

BELLBROOK CITY COUNCIL AGENDA
January 25, 2021



City of Bellbrook
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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 YouTube channel (Bellbrook City Hall).

Should any member of the public wish to speak they may do so by logging in to Zoom 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 1/25/2021.

6:30 pm – Work Session – Final Goals Review

7:00 pm-Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the minutes of the regular meeting January 11, 2020 and work session on January 18, 2021
5. Mayor's Announcements and Special Guest
6. Public Hearing of Ordinances
 - **Ordinance 2021-1** Ordinance Amending Zoning Code Section 20.08 "Proceedings of the Board of Zoning Appeals" of the Bellbrook Zoning Code (**Middlestetter**)
 - **Ordinance 2021-2** Ordinance Repealing Old Chapter 1244, "Zoning Permits and Certificates" of the Bellbrook Municipal Code and Enacting New Chapter 1244 "Zoning Permits and Certificates" of the Bellbrook Municipal Code (**Van Veldhuizen**)
7. Introduction of Ordinances
8. Resolutions
 - **Resolution 2021-C** Resolution Approving the Amended Solid Waste Management Plan of the Greene County Solid Waste Management District (**Hoke**)
 - **Resolution 2021-D** Resolution Designating a Public Depositor (KeyBank National Association) of Active and Interim Deposits of the City of Bellbrook (**Havens**)
9. Old Business
10. New Business
11. Committee Reports
 - A. Service
 - B. Safety

- C. Finance/Audit
 - a. Fourth Quarter Financials
- D. Community Affairs
 - a. Museum Update
- 12. Clerk's Update
- 13. Open Discussion
- 14. Public Comment
- 15. **Executive Session** – For the purpose of considering the employment and compensation of a public employee
- 16. **Adjournment**

Zoom Meeting Information:

<https://us02web.zoom.us/j/81695767862?pwd=RG9YRmx6NkpBZXVzNHJCaldEeUdrZz09Website:>
www.zoom.us

Webinar ID: 816 9576 7862

Passcode: **091683**

Telephone: (312) 626-6799

Future Agenda Items

- Feb 8th
 - Work Session 2021 Capital Improvements
 - Service Department Annual Report
 - Resolution on MVRMA Agreement
 - Resolution on Sable Ridge Gate Maintenance Agreement
- Feb 22nd
 - Work Session - CIC Follow up
 - Police Department Annual Report
- March 8th
 - Fire Department Annual Review
 - High level goals update and summary
- Legislative Items:
 - Legislation to be considered from Planning Board
 - Vacancy Registration Requirements
 - 18.20(B) – Sign Code
 - Article 14
 - RV and Commercial Vehicle update

2021 City of Bellbrook Goals



OVERALL PROCESS

1. SET GOALS / OBJECTIVES – JANUARY
2. ESTABLISH PRIORITIES/TIMELINE - CONTINUOUS
3. MID YEAR PROGRESS – JULY
4. YEAR END FINAL REVIEW – JANUARY 2022

GOAL ESTABLISHMENT

1. General
 - a. Ongoing pandemic - continue to monitor coronavirus and its impact on city finances, employees and infrastructure
 - b. Updates to Zoning Code
 - c. Updates to Property Maintenance Code
 - d. Property Maintenance Enforcement Plan

2. Financial
 - a. Community Improvement Corporation – Establish and identify funding sources
 - b. Future levy projections

3. Safety
 - a. Reassess Tornado Sirens
 - b. Fire Department needs and future – possible consolidation of Stations 1 & 2 , explore fire district possibilities

4. Service
 - a. Little Sugarcreek Road – borings for solution and next steps
 - b. Walkability
 - i. Downtown crosswalks
 - ii. Sidewalk connections

5. Community Affairs
 - a. Downtown Improvements
 - i. Truck route
 - ii. Streetscape design and implementation
 - iii. Main and Franklin traffic light upgrade to mast arm
 - b. Reinstitute quarterly community meetings

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Regular Meeting
January 11, 2021

Due to the COVID-19 pandemic the January 11, 2021 City Council Meeting was conducted using Zoom's remote webinar platform.

