

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Schweller led the Council in the Pledge of Allegiance.

3. ROLL CALL

A. Motion to excuse the absence of Mr. Ashley

PRESENT

Mrs. Katherine Cyphers

Mr. Forrest Greenwood

Mr. Brady Harding

Deputy Mayor Ernie Havens

Mr. T.J. Hoke

Mayor Mike Schweller

ABSENT

Mr. Logan Ashley

Motion to excuse Mr. Ashley

Motion made by Deputy Mayor Havens, Seconded by Mr. Hoke.

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Deputy Mayor Havens, Mr. Hoke,
Mayor Schweller

Motion Carried

4. APPROVAL OF THE MINUTES

A. Approval of the March 10, 2025 Regular City Council Meeting Minutes

Mayor Schweller asked if anyone had comments or corrections to the minutes of the March 10, 2025 meeting. Hearing none, the minutes were declared to be approved.

5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

A. 2024 City activity and accomplishments report presented by City Manager and Staff

Will be deferred until next meeting due to absences

6. CITIZEN COMMENTS

Denny Bennett 2211 Shadowood Cir spoke about the Bellbrook Sugarcreek Park District is holding a pros and cons of chicken farming April 24th 6pm.

Jenn Leclaire announced the Community Support Center is having a moving sale since the center moved locations from 7000 sq ft to 1000 sq ft with focus now primarily as a food pantry. April 9-11 9am to 5pm the Sugarcreek Elementary location will be open to sell items in the building. She noted 100% of proceeds go to support of the Center.

Brad Leonard 1765 Sugar Maple Place spoke about the speeding issues on Little Sugarcreek Road. He raised a question about the location stating he does not think it would have collected in the right location. He also questioned the data that was captured.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025

7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

None

8. PUBLIC HEARING OF PROPOSED ORDINANCES

- A. Ordinance No. 2025-O-02 REPEALING IN ITS ENTIRETY AND ENACTING A NEW CHAPTER 440 "COMMERCIAL AND HEAVY VEHICLES" OF TITLE SIX "VEHICLES AND OPERATION" OF PART FOUR "TRAFFIC CODE" OF THE BELLBROOK MUNICIPAL CODE (Havens)

Deputy Mayor Havens read the Ordinance.

Mayor Schweller opened the public hearing at 7:13

Mr. Schommer provided an explanation of the proposed Ordinance. He noted the Ordinance is the result of cooperative efforts of Bellbrook residents and neighboring businesses to address noted concerns of commercial truck traffic in the downtown area. He added the Ordinance is designed to reduce the primary safety concerns as well as create a better balance of commercial truck traffic in the City. He added the Ordinance was not nor is intended to prohibit truck traffic. The primary concerns noted were volume of commercial trucks as well as turning of commercial trucks at the intersection of Main and Franklin which does not meet core design standards for turning radiuses for commercial trucks.

Mr. Greenwood noted that this was necessary to address because it revolves around safety. He agrees the City should keep an eye on it and the process was a learning experience.

Mr. Hoke asked if it prohibits turns onto North Main from Franklin and Mr. Schommer noted it does not prohibit it.

Mayor Schweller asked if anyone present wished to speak in favor or against the ordinance. Hearing none, he closed the public hearing 7:23

Motion to adopt Ordinance 2024-O-02

Motion made by Deputy Mayor Havens, Seconded by Mr. Hoke.

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Deputy Mayor Havens, Mr. Hoke, Mayor Schweller

Motion Carried

9. INTRODUCTIONS OF ORDINANCES

None

10. ADOPTION OF RESOLUTIONS

None

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025

11. OLD BUSINESS

A. Discussion and review of draft Animal Ordinance in preparation of legal review.

Mayor Schweller noted the draft includes the input received previously and if it is ready to go to legal.

Miss Grant provided an update to the definitions included.

Mr. Harding asked if it includes a setback from a residential structure as opposed to a property line. Miss Grant noted the previous discussion led to following the current setback requirements for other accessory structures.

