

# RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

May 13, 2024

## 1. CALL TO ORDER

Deputy Mayor Havens called the Regular Meeting of the Bellbrook City Council to order at 7:00pm

## 2. PLEDGE OF ALLEGIANCE

Deputy Mayor Havens led the Council in the Pledge of Allegiance.

## 3. ROLL CALL

### PRESENT

Mr. Logan Ashley  
Mrs. Katherine Cyphers  
Mr. Forrest Greenwood  
Mr. Brady Harding  
Mr. Ernie Havens

### ABSENT

Mr. T.J. Hoke  
Mayor Mike Schweller

Motion to excuse the absence of T.J. Hoke and Mayor Schweller

Motion made by Mr. Harding, Seconded by Mrs. Cyphers.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens

Motion Carries

## 4. APPROVAL OF THE MINUTES

A. Approval of the April 22, 2024, Regular City Council Meeting Minutes.

Deputy Mayor Havens asked if anyone had comments or corrections to the minutes of the April 22, 2024, meeting. Hearing none, the minutes were declared to be approved.

## 5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

A. Recognition and Celebration of Jerry Burgan's Retirement After More Than 37 Years Service to Bellbrook.

Ryan Pasley, Mr. Schommer, and Deputy Mayor Havens thanked Jerry Burgan for his many years of service to the City of Bellbrook. Mr. Burgan was presented with the key to the city.

## 6. CITIZEN COMMENTS

None

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## 7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

Two citizens registered to speak on Ordinance 2024-O-4 & Ordinance 2024-O-5, and will speak during the public hearing.

## 8. PUBLIC HEARING OF PROPOSED ORDINANCES

### A. **Ordinance 2024-O-4**: APPROVING THE APPLICATION TO CREATE A COMMUNITY ENTERTAINMENT DISTRICT FOR DOWNTOWN BELLBROOK (Deputy Mayor Havens)

Deputy Mayor Havens opened the Public Hearing at 7:20pm

Mr. Foster explained a community entertainment district (CED). He noted it was a boundary area that includes or will include a combination of entertainment retail, education, sporting, social, cultural, or arts establishments within the district. He noted it is not a DORA. The CED will be an economic development tool for the city. Provided requirements of the “CED” application.

Deputy Mayor Havens asked if there was anyone present wishing to speak for or against the Ordinance.

Mr. Brian Wentzel 1923 Sugar Maple Place spoke in favor of the Ordinance. Recommended more transportation and walkway options for residents due to the increase of foot traffic into the are.

Ms. Meredith Brinegar 2221 Ivy Crest Dr spoke in favor of the Ordinance on more restaurants, noting that is what the community has asked for. She thanked Mr. Foster for all the details.

Ms. Jenn Leclair 3408 Pavilion Lane spoke in favor of the Ordinance.

Deputy Mayor Havens asked if anyone else wished to speak for or against the Ordinance. Hearing none, he closed the public hearing at 7:30

#### **Motion to adopt Ordinance 2024-O-4**

Motion made by Mr. Ashley, Seconded by Mrs. Cyphers.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens

Motion Carries

### B. **Ordinance 2024-O-5**: APPROVING THE APPLICATION TO CREATE A COMMUNITY ENTERTAINMENT DISTRICT FOR THE WEST BUSINESS DISTRICT OF BELLBROOK (Ashley)

Deputy Mayor Havens opened the Public Hearing at 7:33

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Mr. Foster stated the information was the same as the previous, just establishing a CED in a different area of the City. He explained that the applicant, Treig LLC, is very excited as it will allow the business to attract more attractive tenants.

Deputy Mayor Havens asked if any wished to speak for or against the Ordinance, and hearing none, he closed the public hearing at 7:35

## **Motion to adopt Ordinance 2024-O-5**

Motion made by Mrs. Cyphers, Seconded by Mr. Ashley.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens

Motion Carries

- C. **Ordinance 2024-O-6:** REPEALING TITLE FOUR “ZONING” OF PART TWELVE “PLANNING AND ZONING CODE” OF THE BELLBROOK MUNICIPAL CODE IN ITS ENTIRETY AND ENACTING A NEW TITLE FOUR “ZONING” OF PART TWELVE “PLANNING AND ZONING CODE” OF THE BELLBROOK MUNICIPAL CODE (Greenwood)

Deputy Mayor Havens opened the Public Hearing at 7:40

Deputy Mayor Havens asked if anyone present wished to speak for or against the Ordinance.

Ms. Meredith Brinegar of 2221 Ivy Crest Dr spoke in favor of the revisions related to the accessory dwelling units.

Mrs. Cyphers asked why Planned Residential zoning was excluded for the auxiliary dwelling unit section. It was discussed and determined there was a desire to amend the Ordinance to make the correction.