PRESENT: Ernie Havens
David Van Veldhuizen
Forrest Greenwood
Elaine Middlestetter
Nick Edwards
Mayor Mike Schweller

ALSO PRESENT: City Manager Melissa Dodd

REGULAR MEETING

Mayor Schweller called the regular meeting to order at 7:00 pm.

ROLL CALL

Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes.

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

APPROVAL OF MINUTES

After polling the members of City Council about the regular meeting minutes of December 14, 2020 Mayor Schweller declared the minutes approved.

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MAYOR'S ANNOUNCEMENTS

• **Service Director Ryan Pasley – EPA notice included with utility bills**

Mr. Pasley explained why Bellbrook water customers will be receiving a notice from the EPA with their utility bills. The water department is required to take these particular samples yearly for the EPA. Samples were collected in June. They learned that they were not supposed to be collected until July and therefore the samples were not accepted. The water department took new samples at the request of the EPA and the testing shows the water is safe. Due to this mistake in the timing of the samples the EPA requires a notice be sent to all customers. There is nothing that is required of customers.

• **Oath of Office – Fire Chief Anthony Bizzarro**

Mayor Schweller administered the oath of office to the new Fire Chief. Chief Bizzarro takes over after the retirement of Jim Neidhard. Chief Bizzarro began with the Bellbrook Fire Department as a cadet in 1988. When he turned 18 in 1995, he became a volunteer fire fighter/EMT. In 1999 he became part of the first part-time fire fighters. He transitioned to full-time in 2006 and has worked his way up through the ranks.

Chief Bizzarro thanked Council and the City Manager for the opportunity to be the Chief. He expressed his belief in the department and this community.

Council members congratulated Chief Bizzarro on this promotion.

PUBLIC HEARING OF ORDINANCES – none

INTRODUCTION OF ORDINANCES -

Mrs. Middlestetter read **Ordinance 2021-1 An Ordinance Amending Zoning Code Section 20.08 “Proceedings of the Board of Zoning Appeals” of the Bellbrook Zoning Code.**

The City Manager explained that this was found by the Clerk while reviewing codes. The current code requires that oaths before the Board of Zoning Appeals be administered by a notary public. This is not

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required by Ohio Revised Code. The change will require oaths be administered by the chairperson or vice chair of the board.

Mr. Havens asked if the City's attorney agreed as the BZA is a semi-judicial board. Mr. McHugh reviewed this code change and approved it.

Mrs. Middlestetter made a motion to introduce **Ordinance 2021-1 An Ordinance Amending Zoning Code Section 20.08 "Proceedings of the Board of Zoning Appeals" of the Bellbrook Zoning Code.** Mr. Edwards seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mayor Schweller, yes. The motion passed 6-0.

Dr. Van Veldhuizen read **Ordinance 2021-2 An Ordinance Repealing Old Chapter 1244, "Zoning Permits and Certificates" of the Bellbrook Municipal Code and Enacting New Chapter 1244 "Zoning Permits and Certificates" of the Bellbrook Municipal Code.**

Mrs. Dodd explained that as part of the code review being undertaken by the Planning Board a fee comparison was done with other local municipalities. It did not look like an update to the fees had been done since 2017. There were several areas in which Bellbrook's fees were very low and not in line with the amount of time and work required. The Planning Board approved the increase in fees at the December 17, 2020 meeting.

Mr. Edwards stated his opinion that due to the past year and the hardships caused by the COVID-19 pandemic the timing of an increase could be a hardship for our residents. He recommended not having the new fees take affect until July 1, 2021. Council agreed with this amendment to the Ordinance.

Dr. Van Veldhuizen made a motion to introduce **Ordinance 2021-2 An Ordinance Repealing Old Chapter 1244, "Zoning Permits and Certificates" of the Bellbrook Municipal Code and Enacting New Chapter 1244 "Zoning Permits and Certificates" of the Bellbrook Municipal Code to be effective July 1, 2021.** Mr. Edwards seconded the motion. The Clerk called the roll. Dr. Van Veldhuizen, yes; Mr. Edwards, yes; Mr. Havens, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

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RESOLUTIONS

Mr. Greenwood read **Resolution 2021-A A Resolution Authorizing the City Manager to Execute a Three Year Agreement Between the City of Bellbrook and the International Association of Fire Fighters.**

Mrs. Dodd reported that 17 of the 30 articles were negotiated. Five were financial and the other 12 were administrative and included items such as holidays, injury leave, and changing the use of vacation time to 15-minute increments instead of an hour. All language referring to “40 hours” was removed. To align with the other department two weeks of parental leave are now available as needed. The training incentive will now be \$30.00 per training. The reward for not using sick time was removed. The Fire Fighters union has already signed off on the contract.

