

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Regular Meeting
June 14, 2021

Due to the COVID-19 pandemic the June 14, 2021 City Council Meeting was conducted using Zoom's remote webinar platform.

PRESENT: TJ Hoke
Ernie Havens
Dr. Van Veldhuizen
Forrest Greenwood
Elaine Middlestetter
Mayor Mike Schweller

ABSENT: Nick Edwards

ALSO PRESENT: City Manager Melissa Dodd

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; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes.

Mr. Greenwood made a motion to excuse Mr. Edwards from the meeting. Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Dr. Van Veldhuizen, yes; Mr. Hoke, yes; Mr. Havens, yes; Mr. Greenwood, yes; Mayor Schweller, yes. The motion passed 6-0.

APPROVAL OF MINUTES

Mayor Schweller asked if anyone had any comments or corrections to the minutes of May 24. Hearing none he declared the minutes approved.

MAYOR'S ANNOUNCEMENTS - none

PUBLIC HEARING OF ORDINANCES

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Mrs. Middlestetter read **Ordinance 2021-7 An Ordinance Repealing Old Section 412.07, “Special Events” of the Bellbrook Municipal Code and Enacting a New Section 412.07 “Special Events” of the Bellbrook Municipal Code.**

Mr. Havens recused himself from the discussion, deliberation and vote concerning this ordinance.

The City Manager explained that an ordinance updating the section on Special Events had been passed in 2019. After using this process, it was determined that some changes were needed to the code. The most significant is that we are limiting the need for a special events permit to events that will be taking place on public land. Private property owners would already have their own insurance. The definition of what is public land has been refined. The application has been updated to request information on proposed layouts and traffic flow for events. If an event will be recurring, only one permit will be required for additional events of the same type. Signage restrictions and requirements have been added also. The Municipal Attorney added information concerning temporary alcohol permit requirements from the state. He also recommends increasing the amount of the penalty charged if there are remaining repair or clean up expenses from \$100 to \$200.

The Mayor thanked staff for being attentive to how our codes work on a day-to-day basis.

Mrs. Middlestetter made a motion to adopt **Ordinance 2021-7 An Ordinance Repealing Old Section 412.07, “Special Events” of the Bellbrook Municipal Code and Enacting a New Section 412.07 “Special Events” of the Bellbrook Municipal Code.** Mr. Greenwood seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Greenwood, yes; Mr. Hoke, yes; Dr. Van Veldhuizen, yes; Mayor Schweller, yes. The motion passed 5-0.

INTRODUCTION OF ORDINANCES - none

RESOLUTIONS

Mr. Havens read **Resolution 2021-N A Resolution by the Council of the City of Bellbrook Requesting the County Auditor to Certify the Total Current Tax Valuation of the City of Bellbrook and the Dollar Amount of Revenue that Would be Generated by a Specified Number of Mills.**

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Mr. Havens asked for an explanation of the different amounts listed in the ordinance. Mayor Schweller explained that there is a 10 mill limitation that is not voted on. The amount in excess of the 10 mill is to be voted on. The inside and outside millage move differently depending on the property valuations. We just had our triennial update which affects property valuations but we are still subject to collecting the same amount of tax that we did in 2017 when this particular levy first passed. This levy is just for a renewal and has a five-year term. He added that this is the only tax levy that the City has that is not permanent in nature. The rest are continuous.

The City Manager explained that this is the exact same piece of legislation that was passed in January of 2017. It signals the Greene County Auditor to create a certificate of estimated property tax revenue. This is the first step needed to be able to put a renewal levy on the November ballot. This levy dates back to 1962 and has been renewed every five years until it was replaced in 2002. Mrs. Dodd will verify if this one still qualifies for the homestead rollback from the state.

Mr. Havens made a motion to adopt **Resolution 2021-N A Resolution by the Council of the City of Bellbrook Requesting the County Auditor to Certify the Total Current Tax Valuation of the City of Bellbrook and the Dollar Amount of Revenue that Would be Generated by a Specified Number of Mills.**

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.

Mr. Hoke read **Resolution 2021-O A Resolution Authorizing the City Manager to Enter into an Agreement with Greene County for the Community Investment Grant Program.**

Mrs. Dodd explained that for the last two years the County has given money to the municipalities based on two different formulas that they revised each year. This is the third year and for the first time you had to apply to receive a grant. We applied for 75% of the cost of the streetscape design plan cost. The commissioners granted our request in full. This resolution allows the City Manager to sign the agreement. The City has 12 months to encumber the funds and 24 months to complete the project. The City is on track to meet the requirements meaning the City will be eligible to apply for a grant again next year.

