

**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 virtual roll calls instead of in-person.

**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.

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Nick Edwards, Deputy Mayor

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Pamela Timmons, Clerk of Council