



BELLBROOK CITY COUNCIL AGENDA
November 9, 2020

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

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REMOTE TELECONFERENCE MEETING**

Due to COVID-19, this meeting will be held via Zoom webinar teleconferencing. Live streaming of the meeting is available on the City's government channel (via Spectrum/Ch 5) and YouTube channel (Bellbrook City Hall).

Should any member of the public wish to speak they do so by logging in as an attendee following links at the end of this agenda. You may also submit comments by emailing the Clerk of Council at p.timmons@cityofbellbrook.org by 3 p.m. on 11/09/2020.

6:00 pm – 2021 Budget Work Session – Police and Fire Departments and Capital

7:00 pm-Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the minutes of October 26, 2020
5. Mayor's Announcements and Special Guest
6. Public Hearing of Ordinances
 - 2020-11 An Ordinance Repealing Old Part Two, Title Eight "Boards, Commissions and Committees" Of the Bellbrook Municipal Code And Enacting A New Part Two, Title Eight "Boards, Commissions And Committees" Of The Bellbrook Municipal Code (Hoke)
 - 2020-12 An Ordinance To Approve The Rezoning Of 2006 Bonniedale Drive From O-1, Office Building District To R-1a One Family Residential District And To Amend The Official Zoning Map Of The City Of Bellbrook, Ohio, For The Property Located At 2006 Bonniedale Drive (Van Veldhuizen)
8. Resolutions
 - Resolution 2020-BB A Resolution to Find that Expenditures of the City of Bellbrook, Related to COVID-19, are Considered Eligible According to the Mandates Outlined in House Bills 481 and 614 (Edwards)
9. City Manager Report
10. Old Business

11. New Business
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**

Zoom Meeting Information:

Link: https://us02web.zoom.us/webinar/register/WN_OTdZWQFkT2WBnrEvRI6vNA

Website: www.zoom.us

Webinar ID: 833 8839 0817

Passcode: 376301

Telephone: (312) 626-6799

Future Agenda Items

- Work Sessions
 - November 23 - 6pm – Work Session CIC and Fire Station Follow Up
 - 2021 Goal Setting Work Session
- Legislative Items:
 - November 23 – Introduction of Budget Ordinance
 - December 14 - Public Hearing of Budget Ordinance
 - Legislation to be considered from Planning Board
 - Vacancy Registration Requirements
 - 18.20(B) – Sign Code
 - Article 14
- Other items:
 - December 14 - Clerk of Council Review

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Regular Meeting
October 26, 2020

Due to the COVID-19 pandemic the October 26, 2020 City Council Meeting was conducted using Zoom's remote webinar platform.

PRESENT: T.J. Hoke
Ernie Havens
David Van Veldhuizen
Forrest Greenwood
Elaine Middlestetter
Deputy Mayor Nick Edwards

ALSO PRESENT: City Manager Melissa Dodd

WORK SESSION

Deputy Mayor Edwards called the work session to order at 6:00 pm.

City Manager Dodd presented the first of two budget work sessions. This one covered the Administrative and Service departments. The 2020 amended budget without carryover encumbrances is \$8,358, 795. The two items most greatly effecting the ending balance were the Coronavirus Relief Funds received and the N. Belleview Drive culvert collapse repair. The 2021 Budget including all funds will be 7,480,465.

General Fund – This is a balanced budget as presented. The City Manager is projecting to start 2021 with a fund balance of 1,788,235. Property tax reevaluations will not be realized until 2022. The General Fund is divided into Legislative, Administrative, Library, Museum and Community Development. An item to notice is that each year the city typically receives a refund from MVRMA when a loss year is closed. They closed two loss years in 2020 so there will be no reimbursement in 2021.

There was a steep increase in Legal fees which were budgeted at \$10,000. The actual spent was \$31,000. This is due to several items including the fact that our charter requires every ordinance to be reviewed by the municipal attorney. Secondly, there is an ongoing legal property maintenance litigation. Mr. Edwards asked if the legal expenses could be reported under the appropriate departments. Mrs. Dodd agreed to do this. Health district fees increased while other services remained steady. Museum added \$1,000 for property maintenance.

Streets Fund - This fund is difficult to predict. It is basically funded by the gas tax which has unpredictable this year due to the pandemic. Another item of note is that the Service Department has been down a

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maintenance worker since February. They will be hiring one employee this year. Overall, this fund is projected to end in the red \$40,000 but Mrs. Dodd believes it won't be that much in reality.

State Highway Fund – This fund comes from the 7.5% gas tax. It is smaller in 2020 due to the stay-at-home order. This fund pays for the lighting of the streetlights. Striping and salt expenses are split between the state highway fund, streets fund, and the permissive tax fund.

Fuel System Fund – This is a very small fund without much activity.

Motor Vehicle Fund includes the permissive tax streets which are designated by Greene County. Motor vehicle license tax from the city and county. There used to be 12 streets that could access these funds but that has been brought down to five streets. Little Sugarcreek Road is one of them.

Waste Fund revenues increased due to an increase of \$1.50 per month adopted by Council beginning this year.

The Water Fund has about \$3 million in reserve which is an appropriate amount to have. There is a \$1.5 million operating budget. The 2021 budget includes painting the exterior of one of the water towers.

Mrs. Dodd reported that emergency dispatch is partially paid from the Water Fund. The contract with Xenia ran out in September. A meeting will be taking place soon, so the projected 2021 amount is just a guess. Dispatch is also paid for by the Police and Fire Departments.