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Mayor Schweller thanked Mrs. Dodd on her work to get this grant. He also thanked the Greene County Commissioners for creating this grant program.

Mr. Hoke made a motion to adopt **Resolution 2021-O A Resolution Authorizing the City Manager to Enter into an Agreement with Greene County for the Community Investment Grant Program.** Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. Hoke, yes; Mrs. Middlestetter, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mayor Schweller, yes. The motion passed 6-0.

Mr. Greenwood read **Resolution 2021-P A Resolution Accepting the Bid Submitted by L&T Painting for the 750,000 Gallon Spheroid Exterior Overcoat, Dry Interior Spot Repaint and Miscellaneous Repairs Project.**

Mrs. Dodd reported that this was a planned Capital project for 2021. The City paid Dixon Engineering \$5,500 to manage the bid process including the 175-page bid document. Ten bids were received and L & T Painting was the lowest and best. The water tower on Bledsoe Dr will be painted including having “Bellbrook” painted on one side the way it is now.

Mayor Schweller asked if the project might come in under the \$165,000 that was allocated. Mrs. Dodd answered that when work begins issues might be found but they build in contingencies.

Mr. Greenwood read **Resolution 2021-P A Resolution Accepting the Bid Submitted by L&T Painting for the 750,000 Gallon Spheroid Exterior Overcoat, Dry Interior Spot Repaint and Miscellaneous Repairs Project.** Mr. Hoke seconded the motion. The Clerk called the roll. Mr. Greenwood, yes; Mr. Hoke, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

OLD BUSINESS - none

NEW BUSINESS

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The Mayor announced that Council had received City Manager Melissa Dodd's resignation on May 31. Her last day will be July 30. Her last Council meeting will be on July 26. A letter was written to the citizens of Bellbrook and an article was published in the newspaper. The Mayor assured everyone that they will try to find a good strong replacement and no city matters would go unattended during the transition period. He asked if any Council Member wanted to comment.

Mr. Hoke said he knows this year has been challenging for the City Manager and he thinks she has done an exceptional job of managing the bridge replacement that came in under budget thanks to several grants she applied for. He appreciated the work that has gone into downtown revitalization in terms of updating the code. He thanked her for all she has done.

Mrs. Middlestetter stated that she is going to miss Mrs. Dodd.

Mayor Schweller stated that he has been around longer than most of the others on Council and believes they have taken some giant steps forwards because of her. He thanked her for all she has done for the City.

Mr. Greenwood said that she has left her mark on this City and he thanked her for working with them.

Mayor Schweller added that they have a little more time to exhaust her knowledge of City matters. He said he is sad to have to ask for a motion.

Dr. Van Veldhuizen made a motion to accept the resignation of Melissa Dodd. Mrs. Middlestetter seconded the motion with regret. The Clerk called the roll. Dr. Van Veldhuizen, yes; Mrs. Middlestetter, yes; Mr. Havens, yes; Mr. Hoke, yes; Mr. Greenwood, yes; Mayor Schweller, yes. The motion passed 6-0.

CITY MANAGER REPORT

Mrs. Dodd reported the following:

The City's Planning and Zoning Assistant departed rather abruptly on Tuesday the June 8th. Staff is working to fill in the gaps and pick up where things have been left. She asked for patience from the community as we try to address several unresolved issues related to permitting, property maintenance

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and general inquiries. A system has been put in place to move forward in the meantime. The decisions for the future of that position will be left to the new City Manager.

The latest PFAS water testing shows that since the initial testing through OEPA on August 8, 2020, when PFAS was first detected, there was no PFAS detected. Our water system has been tested four times in total for PFAS. Our most recent sample was taken on May 13th and our results were below the detectable level. The OEPA will continue to routinely test, and we are hopeful our levels remain undetectable. It should be noted that we have not changed anything related to our water system since these samples have been taken as there were no changes we could make to affect the outcome.

The City's finance and utility billing software conversions were completed on Friday, June 4th. Staff have been working diligently to verify data and those processes are working as they should. There are some bugs that are being addressed, as expected with any type of conversion. Utility bills went out on June 7th. This was past the normal timeline of bills going out on the 1st but Council waived penalties for the next three months. Customers will need to use a new website to pay their bills. We are also able to take payments over the phone now as well which is nice. All of the details are on our website.

On Monday the 7th, Service Director Ryan Pasley and the City Manager met with Kleingers Group staff who are working on our streetscape plan. They walked the project area and talked about several of the areas of opportunity in detail. It also gave them an opportunity to ask questions to better understand our downtown and some of its characteristics. They have a lot of great ideas that they will work to refine in the coming weeks to present some preliminary information. The plan will continue to be refined over the course of the next few months.