Mr. Hoke asked if there is any financial data regarding the cost of impact for enforcement. Miss Grant stated based on comparisons to other cities, the impact of the number of complaints. Mr. Schommer stated he is not aware of a way to measure financial data for the enforcement of an ordinance, as the cost is related to the cost of staff. He compared to the adopted truck ordinance where there was no comparison for cost of enforcement. He noted he will check if there is a model to break down the cost of enforcement, and noted it would likely be the estimated number of complaints, the average time to handle it divided by the cost of staff.

Deputy Mayor Havens noted his concern about the setback.

B. Discussion and review of draft Animal Ordinance in preparation for legal review.

Michaela Grant announces they added the definition of small livestock and added items to proposed Article 18, Section 18.41 that would go before the Planning Board. Reiterates that if passed, people who are keeping small livestock would have rules that it wouldn't cause any nuisance or issue with abutting properties.

Mayor Schweller opens the floor to the Council for any questions, and reiterates that next steps are to put this to legal council before Planning Board spends time reviewing proposed Article, and that Council is addressing new rules within Ohio revised code.

Mr. Harding had a question regarding 8' to property line from where a chicken coup can be; asked why we no longer have anything written about a setback and distance of 15' from residential structure. Ms. Grant clarifies that after further review, they found the setback distance should be the same as any other accessory structure. Mr. Greenwood was curious about there being anything written about distance of a chicken coup or set back from residential structures, to which Ms. Grant reiterated that would be the 8' set back, to which the Councilman shared his concern that is too close to neighboring properties. Mr. Greenwood was also curious as to why geese and turkeys are not permitted small livestock. Ms. Grant notes that the decision was made after reviewing other municipalities and their small livestock species regulations.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025

Mr. Hoke asked if we have any financial information, such as how much permitting would cost, and what financial burden would be on the city to enforce and maintain. Ms. Grant clarifies that the permit would follow the current accessory structure permit. As far as enforcement for code issues, Ms. Grant stated that in comparison to other cities, the impact of the number of complaints is minor; < 12/yr. Mr. Schommer stated it would be difficult to measure the cost of enforcement for ordinance violations as it is situational, and the cost is related to the cost of staff. Mr. Schommer comments he will look into a formula to calculate this data; it would likely be the estimated number of complaints, the average time to handle it divided by the cost of staff.

Mr. Harding asks about the legal review process for this proposed change to an existing ordinance. Mr. Schommer notes the main distinction raised is between preparing a proposal solely for Council approval versus structuring it to appear on a ballot as an advisory measure. While the intent is not currently to adopt a finalized ordinance, the Council wants legal input to ensure the draft language, definitions, and structural changes are aligned with existing state laws and do not create legal conflicts. Additionally, it is emphasized that although the proposed content isn't yet being formally adopted, they want to ensure that the elements under consideration- including input received so far—are legally sound and appropriate to codify in the future, if pursued. It was clarified that moving forward with a ballot advisory would not restrict the city from doing so, even while conducting a legal review of the content. Specifically the ability to define certain terms, such as “small livestock.” The goal is to ensure that the city has the authority to create its own definitions within the ordinance and that doing so would not Conflict with existing state regulations. This legal clarity is sought before advancing any proposed language or process to Council for review or action.

Mr. Havens raised the idea of updating the outdated impound and redemption fees, Section 618.14, of \$10 and \$25 written in 1978, to reflect their present-day value. The suggestion was to increase them in line with inflation or current economic standards.

Also, Mr. Havens clarified that the term “small livestock” includes “poultry,” which is defined as chickens, turkeys, waterfowl (such as ducks), and game birds. However, restrictions will exclude geese, peafowl, turkeys, ostriches, and emus. Ducks would still be permissible.

Comparisons on setback distances were made to surrounding communities: Springboro requires a 100-foot setback (with reportedly minimal complaints), while Xenia requires 25 feet. Council expressed concern that the proposed 8-foot setback may be too small, but appreciates the requirement for fencing.

It was confirmed that any slaughtering or butchering of animals would be required to take place inside the primary residence.

A recommendation was made to include a minimum coop space requirement; suggested: 4 square feet per bird, to ensure humane conditions and prevent overcrowding. Council agreed that guidance should be added to prevent inadequate or inhumane coop construction.