The billings from Greene County for water tap-ins have been erratic. Mrs. Dodd explained that the amount listed will be paid once the City receives a bill. The unbilled ones are from the new construction of Redwood Living which is fully built out now. There are no other building projects planned.

Capital Fund – will be discussed in more detail at the next meeting. \$50,000 paving from the streets fund will be paid in 2021. There have been planned computer upgrades and we are now on a rotation. The City Manager explained that the upgrading of the downtown street lighting will take place in four phases a block at a time and will include the underground wiring. The Service Director is working on the plans for cross walk installations and yearly culvert relining. The Franklin Street Pedestrian Improvement project that received a grant from MVRPC is on schedule for 2022.

REGULAR MEETING

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Deputy Mayor Edwards 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;
Mr. Edwards, yes.

Mr. Havens made a motion to excuse Mayor Schweller from the meeting. Dr. Van Veldhuizen seconded the motion. All six were in favor.

APPROVAL OF MINUTES

After polling the members of City Council about the regular meeting minutes of October 12, 2020 Deputy Mayor Edwards declared the minutes approved.

MAYOR'S ANNOUNCEMENTS

PUBLIC HEARING OF ORDINANCES

Mrs. Middlestetter read **Ordinance 2020-7 An Ordinance Adopting New Section 260 "Guidelines for Members of Boards, Commissions and Committees" to the Bellbrook Municipal Code.**

The City Manager explained that the Charter called for guidelines, but none were ever adopted. These guidelines provide clear rules and procedures.

Mrs. Middlestetter made a motion to adopt **Ordinance 2020-7 An Ordinance Adopting New Section 260 "Guidelines for Members of Boards, Commissions and Committees" to the Bellbrook Municipal Code.**

Mr. Havens seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Havens, yes; Mr. Hoke, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mr. Edwards, yes. The motion passed 6-0.

Dr. Van Veldhuizen read **Ordinance 2020-8 An Ordinance Amending Section 18.20(a) "Permitted Signs (General)" of the Bellbrook Zoning Code.**

The City Manager explained that this ordinance removes the part of the code that placed a time limit for political signs. This limit was found to be unconstitutional.

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Dr. Van Veldhuizen made a motion to adopt **Ordinance 2020-8 An Ordinance Amending Section 18.20(a) “Permitted Signs (General)” of the Bellbrook Zoning Code.** Mr. Greenwood seconded the motion. The Clerk called the roll. Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Hoke, yes; Mr. Havens, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes. The motion passed 6-0.

Mr. Greenwood read **Ordinance 2020-9 An Ordinance Adopting the Revised City of Bellbrook Personnel Manual.**

The City Manager explained that the majority of the changes were due to combining the Personnel Manual and the Administrative Policies. The other notable changes were aligning parental leave with the policies approved by the bargaining units. Mrs. Dodd explained that one change was particularly critical due to the COVID-19 pandemic. No award of personal days is given as a reward for not using sick days. We do not want to encourage employees to come to work when they are possibly ill.

Mr. Greenwood made a motion to adopt **Ordinance 2020-9 An Ordinance Adopting the Revised City of Bellbrook Personnel Manual as amended.** Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Hoke, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Edwards, yes. The motion passed 6-0.

Mr. Havens read **Ordinance 2020-10 An Ordinance Amending Ordinance 2020-5 to Adjust the City of Bellbrook Appropriations for 2020 and Declaring an Emergency.**

The City Manager began by explaining that the agenda packet included two versions of this ordinance. The first one was introduced at the last Council meeting on October 12. After the reading Mrs. Dodd discovered that a separation of expenditures in the Local Coronavirus Relief fund was needed. There were no changes in the total dollar amounts allocated to funds or the bottom line. The money spent on personnel costs needed to be listed separately from the other expenditures. There is the ordinance read last time and a Substitution ordinance.

Mr. Havens made a motion accept the substitution ordinance: **Ordinance 2020-10 An Ordinance Amending Ordinance 2020-5 to Adjust the City of Bellbrook Appropriations for 2020 and Declaring an Emergency.** Dr. Van Veldhuizen seconded the motion. The Clerk called the roll. Mr. Havens, yes; Dr.

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Van Veldhuizen, yes; Mr. Hoke, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes. The motion passed 6-0.

Mr. Havens made a motion to adopt **Ordinance 2020-10 An Ordinance Amending Ordinance 2020-5 to Adjust the City of Bellbrook Appropriations for 2020 and Declaring an Emergency.** 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; Mr. Edwards, yes. The motion passed 6-0.

INTRODUCTION OF ORDINANCES - none

RESOLUTIONS - none

CITY MANAGER REPORT

The City Manager reported the N. Belleview Drive paving is complete. Thanks go to the Service Department for their help. The new design does not require guardrails, but the city will look at adding a walking path.

Mrs. Dodd reminded Council of the Greene County Municipal Grant for \$30,000. This year the City used the money for our match for the N. Belleview Drive project. The report has been sent to the Greene County Commissioners.

The deadline for encumbering the CARES Funds is November 20. This required the ordinance tonight to meet the deadline. The City is on track to spend about \$167,000 on projects that included the grant to the Bellbrook Sugarcreek Community Support Center, remote work capabilities, public building wifi hotspot, touchless restroom facilities in the city building and library, touchless door at the city building and library, police and fire safety gear, and more. The remainder of the funds are going toward wages.

OLD BUSINESS - none

NEW BUSINESS - none

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COMMITTEE REPORTS

Service – Mr. Greenwood reminded the public that the City does not pick up leaves. Please dispose of them appropriately making sure to keep the storm drains clear. He also explained that even though Bellbrook has its own water system, the sewer system is run by Greene County Sanitary. Bellbrook has not had a billing increase for water.