An annexation request will be coming soon. There is a property located at 3760 Terrace Creek in Highview Terrace which will require a lot combination and annexation. The property is two individual parcels/lots. One lot is in the City, and one is in the Township. The owners wish to build a pool on the Township parcel and extend their outdoor living area. This is going to require a lot combination and annexation. The Township is approving the pool permit with the condition that they petition for a type 1 annexation within 30 days.

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Bellbrook TV Update – We are waiting for the installation of a new communications line from Spectrum to be able to install the new hardware to broadcast again. We were told it would be several weeks. We will keep Council updated as we know more.

The City has not received any American Rescue Plan funds yet. With the issue of townships being included or not included is likely what is holding up distributions. Once we receive the funds, Council will be informed.

The rewrite of Article 14 will be reviewed by Village Review Board as a courtesy on June 22. Council will have a work session to review it followed by it being brought in ordinance format.

The City Manager plans to meet with each Council Committee in July to review the status of the goals so all are aware as we transition and move forward. If Council as a whole would like a full goal review, that could take place during her final Council meeting on July 26.

Little Sugarcreek Road boring report is ready. The engineering company will present the information at a work session before the July 26 meeting.

Mr. Greenwood asked about the Brook Mills 10K run and Be Well Bellbrook events planned for August. Mrs. Dodd answered that Brandon Hough is the race director and contact person for the 10k. He is meeting with all the department directors next week to go over the plans.

COMMITTEE REPORTS

Service – Mr. Greenwood reported that the Bledsoe Drive water tower will be repainted at a good price. He said he appreciates that the EPA tests the City’s for everything they can. The results of the PFAS test is great.

Safety – Mr. Hoke reported that at the Community Leaders Meeting the schools expressed their desire to have a School Resource Officer. This will probably be brought up again in the future when cost and logistics can be discussed.

Finance – none

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Community Affairs – Mrs. Middlestetter reported that there are still two openings on City boards; one on the Village Review Board and one on the Board of Zoning Appeals and Property Review Commission.

CLERK’S REPORT

Mrs. Timmons reported the following:

- Board Updates for May:
 - BZA-PRC did not meet
 - Planning Board approved the legal revision of Article 14 and a Zoning Verification Letter Fee
 - The VRB approved signs for Knot Your Average Massage, Art Town, and Blaze Taxidermy. They also approved a demolition request for 100 E Franklin.
- Upcoming Council Meetings:
 - June 28, 6pm – Work Session to Review Article 14
 - June 29 – Executive Session under 121.22 (G) (1) To consider the appointment of a public employee
 - July 26 – Resolution to Proceed for General Fund Levy Renewal
- The State has not extended the virtual meeting allowance past the June 30 deadline. This means the meetings will return to in-person starting July 1.

Mrs. Middlestetter asked about the demolition request that the VRB approved. Mrs. Timmons explained that Nate Clemens has a verbal agreement to purchase 100 E Franklin Street if the structure can be demolished. He presented the justification and his ideas for the property in the future. The board agreed.

COMMENTS

Mr. Greenwood again thanked Mrs. Dodd for a great job and said he would miss her. Finding a replacement will be difficult. He wished her the good luck in her future position.

Mr. Havens thanked the Greene County Commissioners for the grant. He also wished Mrs. Dodd the best.

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Mr. Hoke gave Mrs. Dodd best wishes in Fairborn. He asked the Clerk the status of a property maintenance complaint since the BZA-PRC did not meet. Mrs. Timmons explained that as staff went through the status of the current complaints it was discovered that the time allowance for the property owners to correct these issues had not been reached. Staff is working to keep things moving along. Mr. Hoke offered to help staff if there was anything he could do. Mr. Hoke also wanted to let the public know that Dr. Cozad and the School Board are working to mitigate the traffic flow issues particularly at pick-up time.

Mrs. Middlestetter also thanked the County Commissioners for sharing the wealth. She added that the City Manager knows how much she will miss her.

Dr. Van Veldhuizen thanked the City Manager for all the hard work she put into the City. He watched her put her heart and soul into it and he appreciates it very much.

Mayor Schweller echoed the thoughts and well wishes of the others saying she will be missed. He knows she is headed to a City with a much bigger budget. He announced that the position is posted on the City's webpage. Applications are being accepted. Council will review them on June 29 to try to get the process moving quickly so that there is not a huge gap in service between Mrs. Dodd and her replacement. They are looking for another person who can be City Manager and Finance Director.

PUBLIC COMMENT - none

ADJOURNMENT

The Mayor announced that there was no further business at 8:10 PM.

Michael W. Schweller, Mayor

Pamela Timmons, Clerk of Council