Mr. Greenwood asked if random drug testing could be added in the future. Mrs. Dodd will ask the city attorney about that.

Mr. Greenwood moved to adopt **Resolution 2021-A A Resolution Authorizing the City Manager to Execute a Three Year Agreement Between the City of Bellbrook and the International Association of Fire Fighters.** Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Edwards, yes; Mayor Schweller, yes. The motion passed 6-0.

Mr. Edwards read **Resolution 2021-B A Resolution Authorizing the City Manager to File with the Greene County Auditor a Request for Advances of Taxes Collected.**

City Manager Dodd stated that this is an annual piece of legislation that allows us to receive taxes on a more regular basis as they are collected versus just twice each year.

Mr. Edwards made a motion to adopt **Resolution 2021-B A Resolution Authorizing the City Manager to File with the Greene County Auditor a Request for Advances of Taxes Collected.** Mr. Havens seconded the motion. The Clerk called the roll. Mr. Edwards, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

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CITY MANAGER REPORT

Mrs. Dodd reported that a new Maintenance Worker has been hired. On January 4th Josh Burns started with our Service Department. He comes from Greene County with a wealth of mechanical and operating experience.

In updating Council on Coronavirus Relief Funds Mrs. Dodd explained that on the evening of December 27th the deadline to expend coronavirus relief funds was extended from being due in 3 days to an extra year. The city had spent at that point all but \$2,200. With the extension we will be able to purchase an additional police bicycle that was originally not set to be delivered on time. The remaining funds will likely go to continuing to buy cleaning supplies and other small ticket items.

The City Manager reached out to all of our community organizations to propose a monthly meeting to collaborate with one another. The feedback has been positive so far. The hope is to get together to share what is going on in the community in an effort to assist one another and not duplicate effort.

Bellbrook By Design has offered to take over managing the farmers market this year. The charge is being led by Pam Cook. I plan to assist as needed. It is the hope that the market will continue to grow.

Mrs. Dodd said staff have been very busy wrapping up the 2020 year end and 2021 beginning of year processes. The fourth quarter financials will be provided at the next meeting.

The City Manager informed the Council that the computer system used to run Bellbrook TV has stopped working and so at the present time meetings are only available through Zoom and livestreaming on the city's YouTube page. Lt. Nartker who runs the system is in the process of quoting new systems.

OLD BUSINESS - none

NEW BUSINESS - none

COMMITTEE REPORTS

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Service – Mr. Greenwood thanked Service Department Director Pasley for his explanation of the letter from Ohio EPA concerning Bellbrook’s water supply. Hayley Zimmerman of Ohio EPA stated, “There is no public health concern involved with this violation.”

Safety – none

Finance – none

Community Affairs – none

CLERK’S REPORT

Mrs. Timmons announced the following future items:

- There are three board seats up for renewal, two on the Planning Board and one on the Records Commission. Any citizen with interest in serving should fill out an application in January.
- January 18 – City goal setting work session at 6 PM
- January 25th - City Manager Performance Review
- Future Work Session for CIC Follow up in February
- Legislative Items to be considered from Planning Board
 - Vacancy Registration Requirements
 - 18.20(B) – Sign Code
 - Article 14

COMMENTS

Mr. Havens reported hearing from residents that coyotes have been seen around town. He also asked about any code that pertains to a detached wood burning furnace that sits near a property line because someone brought a complaint to him. Mr. Havens also congratulated Chief Bizzarro.

Mr. Greenwood congratulated the new Fire Chief. He stated he is going to study other municipalities who have CICs.

Mrs. Middlestetter congratulated Chief Bizzarro. She also addressed Mr. Havens’ question about open burning. There are codes prohibiting open burning. Mr. Havens clarified that the outdoor furnace is not actually open burning.