Safety – Mr. Hoke reported that the Fire Department is taking all necessary safety precautions. They have not seen an increase in calls. The Police Department is also still following safety precautions including cleaning the cruisers and no roll calls.

Finance – Mr. Edwards asked the City Manager to explain the third quarter financials. Mrs. Dodd reported that revenues were up, and the expenses ended where they were expected to.

Mrs. Middlestetter made a motion to accept the **third quarter financials**. Mr. Hoke seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Hoke, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Deputy Mayor Edwards, yes. The motion passed 6-0.

Community Affairs – Mrs. Middlestetter reminded residents to stay safe during Beggar’s Night was Saturday October 31 from 6:00 until 8:00 PM. She added to Mr. Greenwood’s announcement concerning leaves stating that leaves can be chopped up and used like a mulch.

CLERK’S REPORT

Mrs. Timmons announced that future items include one more budget work session. Legislation coming soon from the Planning Board includes an update to the Sign Regulations, Vacant Property Registration and Article 14.

COMMENTS

Mr. Greenwood encourages the public to take personal responsibility and wear masks when in public spaces.

Mr. Hoke congratulated the High School Football team who is playing in the state tournament.

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Mr. Havens announced that there is a new free library outside of the Police Department. He thanked all the people who participated last weekend in the large soccer tournament that took place in town.

Dr. Van Veldhuizen reported going on a ride-along with our Service Department. They were replacing a fire hydrant that had been knocked over.

PUBLIC COMMENT

Robin Logsdon, 2223 Lakeman Drive wanted to express her concern over a banner with an obscene word on it that is hanging on a house in her neighborhood. The residents, especially those with children, wished there was a way to make the property owner remove the banner. She said she had spoken with Police Captain Carmin and City staff who provided her with the legal opinion of the Municipal Attorney that this was a case of First Amendment rights.

EXECUTIVE SESSION

Mr. Havens made a motion to enter into executive session to review negotiations with public employees concerning their compensation and other terms and conditions of their employment. Mrs. Middlestetter seconded the motion.

When the Executive Session ended, Deputy Mayor Edwards explained that there was no further business to come before the Bellbrook City Council, he declared the regular meeting adjourned at 8:15 PM.

Nick Edwards, Deputy Mayor

Pamela Timmons, Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 2020-11

November 23, 2020

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2020-11

AN ORDINANCE REPEALING OLD PART TWO, TITLE EIGHT “BOARDS, COMMISSIONS AND COMMITTEES” OF THE BELLBROOK MUNICIPAL CODE AND ENACTING A NEW PART TWO, TITLE EIGHT “BOARDS, COMMISSIONS AND COMMITTEES” OF THE BELLBROOK MUNICIPAL CODE.

WHEREAS, Section 8.01 of the Charter for the City of Bellbrook authorizes City Council to create, change and abolish Boards and Commissions not specifically established by Charter; and

WHEREAS, by prior legislation and in accordance with the Charter, City Council established the Park and Recreation Board, Youth Advisory/Action Board, the Bellbrook Tree Preservation Committee and the Records Commission; and

WHEREAS, the Park and Recreation Board, Youth Advisory/Action Board and the Bellbrook Tree Preservation Committee have all been inactive and unused for an extended period of time; and

WHEREAS, the Records Commission Board is still an active Board and maintains its utility to the City of Bellbrook; and

WHEREAS, the Bellbrook City Council wishes to abolish the Park and Recreation Board, Youth Advisory/Action Board and the Bellbrook Tree Preservation Committee due to their sustained inactive status and lack of use; and

WHEREAS, the City of Bellbrook will continue to have a Records Commission Board due to its active status and usefulness.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. The old Part Two “Administration Code”, Title Eight “Boards, Commissions and Committees” of the Bellbrook Municipal Code be and hereby is repealed.

Section 2. A new Part Two “Administration Code”, Title Eight “Boards, Commissions and Committees” of the Bellbrook Municipal Code be and hereby is enacted to be read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference, with deletions shown by ~~strikethrough~~ and additions shown by *italics* and underlined.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public,

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in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this ____ day of _____, 2020.

Michael W. Schweller, Mayor

ATTEST:

Pamela Timmons, Clerk of Council

APPROVED AS TO FORM:

Stephen M. McHugh, Municipal Attorney

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November 23, 2020

EXHIBIT A

TITLE EIGHT - BOARDS, COMMISSIONS AND COMMITTEES

CHAPTER 260. – GUIDELINES FOR MEMBERS OF BOARDS, COMMISSIONS AND COMMITTEES

Section 260.01. – Authority.

Article VIII “Board and Commissions” of the Bellbrook City Charter gives City Council the authority to establish all terms, number of members, procedures for appointment and replacement of members, duties, and powers of Boards and Commissions which support and serve The City of Bellbrook.

Section 260.02. – Oversight

The Community Affairs Committee of Council will be designated as the recommending body to Council in establishing guidelines to be followed related to the appointment, expectations and removal, if necessary, of a member of a Board or Commission. The Community Affairs Committee of Council shall be the body which also recommends the appointment or removal of a member of a Board or Commission to Council based on the established guidelines. A motion shall be made by Council to approve the appointment or removal of any Board, Commission or Committee member.

Section 260.03. – Expectations of Board and Commission Members

Board, Commission and Committee members are appointed by and serve at the pleasure of City Council. During each member’s term, it is expected that members fulfill the duties bestowed on them by City Council. Members shall also comply with the laws of the nation, the State of Ohio, City Charter and the Ordinances of the City of Bellbrook.