Mr. Schommer expressed difficulty incorporating conflicting council feedback into a cohesive draft. A clear direction from the majority of council on which elements should be officially included to finalize a workable draft moving forward was requested.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025

Questions arose about regulating the appearance and materials of backyard coops to maintain neighborhood aesthetics. Currently, there are no specific aesthetic standards for coops or sheds outside of the historic district. Council discussed the possibility of adding construction material or design standards to prevent unsightly or unsuitable structures.

The current draft requires shelters to be sound, usable, well-ventilated, easy to clean, and large enough for animal movement—intended to prevent makeshift or inappropriate shelters like repurposed barrels.

The code includes a schedule of lot sizes for animal density, with exemptions for properties over five acres. Concerns were raised about very small lots (<0.1 acre) potentially qualifying under an 8-foot setback. Council confirmed such scenarios would be allowed under current draft language unless revised. Council discussed aligning setback requirements for small livestock structures with existing regulations for beehives. A consensus was reached to require: 25 feet from all property lines, and 50 feet from any residential structure not owned by the applicant. This approach promotes consistency and avoids confusion by applying similar standards across similar issues.

Council debated the complexity of combining setback requirements from both property lines and nearby structures. Councilmembers agreed this should be an ‘and’ condition, to ensure clarity and avoid could include language to prevent structures from being placed closer to a neighbor’s house than the owners was raised; however, it was acknowledged that such rules might be difficult to enforce consistency.

Ms. Grant clarified that structures for small livestock would follow the same permit process as other accessory structures: a site plan/plot plan is required during application, a placement and final inspection will be conducted, and during inspections, setbacks will be measured to verify that the structure and number of animals comply with lot size and ordinance limits.

Council discussed the idea of requiring minimum square footage per animal. Mr. Schommer confirmed they would assess proposed structure size and compare it to the applicant’s lot size and the number of animals requested to ensure ordinance compliance.

The ordinance currently limits total accessory structure square footage to 600 square feet per lot. A small livestock structure (chicken coop or rabbit hutch) would count toward this limit, along with any existing sheds or other accessory buildings.

Ms. Grant noted that corner lots would be reviewed on a case-by-case basis due to variable layouts and how side and rear yards are defined.

Councilman Harding proposed the scenario about potential violations- for example, a resident approved for six chickens ends up with 30. Ms. Grant clarified that city personnel cannot legally enter private property without permission, unless the violation is visible from a public area or neighboring property. Fourth Amendment rights limit enforcement options unless there’s a clear complaint or visible evidence. Additionally, drone surveillance would be considered trespassing and a violation of privacy laws.

Ms. Grant clarified the violation process: if a complaint is received, staff will attempt to observe the violation from a public right-of-way or with a neighbor’s permission. If confirmed, the city will issue a

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025

formal notice of violation and give the resident time to correct it. If not visible, staff will reach out to the resident or try to gain viewing access through the complaining neighbor's property. Continued noncompliance could result in escalation to the Property Review Commission, and eventually legal action in court.

Mr. Hoke asked whether the Greene County Health Department would be involved in cases related to unsanitary or nuisance conditions. Ms. Grant confirmed that inter-agency cooperation- including the Health Department- is already standard practice in related issues, such as hoarding, and would be used here as well.

In conclusion, council confirmed that the enforcement strategy and legal limitations were clearly understood. Members affirmed the guidance provided was sufficient to move forward with refining ordinance language and internal processes.

12. NEW BUSINESS

No New Business

13. CITY MANAGER'S REPORT

A. Traffic and speed data collection update.

Experienced technical issues with traffic monitoring devices that initially prevented proper data downloads; however, the issues have been resolved, and usable data has now been recovered and shared with traffic engineers for review.

Additionally, devices are being placed at multiple locations to measure traffic volume and speed across varying road conditions, particularly on Little Sugarcreek Road and N Main Street. Special attention is being given to areas where speed zones transition or where road design may contribute to variable speeds.

Collected traffic data, including annual average daily traffic, is intended to support a roadway reclassification from a local street to a minor collector. This change would make the city eligible for federal and state infrastructure funding, including STP funds through the PDAC process.