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Dr. Van Veldhuizen stated that he appreciated Service Director Pasley and the detail requirements when dealing with government agencies. He reported taking a tour of the Community Resource Center and was very impressed with the work that is being done there and the number of volunteers who make it possible.

Mr. Edwards congratulated Cleveland Browns fans which he added was difficult for him as a Steelers fan.

Mayor Schweller congratulated Chief Bizarro and said he was pleased that the city was able to promote from within. He thanked Mr. Pasley for explaining the EPA letters.

PUBLIC COMMENT – none

ADJOURNMENT

Mayor Schweller announced that there was no further business to come before the Bellbrook City Council and declared the regular meeting adjourned at 8:20 PM.

Michael W. Schweller, Mayor

Pamela Timmons, Clerk of Council

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Work Session
January 18, 2021

Due to the COVID-19 pandemic the January 18, 2021 City Council Work Session was conducted using Zoom's remote webinar platform.

PRESENT: Ernie Havens
TJ Hoke
David Van Veldhuizen
Forrest Greenwood
Elaine Middlestetter
Nick Edwards
Mayor Mike Schweller

ALSO PRESENT: City Manager Melissa Dodd

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

ROLL CALL

Mr. Hoke, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes.

INTRODUCTION

Mayor Schweller began by explaining that this work session was scheduled for Council to come together and decide on the goals and direction that Council and City staff should aim to work on in 2021. The City Manager will be the point person on a lot of the items. The agenda was designed to align with the Council Committees. This will allow some oversight of individual goals and give Mrs. Dodd a go-to group of people when questions arise, or decisions are needed. If appropriate, a timeline for individual goals can be set with the knowledge that the ongoing COVID-19 pandemic may make changes necessary.

*Note: These minutes have been prepared and organized to follow the agenda instead of a chronological record of discussions. ORC 121.22(C) A public body must keep full and accurate minutes of its meetings, but those minutes do not have to be an exact transcript of every word said. Minutes must be promptly prepared, filed, and made available for public inspection.

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GOAL ESTABLISHMENT

1. General

Mr. Hoke asked about how items from the Downtown Improvement section or that were included in the packet gantt chart will be addressed. He also asked if there are specific capital improvement projects that need to be highlighted but might not fall under one of the Goal categories. Mayor Schweller answered that the capital improvements are already going to be included in an upcoming meeting, but we find something that hasn't been included we can add it. Mrs. Dodd answered that she created the gantt chart using the Comprehensive Plan and it is reviewed by staff and the Planning Board about every six months.

Mr. Havens stated that he felt that community engagement needed to be on the list of goals so that those items don't get forgotten. He would add the Farmers Market, the 10k Run, and participating in other community organized events. Mayor Schweller answered that they had talked about community engagement but had left it off the list because those things are part of the ongoing expectations. Mrs. Middlestetter opined that community engagement items will continue to be limited due to the pandemic. Mr. Edwards added that community engagement has been an area where the City Manager has excelled and enjoys so there isn't really a need to make this a goal.

Mr. Havens apologized because he thought the goals were for the City Manager. Mayor Schweller reiterated his opening statement that the work session was for goals for the city which does include the City Manager but also Council. Mr. Havens still contended that community engagement should be a goal considering we will be coming out of the pandemic and there has been a year off from events. Mrs. Middlestetter explained that goals were for items that are not already part of the expected functions. Mr. Havens clarified that he didn't mean things that are already in place but to foster and encourage more things like them. Mr. Edwards opined that anytime a Council member identifies a new item it should be brought up. If we make it a goal, then we are accountable for making things happen that we don't necessarily have control over. He would like to have Mrs. Dodd provide an update on the progress of the goals in early March so that council keeps its focus.