Members shall make every effort to attend each meeting. Absences of more than three (3) unexcused absences in a calendar year will result in removal.

Members shall prepare themselves for public issues presented; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

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Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgement or action or give the appearance of being compromised.

Each member will conduct themselves in a professional manner while carrying out their prescribed duties. The use of offensive speech, personal attacks or insults by Board, Commission or Committee members is expressly prohibited.

Members shall represent the official policies or positions of the Board, Commission or Committee they represent to the best of their ability when designated as delegates for this purpose. When presenting an individual opinion and position, members shall explicitly state they do not represent their body or the City of Bellbrook, nor shall they allow the inference that they do.

Members shall assure fair and equal treatment of all persons, claims and transactions coming before them.

Section 260.04. – Reappointment

Reappointment to membership on a City Board, Commission or Committee will be considered by the Community Affairs Committee at the request of a City Board, Commission or Committee member near the expiration of the current term of office; there is no obligation to automatically make a reappointment. Vacancy notices will be posted on the City's website and announced during a City Council meeting near the expiration of a Board, Commission or Committee member's term of office to consider other applicants for an upcoming vacancy.

Section 260.05. – Removal of Board, Commission and Committee Members

Article VIII, Section 8.02 of the Bellbrook City Charter affords City Council the ability to remove any Board, Commission or Committee member. City Council shall bestow the oversight of this responsibility to the Community Affairs Committee to investigate any infraction related to section 260.03. The Community Affairs Committee shall ensure that all the rules and expectations of Board, Commission and Committee members set forth in Section 260.03 are enforced in a content and viewpoint neutral manner. Should removal of a Board, Commission or Committee member be deemed appropriate due to conduct or actions found to be in violation of section 260.03, the recommendation will be made to City Council who shall then determine the merit of the recommendation. The recommendation of the Community Affairs Committee shall be either approved or denied by way of motion.

~~• CHAPTER 264. – PARK AND RECREATION BOARD~~

~~• Sec. 264.01. – Establishment.~~

~~A Park and Recreation Board is hereby established.~~

~~{Ord. 72-8, passed 6-26-72}~~

~~• Sec. 264.02. – Composition; appointment; duties.~~

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Ordinance No. 2020-11

November 23, 2020

~~(a)The Park and Recreation Board shall consist of five members, all of whom shall be residents of the City.~~

~~(b)These five members shall be appointed by Council for overlapping terms of five years, except that the members first selected shall be appointed for such terms that the term of one member expires annually thereafter.~~

~~(c)The Board shall draw its own rules, keep its own journal and make periodic reports to Council.~~

~~(Ord. 72-8, passed 6-26-72)~~

~~• **Sec. 264.03. – Authority.**~~

~~(a)The Park and Recreation Board shall have the authority to recommend to Council suggested actions in obtaining new park areas, improving park equipment and facilities and establishing and maintaining a recreational program in and for the City.~~

~~(b)The Board shall have the right and duty to work jointly with civic and social organizations and other governmental jurisdictions and agencies in order to best meet its objectives.~~

~~(Ord. 72-8, passed 6-26-72)~~

~~• **Sec. 264.04. – Interim authority.**~~

~~(a)In the event of three or more vacancies on the Park and Recreation Board, Council may, by resolution, designate other duly authorized public authorities to manage the Municipal parks, submit budgets for approval of Council and exercise the authority conferred upon the Board by [Section 264.03](#). Such authority shall continue only until such time as there are fewer than three vacancies on the Board.~~

~~(b)The City Manager shall be responsible for all park maintenance during any such interim period, unless such responsibility is reassigned by resolution of Council to some other duly authorized public authority.~~

~~(Ord. 84-1, passed 2-27-84)~~

~~• **CHAPTER 268. – YOUTH ADVISORY/ACTION BOARD**~~

~~• **Sec. 268.01. – Establishment.**~~

~~A Youth Advisory/Action Board is hereby established for the City.~~

~~(Ord. 73-19, passed 4-9-73)~~

~~• **Sec. 268.02. – Membership; elections; selection; term of office.**~~

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Ordinance No. 2020-11

November 23, 2020

~~(a)The Youth Advisory/Action Board shall consist of nine members, two elected from each of the eighth, ninth, tenth and eleventh scholastic grades at Bellbrook High School and one member selected at large.~~

~~(b)The High School representatives shall be chosen in a school class election to be sanctioned, and the results authenticated, by the Bellbrook High School principal. The election shall be held in May of each year at the same time as the regular election for school class officers. The in-office Board shall be responsible for accepting names of candidates for the election and for checking the qualifications of each in accordance with subsection (d) hereof. The in-office Board shall also be responsible for promoting and running the election and working with the principal's office in the tabulation of the ballots.~~

~~(c)The at large member shall be selected by Council from volunteers for the position or by special recommendation of the principal.~~

~~(d)Persons elected or selected to the Board must be residents of the City, not more than nineteen years of age, and must have at least a "C" average in their school work. Any member who does not maintain such standards for qualification shall be excused from the Board and the vacancy filled by Council selection.~~

~~(e)Members of the Board shall be chosen for one year terms, but an individual may be a member for more than one year if properly elected or selected in subsequent years. The Board shall be sworn in and officially seated by Council at the first regular Council meeting after Labor Day each year and shall serve until the next succeeding Board is seated.~~