The 85th percentile speed, the standard used in traffic engineering to assess flow and driver behavior, was recorded as follows:

- 33 mph on Little Sugarcreek Rd

- 36 mph on N Main St (at Walnut St.)

These figures will help inform future traffic calming strategies, especially in residential and mixed-use areas like North Main, where the speed limit is 25 mph and pedestrian traffic is higher.

The city will continue collecting and analyzing data and will provide more detailed updates in future council packets.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025

- B. Mr. Schommer reported that the 2.2 mill levy, which City Council requested to be placed on the May 2025 ballot, was rejected by the Greene County Board of Elections in February. The city was not notified of the rejection and only discovered the issue after independently following up due to absence of Bellbrook's issue on the public ballot list.

The ballot language was rejected due to potential error regarding the collection year. The Board of Elections failed to notify the city in a timely manner, reportedly spending weeks determining whose responsibility it was to inform the City. Mr. Schommer was informed that the Board of Elections would have contacted them after the ballot deadline had passed.

As a result, the City will not be able to place the levy before voters in May, posing a critical challenge for planning the 2026 budget, which is heavily reliant on the potential revenue from the proposed levy. Mr. Schommer emphasized that the 2025 budget is already set, but without the levy, the 2026 budget will require either additional revenue for public safety or significant reductions to those services.

The City is pursuing full transparency and accountability regarding the Board of Elections' decision, which a formal public request has been submitted to obtain meeting notices, the official decision rejecting the language, and all related communications between the Board of Elections, its staff, and the Ohio Secretary of State. Mr. Schommer requested the Council's support to formally document this request with an approved letter. Looking forward, the City will prepare two budget scenarios- one with levy revenue and one without- to be presented during the November 2025 budget adoption process. The City will also actively engage in future election processes, including attendance at all relevant meetings, to prevent similar communication failures.

- C. Mr. Schommer clarified that Bellbrook operates a separate water system, and the Greene County initiative for water softening does not apply to Bellbrook residents.

14. COMMITTEE REPORTS

- A. Safety Committee:
-No Fire updates.
-Police: The department has received new rifles, which will be placed into service once officers are qualified. The next range qualification session is scheduled for April.
- B. Service Committee:
-No Reports
- C. Finance/Audit Committee:
-No Reports
- D. Community Affairs Committee

15. CITY OFFICIAL COMMENTS

- A. Ms. Cyphers followed up on a previous pedestrian safety concern near an industrial area and Long Road, raised by Councilmember Leonard. Shared that during a recent Park District meeting, they discussed a future project to connect an annexed section of the park to the main

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 24, 2025


park, which could help with pedestrian flow in that area. While not directly addressing speed concerns, the project would benefit access and traffic movement on both sides of the park area. Councilwoman Cyphers has reached out for more details and will follow up once she hears back.

- B. Mr. Greenwood provided positive news regarding the Bellbrook Post Office, in response to community concerns about a potential closure. Local postmaster confirmed that Bellbrook will remain served under a new Sorting and Delivery Center (SNDC) in Washington Township as part of the USPS Delivering for America Plan. Other key points include:
- a. Retail post office operations and P.O. boxes in Bellbrook will not change.
 - b. No closures or layoffs are expected.
 - c. The new SNDC will improve operational efficiency, environmental sustainability, and workplace conditions.
 - d. The public is unlikely to notice service changes, as improvements are mostly behind the scenes.
 - e. Bellbrook Post Office remains operational, and concerns about having to travel elsewhere were unfounded.
- C. Mr. Harding expressed appreciation for Ms. Grants work in compiling and managing city matters, particularly with recent ordinance and process discussions.
- D. Mr. Hoke inquired whether reclassifying Little Sugarcreek Road as a minor collector would expand access to grant funding for walkability improvements. Mr. Schommer confirmed that the designation would make the area eligible for PDAC (project Development and Advisory Committee) funding, opening the door to pursue grants for pedestrian infrastructure and traffic-calming measures


16. EXECUTIVE SESSION

17. ADJOURNMENT

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 8:29 pm



Michael Schweller, Mayor



Robert Schommer, Clerk of Council