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- a. **Ongoing pandemic - continue to monitor coronavirus and its impact on city finances, employees and infrastructure**
- b. **Updates to Zoning Code**
- c. **Updates to Property Maintenance Code**

Mr. Havens asked about the progress on the code updates. He stated that he has not seen that the city is doing a good job with enforcing the codes. He would like to add **e. Enforcement of Zoning and Property Maintenance Codes**. He does not want to see the city letting things go as they have done for years and can give example after example. He wants it to be a goal and made a priority. Mr. Hoke pointed to a trend in downtown of erosion. Mrs. Middlestetter and Mr. Edwards pointed out that it is important to have our codes up-to-date and correct before we can enforce them or we could again end up in court when enforcing them. Council did agree that the codes that have been put in place are good the City needs to enforce.

Mr. Havens stated that sidewalk maintenance codes were put into place 15 months ago and nothing has been done to uphold them. He added that he thinks every sidewalk square in downtown is in violation. Mr. Edwards responded that this is a financial issue that affects businesses of which Mr. Havens has stated he wants to help. Mr. Edwards believes the city needs to be sensitive especially this year with the impacts of the pandemic. The City Manager explained that just last week letters went out to all downtown property owners that within the next few months the city will perform an inspection of the sidewalks. Mr. Havens stated that he could supply names of contractors who could do the repair work. It was agreed that a list should be compiled to assist in this repair work. Mr. Greenwood added that dead or fallen trees leaning on utility lines is another problem that our Code Official has not been able to get compliance from property owners.

Mr. Havens commented that he thinks the Planning and Zoning Administrator was hired in December 2019. He thinks the review and updates to the Zoning and Property Maintenance codes should be complete well before the end of 2021 and then

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enforcement can become a priority. The Mayor agreed and Mr. Havens asked to put a date on when the code updates would be complete. Mrs. Dodd and Clerk Pamela Timmons explained the lengthy process involved in reviewing and updating code. Code in need of review is first reviewed by staff for glaring issues and inconsistencies. Then it goes to the appropriate board for initial review. The Board review has no set deadline and will take as much time as necessary for it to be approved. There might be a second Board that needs to then review it. After Board passage an Ordinance is written. Then it goes to the Municipal Attorney. Once he is satisfied the Ordinance goes through the Council process. A chart was created so that everyone could see where different parts of code stand at any time. Dr. Van Veldhuizen appreciated the spreadsheet that shows the progress that is being made. Mrs. Dodd said we can give regular updates to Council but it is not possible to put deadlines on the items. Mrs. Middlestetter understands wanting these done but she appreciates the work of the city's small staff and the volunteers who give of their time and talents to do this critical work.

Mr. Havens said he has spoken with Mrs. Hansen the Code Official about particular code violations and she said that the city works on a complaint basis. An inspection is not done until a complaint is received. He said he didn't want to be the Council member who just sends in complaints but there are things in downtown that should have been dealt with a while ago. He supplied the example of an abandoned car parked next to the property that holds Grace and Love Cakes that hasn't been registered in two years and has a missing window. The vehicle blocks the view of the business sign. He was told that no complaint has been received. Mr. Edwards explained that the city has limitations due to the size of the staff. Staff has been working very diligently on the codes in addition to their other responsibilities while also working remotely due to COVID-19. He believes steps are being taken but they are going to take time unless Council wants to consider hiring more people. It is also worth considering that if the city starts aggressively enforcing maintenance codes it could adversely affect the city's ability to attract businesses. Mr. Hoke countered with the idea that for every voice that complains there are a hundred who don't speak up but want the work done. Mr. Edwards answered that

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the city needs to put itself in the best position for moving forward. Mrs. Middlestetter opined that there seems to be a large section of the city who does not want government telling them what to do. The Mayor thinks we now have a good list and plan. He thanks the Boards whose work can be somewhat thankless but their work is vital.

2. Financial

a. Community Improvement Corporation – Establish and identify funding sources

Mayor Schweller pointed out that there will be a work session on this for an hour and a half on February 22 with a goal to have it set up by June. He thinks the most important consideration is the funding so that citizens do not think tax money is being used for this. Mrs. Middlestetter added that Council needs to decide if it is necessary. Mr. Hoke had spoken with some people at Greene County who can provide the paperwork coordination with the Greene County CIC. He doesn't know why they wouldn't want to pursue a CIC as it can be funded without tax dollars and will provide a return for the city. He does not want this postponed again because the city is decaying and if this trajectory is not changed there will be nothing left. Mr. Hoke added that there is light industrial and storage violations in downtown. Mr. Havens added that Council needs to take action pointing to a body shop, a landscaping business, two general contractors, and a roofer in downtown which is against Bellbrook's Zoning Code. These properties can't just go to the highest bidder.