~~(Ord. 73-19, passed 4-9-73)~~

~~• **Sec. 268.03. – Obligations; planning; reports.**~~

~~The Youth Advisory/Action Board shall act as liaison between the youth and the officials of the City. The Board shall adopt its own rules of conduct, hold regular meetings and keep its own journal. The Board may arrange a schedule of functions, activities and programs in the pursuit of its goals, at all times subject to final approval of Council. It shall make periodic reports to Council as to the feelings of the young people in the City and shall make suggestions to Council for action that would be desired by the youth of the City.~~

~~(Ord. 73-19, passed 4-9-73)~~

~~• **CHAPTER 276. – BELLBROOK TREE PRESERVATION COMMITTEE**~~

~~• **Sec. 276.01. – Establishment; composition; terms.**~~

~~There is hereby established in and for the City a committee to be known as the Bellbrook Tree Preservation Committee, which shall consist of three members to be appointed by Council, such members to serve for four year terms, provided, however, that two terms shall expire effective July 1, 1995, and one term shall expire effective July 1, 1997, as indicated by the action of Council in~~

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November 23, 2020

~~making the original appointments, and provided, further, that the Mayor and the City Manager shall be ex-officio members without voting power and that the term of any City official or employee appointed to the Committee shall continue only so long as such person remains an official or employee of the City.~~

~~(Ord. 95-7, passed 5-8-95)~~

~~• **Sec. 276.02. - Compensation.**~~

~~The members of the Bellbrook Tree Preservation Committee shall be honorary and such members shall serve without compensation, other than their regular City salary or wages, should any City official or employee be appointed to the Committee.~~

~~(Ord. 93-4, passed 3-22-93)~~

~~• **Sec. 276.03. - Chairperson; rules of procedure; meetings.**~~

~~The Bellbrook Tree Preservation Committee shall organize by annually electing a Chairperson from its membership, shall adopt its rules of procedure and shall hold such meetings, either regular or special, as it may deem necessary to carry out its work. However, the first Chairperson to serve under the terms of this appointment shall be appointed by Council. Thereafter, his or her appointment shall be in accordance with the provisions of this section.~~

~~(Ord. 93-4, passed 3-22-93)~~

~~• **Sec. 276.04. - Duties.**~~

~~It shall be the duty of the Bellbrook Tree Preservation Committee to promote and educate an environmental awareness; to instill a civic pride in the City; to collect, study and evaluate information on community beautification and make recommendations thereon; and to otherwise promote the public interest in the general improvement of the appearance of the City.~~

~~(Ord. 93-4, passed 3-22-93)~~

• CHAPTER 278. - RECORDS COMMISSION

• Sec. 278.01. - Members; meetings; duties.

(a)The City Records Commission, established by ORC 149.39, will be made up of the following officials: the chief executive or his or her appointed representative, as Chairperson, the chief fiscal officer, the chief legal officer and a citizen appointed by the chief executive. The term of the appointed citizen shall be for two years.

(b)The Commission shall appoint a Secretary, who may or may not be a member of the Commission and who shall serve at the pleasure of the Commission.

(c)The Commission may employ an archivist to serve under its direction.

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November 23, 2020

(d)The Commission shall meet at least once every six months.

(e)The functions of the Commission shall be to provide rules for the retention and disposal of records of the City and to review applications for one-time records disposal and schedules of records retention and disposition submitted by Municipal offices. Records may be disposed of by the Commission pursuant to the procedure outlined in ORC 149.39.

(Ord. 97-9, passed 6-23-97)

RECORD OF ORDINANCES

Ordinance No. 2020-12

November 23, 2020

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2020-12

AN ORDINANCE TO APPROVE THE REZONING OF 2006 BONNIEDALE DRIVE FROM O-1, OFFICE BUILDING DISTRICT TO R-1A ONE FAMILY RESIDENTIAL DISTRICT AND TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLBROOK, OHIO, FOR THE PROPERTY LOCATED AT 2006 BONNIEDALE DRIVE.

WHEREAS, the Planning Board conducted a public hearing on October 22, 2020 concerning the request to rezone 2006 Bonniedale Drive from O-1, Office Building District to R-1A One Family Residential District; and

WHEREAS, the rezoning from O-1, Office Building District to R-1A One Family Residential District will make the zoning of 2006 Bonniedale Drive consistent with other area properties; and

WHEREAS, the Planning Board was presented, reviewed and voted to approve the request to rezone 2006 Bonniedale Drive from O-1, Office Building District to R-1A One Family Residential District and to recommend approval of the rezoning request to City Council; and

WHEREAS, City Council adopts the recommendation of the Planning Board and approves the rezoning of 2006 Bonniedale Drive from O-1, Office Building District to R-1A One Family Residential District.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. The Bellbrook City Council accepts the Planning Board's recommendation and hereby amends the Official City of Bellbrook Zoning Map from O-1, Office Building District to R-1A One Family Residential District for the property located at 2006 Bonniedale Drive.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this ____ day of _____, 2020.

