbrook's best interest in mind.

Mr. Havens added that he is not aware of any wrongdoing or complaints being filed.

ADJOURNMENTS

The Mayor announced that there was no further business and adjourned the meeting at 8:52 PM.

Michael W. Schweller, Mayor

Pamela Timmons, Clerk of Council