b. Future levy projections

Mr. Havens reported that he has heard several times that the city does not want to ask for a levy because the schools are trying to get one passed. The school's problem with passing a levy should not affect the city's need to request one since it could take the schools five years to pass one. Mrs. Middlestetter explained that traditionally the city and the schools have not had levies on the same ballot. Mr. Edwards agreed that in the past the city did not want to compete with the schools for taxpayer dollars but if there is a need for a city levy, we would definitely put it on a ballot regardless of what the school does. He added that it has not been needed in the past and worries that it could weaken

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the chances of either levy passing. Mayor Schweller announced that the next planned city levy would be a renewal for the General Fund in November 2022. Everything else is continuous unless Council wishes to make Police and Fire self-sufficient. He added that if the city needed a levy, they would put it on the ballot.

3. Safety

a. Tornado Sirens

Mr. Havens stated that he would like to remove tornado sirens from the list as he believes that are not needed because we already have a very effective system in place. Many cities have gone to alert systems and does not believe sirens are worth the expense. Mr. Edwards agrees that technology has changed but added that every year there a citizens who request the city have emergency sirens. Mayor Schweller sees both sides and added that a couple of years ago past Council Member Darryl McGill made a presentation on a low-cost option. He thinks the Council should reevaluate the information this year and make a decision. Dr. Van Veldhuizen and Mrs. Middlestetter agreed that since there is citizen interest Council should keep the item on our agenda until a determination is made. Mr. Greenwood reported recently being in contact with Kurtis Benedict, the Emergency Management student who supplied Council with information. He is working on determining what would be necessary to adequately cover our residents and researching companies. He found a system for around \$50,000 using three sirens to cover Bellbrook. Mr. Havens suggesting changing the goal to clarify that Council will assess the need for tornado sirens and the rest of Council agreed.

b. Fire Department needs and future – possible consolidation of Stations 1 & 2, explore fire district possibilities

The timeline for this will be decided in conjunction with the new Fire Chief after he has gotten settled in sometime in the summer or fall.

4. Service

a. Little Sugarcreek Road – borings for solution and next steps

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Mr. Edwards opined that this project should be a priority for 2021. It also ties in with other goals like safety, walkability, and downtown revitalization. We don't want to get caught in a position where the road washes away and the city has no plan. Dr. Van Veldhuizen agreed that this one stands out to him as of vital importance. The City Manager reported that the borings are the next step, and she has a quote for them.

b. Walkability

i. Downtown crosswalks

The City Manager has estimates for these.

ii. Sidewalk connections

Mr. Hoke asked if the Franklin Bridge sidewalk would be considered a goal or a capital budget item. Mrs. Dodd said that would be goal in 2023 since it is a big project that requires management. There is some preliminary engineering taking place now, but the actual construction project won't begin for another couple of years.

5. Community Affairs

a. Downtown Improvements

i. Truck route

Mayor Schweller volunteered to talk with Ernst Construction and Tom's Mulch to give them notice that this is being considered. Mrs. Dodd has started working on the rest of it.

ii. Streetscape design and implementation

This will be an ongoing item. Mrs. Dodd is going to do an RFP for design and implementation to get an idea of cost.

iii. Mast arms for the traffic light at Franklin and Main Streets, underground utilities

Mr. Hoke recalls that having the downtown utilities run underground was included in long range discussions and he believes that it would be a good thing for the downtown aesthetically. The Mayor agreed and said that underground utilities

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would be included in 5.a.ii. Streetscape design. The City Manager added that underground utilities are the property of DP&L and would be determined by them. Mrs. Middlestetter added that she would someday like to have the utilities underground, it is a very expensive project and that future problems require digging them back up.

b. **Reestablish the Quarterly Community Meetings**

Mr. Hoke asked if an item under Community Affairs could be added that would bring together local organizations like the schools, the chamber, the township, and others. Mrs. Middlestetter explained that this is being done by the Council members who are the liaisons to the community organizations. This brought up the **Quarterly Community meetings** that use to take place with those groups. The last one was in the fall of 2019. Then the pandemic halted any more of these. Council agreed that we should try to bring back these meetings. Item **5.b Reestablish the Quarterly Community Meetings** will be added for this purpose.