RECORD OF ORDINANCES

Ordinance No. 2020-12

November 23, 2020

Michael W. Schweller, Mayor

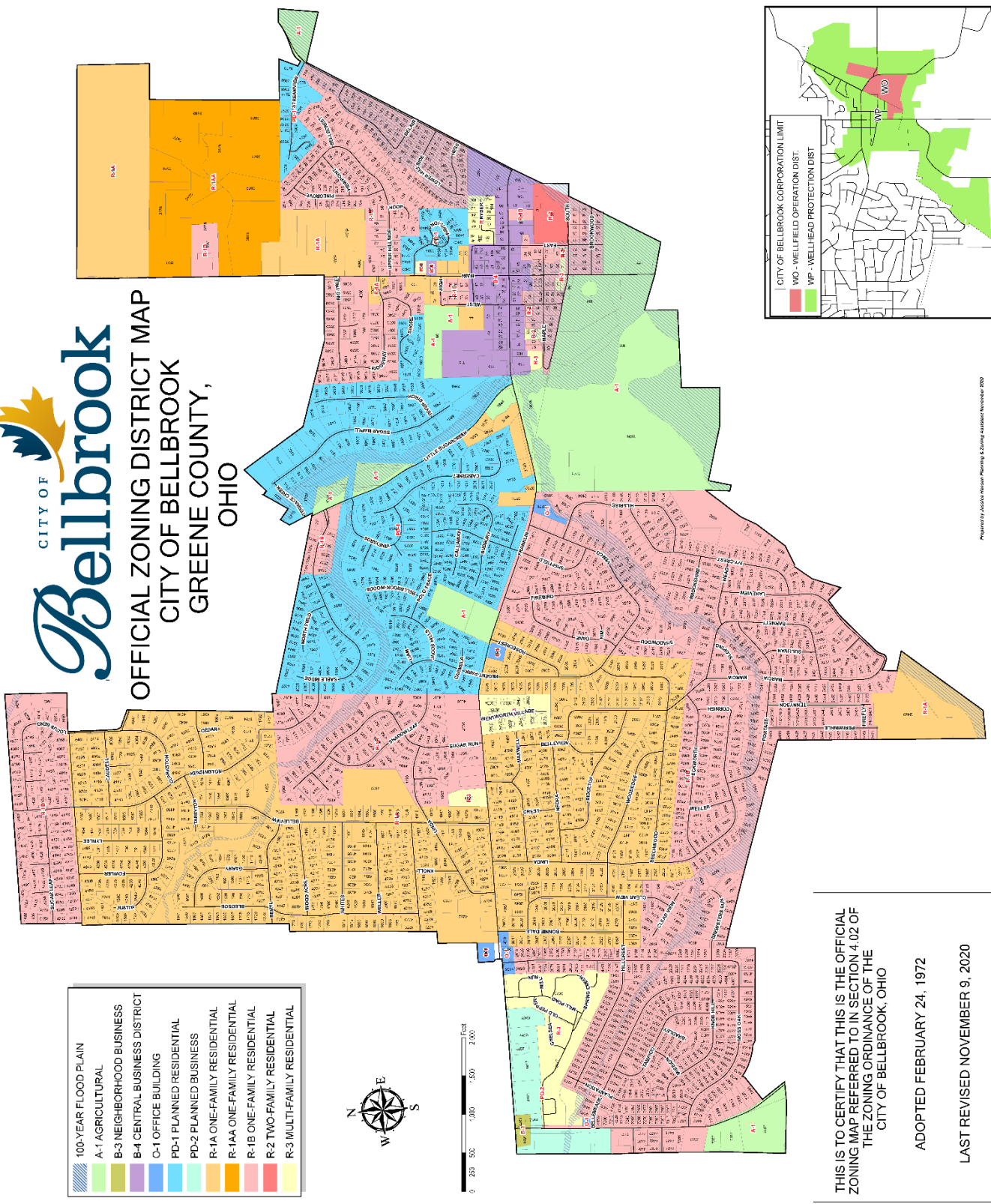
ATTEST:

Pamela Timmons, Clerk of Council

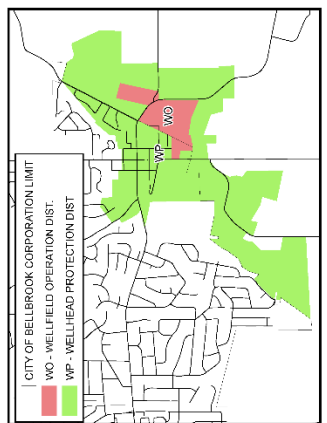
APPROVED AS TO FORM:
Stephen McHugh, Municipal Attorney



**OFFICIAL ZONING DISTRICT MAP
CITY OF BELLBROOK
GREENE COUNTY,
OHIO**



	100-YEAR FLOOD PLAIN
	A-1 AGRICULTURAL
	B-3 NEIGHBORHOOD BUSINESS
	B-4 CENTRAL BUSINESS DISTRICT
	C-1 OFFICE BUILDING
	PD-1 PLANNED RESIDENTIAL
	PD-2 PLANNED BUSINESS
	R-1A ONE-FAMILY RESIDENTIAL
	R-1AA ONE-FAMILY RESIDENTIAL
	R-1B ONE-FAMILY RESIDENTIAL
	R-2 TWO-FAMILY RESIDENTIAL
	R-3 MULTI-FAMILY RESIDENTIAL



THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL ZONING MAP REFERRED TO IN SECTION 4.02 OF THE ZONING ORDINANCE OF THE CITY OF BELLBROOK, OHIO

ADOPTED FEBRUARY 24, 1972

LAST REVISED NOVEMBER 9, 2020

To: Planning Board
From: Jessica Hansen, Planning & Zoning Assistant
Date: November 5, 2020
Subject: Staff Report Rezoning- 2006 Bonniedale Rezoning O-1 to R-1A

Summary

The request is to rezone 2006 Bonniedale Drive from O-1 Office District to R-1A Single Family Residential.

Applicant Information:

- **Applicant Name:** Jack Boyer
- **Owner:** JMBJR Insurance LLC.