Deputy Mayor Havens if anyone else wished to speak for or against the Ordinance, and hearing none closed the public hearing at 8:04

## **Motion to amend Introduced Ordinance 2024-O-6 to add PD-1 to Article 5 Section 5.02 (7)(d) in the last line to read “... (600) square feet in the PD-1, R-1A, and R-1B Zoning Districts.”**

Motion made by Mrs. Cyphers, Seconded by Mr. Greenwood.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens

Motion Carries

## **Motion to adopt Ordinance 2024-O-6**

Motion made by Mr. Greenwood, Seconded by Mrs. Cyphers.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens

Motion Carries

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## 9. INTRODUCTIONS OF ORDINANCES

- A. **Ordinance No. 2024-O-7:** AUTHORIZING THE CITY MANAGER TO SUBMIT THE TAX BUDGET FOR FISCAL YEAR 2025 TO THE GREENE COUNTY AUDITOR, AND DECLARING AN EMERGENCY(Cyphers)

Mr. Schommer explained the Ordinance is to submit the annual tax budget to Greene County for certification and authority for receipt of Local government Funds from the State of Ohio. This is the first step of the 2025 budget.

He also noted the budget shows the need for a significant subsidy for public safety in order to remain balanced; however, the fund balance of the Police Fund will be exhausted, and the Fire Fund significantly reduced.

### **Motion to Introduce Ordinance 2024-O-7**

Motion made by Mrs. Cyphers, Seconded by Mr. Greenwood.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens

Motion Carries

## 10. ADOPTION OF RESOLUTIONS

- A. **Resolution 2024-R-12:** DETERMINING IT NECESSARY TO PROCEED WITH SUBMITTING THE QUESTION OF LEVYING AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION TO THE ELECTORS OF THE CITY, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 AND SUBSECTION 5705.19(JJ), AS AMENDED, WHICH LEVY SHALL BE TWO AND TWO TENTHS (2.2) MILLS AND SHALL RUN FOR A CONTINUING PERIOD OF TIME PURSUANT TO OHIO REVISED CODE SECTION 5705.19, AND REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH (Harding)

Mr. Schommer explained the resolution of necessity is to state the need for consideration of additional millage and to have that number certified by the County Auditor. He noted details of the revenue shortfall for public safety was discussed as part of the budget process and going into the 2025 budget preparation there is a need to address the funds. He provided details on opportunities to maintain current service levels or make reductions as needed.

### **Motion to adopt Resolution 2024-R-12**

Motion made by Mr. Harding, Seconded by Mrs. Cyphers.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens

Motion Carries

## 11. OLD BUSINESS

- A. Dissemination of master priorities list rankings.

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Mr. Schommer distributed the ranked list of priorities submitted by the Council. He noted Council can review and bring back for discussion and implementation.

## 12. NEW BUSINESS

None

## 13. CITY MANAGER'S REPORT

Mr. Schommer provided updates on several topics to include:

The EV Charging station grant applied for to be placed at the library has been accepted for federal funding, and MVRPPC will be bidding out the project this week.

The Main and Franklin Improvements Project is scheduled to start May 20. The first steps will be excavation for installation of new curbing and crosswalks; however, there will be no closures of the roadway.

The Walnut Street drainage project design plans are complete and will be reviewed by the Service Department to begin scheduling construction of the new storm water drain system.

The on-site audit has been completed, and there were no issues. The auditors will be completing their reports as well as finalization of the Financial Report to be submitted to the State Auditor.

## 14. COMMITTEE REPORTS

### A. Safety Committee

Mr. Ashley spoke on Fire achieving gold level recognition for 2023 through Lexipol, and had been for four consecutive years winning this award.

### B. Service Committee

Mr. Greenwood spoke on the crosswalk work starting soon.

### C. Finance/Audit Committee

None

### D. Community Affairs Committee

None

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## 15. CITY OFFICIAL COMMENTS

Mr. Ashley spoke about the briefing at the EPA meeting.

Mr. Greenwood mentioned the water in Bellbrook well field protection is safe and Tom's Mulch is under regulation from the EPA. He also offered congratulations to Jerry Burgan on his retirement.

Mr. Harding asked about the crosswalk at Dots since more crossing pedestrians at Blueberry Café and concerned people were crossing unsafely. Mr. Schommer spoke on the pedestrian signs and lights at crosswalks which will be finished by ODOT in the upcoming week.

Deputy Mayor Havens spoke on the crosswalk at Dots and parking at other businesses downtown and looks forward to the safety improvements.

## 16. EXECUTIVE SESSION

## 17. ADJOURNMENT

Hearing no further business coming before the Council, Deputy Mayor Havens declared the meeting adjourned at 8:45pm



Ernie Havens, Deputy Mayor



Robert Schommer, Clerk of Council