Dr. Van Veldhuizen commented that he sees this goal similarly to the underground utilities in that the city has little control of completing the goal. We can invite the others to a meeting, but we have no way to make them follow through. Council agreed that they can reach out to the organizations and try to schedule these meetings. Mr. Greenwood added that Mrs. Dodd is very involved in many community organizations and does work to ensure good communications. Mr. Havens opined that he believes it should be a priority because he feels Council should be doing better.

ADJOURNMENT

Mayor Schweller announced that there was no further business to come before the Bellbrook City Council and declared the work session adjourned at 8:20 PM.

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Michael W. Schweller, Mayor

Pamela Timmons, Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 2021-1

January 25, 2021

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2021-1

AN ORDINANCE AMENDING ZONING CODE SECTION 20.08 “PROCEEDINGS OF THE BOARD OF ZONING APPEALS” OF THE BELLBROOK ZONING CODE.

WHEREAS, the City of Bellbrook has adopted Chapter 20.08 “Proceedings of the Board of Zoning Appeals” into the Zoning Ordinances for the City of Bellbrook; and

WHEREAS, Chapter 20.08 outlines the procedure for administering the oath of witnesses by a notary public; and

WHEREAS, the City of Bellbrook desires to amend the Zoning Ordinance to eliminate the requirement that the oath be administered by a notary public.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the following amendment to Section 20.08 “Procedures of the Board of Zoning Appeals” of the City of Bellbrook Zoning Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined.

The Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The Chairman, or in his absence the acting chairman, may compel the attendance of witnesses. Oral testimony given as evidence must be given under oath. Oaths will be administered by [~~a notary public~~] *by the Board Chair or designee*. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each appeal considered by the Board, and the section of this ordinance where applicable which the Board has considered in approving or disapproving any petition or other matter brought before the Board, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board. The official copy of the minutes of all proceedings will be signed by the Board Chairman and Secretary.

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.

RECORD OF ORDINANCES

Ordinance No. 2021-1

January 25, 2021

PASSED this ____ day of _____, 2021.

Michael W. Schweller, Mayor

ATTEST:

Pamela Timmons, Clerk of Council

APPROVED AS TO FORM:
Stephen M. McHugh, Municipal Attorney

RECORD OF ORDINANCES

Ordinance No. 2021-2

January 25, 2021

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2021-2

AN ORDINANCE REPEALING OLD CHAPTER 1244, “ZONING PERMITS AND CERTIFICATES” OF THE BELLBROOK MUNICIPAL CODE AND ENACTING A NEW CHAPTER 1244 “ZONING PERMITS AND CERTIFICATES” OF THE BELLBROOK MUNICIPAL CODE.

WHEREAS, the Bellbrook Municipal Code includes Chapter 1244 “Zoning Permits and Certificates,” which establishes the fees for zoning permits and certificates issued in the City of Bellbrook; and

WHEREAS, City Staff recommends that the old Chapter 1244 “Zoning Permits and Certificates” be repealed and that a new Chapter 1244 “Zoning Permits and Certificates” be enacted so the schedule of fees contained therein can be updated; and

WHEREAS, City Staff believe that an increase in the fees collected by the City for the issuance of zoning permits and certificates is in the best interest of the City; and

WHEREAS, the Planning Board met on December 17, 2020, and reviewed the proposed revised fee schedule for permits and certificates issued by the City of Bellbrook pursuant to Chapter 1244, and the Planning Board recommends that City Council approve the same.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. The old Chapter 1244 “Zoning Permits and Certificates” of the Bellbrook Municipal Code is hereby repealed.

Section 2. A new Chapter 1244 “Zoning Permits and Certificates” of the Bellbrook Municipal Code is hereby enacted as set forth in Exhibit A, which is attached hereto and incorporated herein by reference, with deletions shown by ~~strike through~~ and additions 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, 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 July 1, 2021.