Location: Located at the intersection of Bonniedale Dr and W Franklin St.



Figure 1 Location Map

Zoning:

Office Building District: (Current District) *The purpose of this district is to provide for the maintenance and alteration of existing buildings and for new construction of business office and professional buildings.*

8.02 PERMITTED PRINCIPAL USES:

- (1) Offices of surgeons, physicians, dentists and other similar professional persons concerned with the community health and medical treatment of persons.*
- (2) Facilities for human care such as hospitals medical clinics, sanitariums, rest and convalescent homes.*
- (3) Offices of architects, engineers, artists and others employed in the graphic arts.*
- (4) Offices in which the personnel will be employed for work in executive, administrative, legal, writing, clerical, stenographic, accounting, insurance or similar enterprises.*
- (5) Public and Semi-Public Buildings, not including storage yards for materials or equipment.*
- (6) Dental Laboratories.*
- (7) Art or Antique Shops, Photographic Studios, Interior Decorating Studios.*

8.03 ACCESSORY USES:

Those uses and buildings customarily incidental to the Principal uses permitted in this district.

R-1A One Family Residential (Proposed District)

5.01

INTENT

These districts are the most restrictive of the residential districts. The purpose and intent is to provide for an environment of predominantly low density single unit dwellings plus certain other facilities which serve the residents living in the district and to regulate transient occupancy within the city to protect and preserve the permanency of residential neighborhoods, protect property values, and ensure the comfort and safety of the residents.

5.02

PERMITTED PRINCIPAL USES

- (1) One family dwellings, not including trailers or tent dwellings.*
- (2) Churches and similar places of worship: Provided such use is adjacent to a school or commercial area and/or access is by means of roads designated on primary or secondary thoroughfares by the Major Thoroughfare Plan.*
- (3) Parks and playgrounds.*
- (4) Public and private elementary, junior and senior high schools.*
- (5) Parish houses and convents in conjunction with churches or schools.*
- (6) Nursery schools operated and housed in a church building or other established house of worship.*

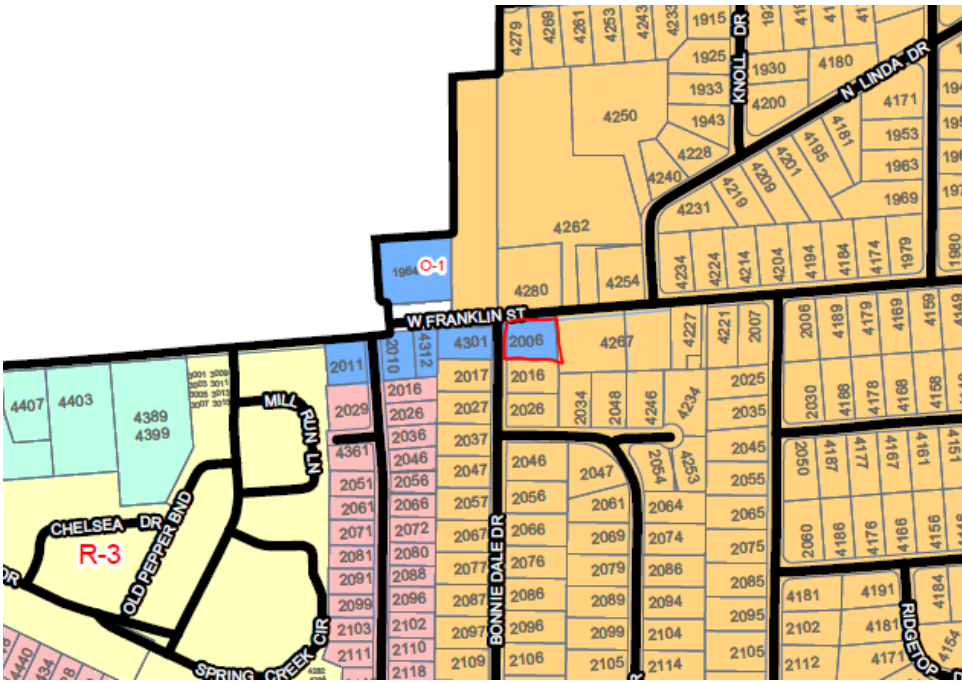


Figure 2 Current Zoning

Request Information/Discussion: In the early 2000's when this was originally going before the Board for rezoning into an Office District, many of the board members were not comfortable with it becoming an office. Returning this building back to its original intent of residential would fit better with the surrounding zoning and neighborhood. Staff sees no issues in moving forward with approval.

RECORD OF RESOLUTIONS

Resolution No. 2020-BB

November 9, 2020

City of Bellbrook

Resolution No. 2020-BB

A Resolution to Find that Expenditures of the City of Bellbrook, Related to COVID-19, are Considered Eligible According to Mandates Outlined in House Bills 481 and 614.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136 (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in H.B. 481 of the 133rd General Assembly (H.B. 481) and subsequent amendments in H.B. 614; and

WHEREAS, H.B. 481 required political subdivisions receiving funds under Section 1 of the CARES Act to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended to only cover costs of the political subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations before receiving said funds; and

WHEREAS, on June 22, 2020 this Council adopted Resolution number 2020-M and affirmed that all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 be expended only to cover costs of the subdivision consistent with the requirement of section 5001 of the CARES Act as described in 42 U.S.C. 801 (formerly U.S.C. 601), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the City of Bellbrook’s most recently approved budget as of March 27, 2020;
- (3) Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Now, Therefore, the City of Bellbrook Hereby Resolves That:

Section 1. Under Guidance for State, Territorial, Local and Tribal Governments released by U.S. Department of the Treasury on September 2, 2020 and the Ohio Office of Budget and Management provide guidance for allowable costs necessary to take direct action in response to the COVID-19 public emergency as follows:

- (1) Coronavirus Relief Funds (CRF) can be used to reimburse expenses already incurred on or after March 1, 2020,

RECORD OF RESOLUTIONS

Resolution No. 2020-BB

November 9, 2020

- (2) Coronavirus Relief Funds (CRF) can be used for (including but not limited to) the following categories for expenses
- a. Administrative Expenses to include expenses directly related for the administration of funds such as audit costs or personnel hired to manage the administration of the funds. It could also include “in-house” personnel costs, as well as “in-house” service and supply related costs.
 - b. Improve Telework Capabilities of Public Employees to enable compliance with COVID-19 public health precautions for costs directly related to teleworking for public employees to include electronic devices such as laptop computers and integrally related items that enable public employees to telework. As well as other costs necessary to function remotely; meeting platforms such as Zoom, cybersecurity enhancements and increased capacity costs.
 - c. Payroll for public Health and Safety Employees. This includes all public health and public safety employees’ personnel costs whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
 - d. Personal Protective Equipment is specific to expenses for acquisition, distribution, and disposal of personal protective equipment in connection with the COVID-19 public health emergency (i.e. gloves, gowns, masks, face shields, and similar clothing-type protective items.
 - e. Public Health Expense category is to be used for public health protective measures that include a variety of costs including but not limited to:
 1. Expenses related to social distancing, expenses for communication and enforcement by government for public orders related to COVID-19,
 2. Expenses for disinfection of public areas and other facilities, implementation of precautions to mitigate spread in public facilities such as touchless features on doors and in bathrooms,
 3. Expenses for public safety measures undertaken in response to COVID-19,
 4. Expenses of providing paid sick and paid family and medical leave to public employees who are directly infected/directly impacted to enable compliance with COVID-19 public health precautions for the Families First Coronavirus Response Act (FFRCA) and the Family Medical Leave Act (FMLA),
 5. Expenses associated with compliance of stay at home orders for instances of COVID-19 in the workplace to include Administrative Leave provided to employees unable to telework that were not accounted for in the budget most recently approved as of March 27, 2020
 - f. Unemployment Benefits to be used strictly for costs related to unemployment benefits related to COVID-19.
 - g. Worker’s Compensation to be used strictly for costs for worker’s compensation related to COVID-19.

Section 2. Based on U.S. Department of Treasury and the Ohio Office of Budget and Management guidance, this Council finds that the City of Bellbrook is appropriately encumbering and expending funds dedicated to mitigating or responding to the COVID-19 public health emergency based on categories including: Administrative Expenses, Improve Telework Capabilities of Public Employees,

RECORD OF RESOLUTIONS

Resolution No. 2020-BB

November 9, 2020

Payroll for Public Health and Safety Employees, Personal Protective Equipment, Public Health Expenses, Unemployment Benefits and Worker's Compensation.

Section 3. That this resolution shall take effect and be in force forthwith.

Passed this 9th day of November, 2020.

Michael W. Schweller, Mayor

ATTEST:

Pamela Timmons, Clerk of Council

To: Mayor & City Council
From: Melissa Dodd, City Manager
Date: November 6, 2020
Subject: November 9th City Council Meeting

- **6:00 pm – Work Session – 2021 Budget – Police, Fire and Capital**
- **Ordinances**
 - **Introduction of Ordinance 2020-11** Ordinance to repeal and replace Part Two, Title Eight “Boards, Commissions and Committees” – This abolishes three unused boards – Parks and Recreation Board, Youth Advisory/Action Board and the Bellbrook Tree Preservation Committee. These have been inactive for an extended period of time and is being cleaned up.
 - **Introduction of Ordinance 2020-12** Ordinance to rezone 2006 Bonniedale Drive from O-1 to R-1A – This formerly housed Tony Cali’s Allstate insurance business which relocated to West Franklin Street. The property was never converted to a commercial space structurally and still maintains the appearance of a residence. This was approved by Planning Board at their October 22nd meeting.
- **Resolutions**
 - **Resolution 2020-BB** A Resolution to find that expenditures related to COVID-29 are considered eligible according to mandates – This is simply a statement outlining that the money we will expend by November 20th has followed all guidelines.
- **Old Business**
- **New Business**
- **Updates**
 - **Fire Chief Search** – The first round of interviews will be happening the week of November 16th. Council will interview the top two candidates on either November 30 or December 1st from 6-8pm via Zoom. I would like to get the date selected this evening so we are all prepared in advance.
 - **Greene County CARES Small Business Grants** – The City had the ability to elect to administer their own small business grants or allow the County to use their funds to do so. We elected the County to use their funds and resources. I received an update that Bellbrook businesses received \$78,118.43 in grants. Thank you to the Department of Development for helping our local businesses in a big way!
 - **Newsletter** – The third and final newsletter of the year will go to print this week. It has been reduced in size due to the lack of events and activity that are normally covered.
 - **End of year** – As we are now in November, end of year financial reviews are occurring. The next meeting will have our final supplemental appropriation, if determined

necessary, as it is the last chance of the year to appropriate funds prior to the year's close.

- **Catch Basin Cleaning** – The Service Department worked to clean out catch basins last week. This is an important piece to keeping storm water flowing. We ask that people appropriately handle their leaves so they do not end up in the street gutters and clogging the catch basins.