PASSED this ____ day of _____, 2021.

Michael W. Schweller, Mayor

ATTEST:

RECORD OF ORDINANCES

Ordinance No. 2021-2

January 25, 2021

Pamela Timmons, Clerk of Council

APPROVED AS TO FORM:

Stephen M. McHugh, Municipal Attorney

RECORD OF ORDINANCES

Ordinance No. 2021-2

January 25, 2021

EXHIBIT A

Sec. 1244.01. Application; Fees.

(a) Zoning permits or certificates, where required, shall be issued upon payment of fees as provided in subsection (b) hereof. The application for each zoning permit or certificate shall be accompanied by the proper fee, which shall be received by the Zoning Inspector and paid to the Director of Finance and, upon issuance of the permit or certificate, paid into the General Fund.

(b) The schedule of fees for zoning permits and certificates shall be as follows:

(1) Zoning permit for construction in all zones:	
(A) Up to 1,000 square feet of floor area	\$ 50.00 <u>\$100</u>
(B) Each additional 500 square feet or fraction thereof	10.00 <u>20.00</u>
(2) Zoning permit for additions:	
(A) Up to 100 square feet of floor area	25.00 <u>50.00</u>
(B) Each additional 100 square feet or fraction thereof	2.00 <u>5.00</u>
(3) Zoning permit for fences and walls (all types) Each project	 25.00
(4) Zoning permit for swimming pools and required fences	25.00 <u>30.00</u>
(5) Zoning permit for nonconforming uses	25.00
(6) Zoning permit for signs	50.00
Zoning permit for temporary sign, per occurrence	25.00
(7) Zoning permit for a detached garage and accessory building:	
(A) Up to 100 square feet of floor area	10.00 <u>25.00</u>
(B) Each additional 100 square feet or fraction thereof	5.00
(8) Zoning permit for a temporary use:	
(A) Construction yard or office for one-half year (Sec. 18.13(1) of the Zoning Code)	 50.00
(B) Real estate sales office for one year (Sec. 18.13(2) of the Zoning Code)	 50.00
(C) Gathering - first day (Sec. 18.13(4) of the Zoning Code) each additional day	 15.00 5.00
(9) Certificate of zoning compliance: (I-1, 0-1, B-1, B-2, B-3, B-4 Districts)	 20.00 <u>50.00</u>
(10) All other zoning permits	10.00

(c) The following fees and charges shall be paid into the General Fund and are nonrefundable, either in whole or in part:

(1) Application for a variance	100.00 <u>200.00</u>
(2) Application for a conditional use	100.00 <u>200.00</u>
(3) Petition for a change, amendment, supplement, repeal or modification of the Zoning Code	 200.00 <u>250.00</u>

RECORD OF ORDINANCES

Ordinance No. 2021-2

January 25, 2021

- (d) If a permit is not obtained or a fee is not paid prior to the initiation of construction, a penalty of ~~50~~ fifty percent of the permit fee or filing fee shall be added to the fees listed in this section if the project is in full compliance with the Zoning Code.
- (e) In the event of a returned check, a non-refundable fee of \$30.00 will be collected along with the permit or certificate fee prior to processing of the permit or certificate. Payment of the returned check fee and permit or certificate fee will only be accepted in cash or money order. Future payments may also be required in cash or money order.

Residential Zoning Permit and Subdivision Fees as Compared to City of Bellbrook

Zoning Permits	Bellbrook Fees	City of Lebanon	City of Troy	Yellow Springs	City of Xenia	Sugarcreek Township Fees	City of Beavercreek	Total	Average	Suggested Fee
(A) Construction up to 1000 sq. ft.	\$50.00	Residential/ Commercial 100.00/150.00	50.00/100.00	\$35.00	\$100.00	\$300.00	\$60.00	\$695.00	\$99.28	\$ 100.00
(B) Each additional 500 sq. ft.	\$10.00	Per 100 sq. ft. \$15.00	\$1.00	-	\$50.00		-	\$76.00	\$19.00	\$ 20.00
(A) Additions up to 100 Sq. ft	\$25.00	Flat fee \$100.00	\$25.00	-	\$30.00	\$75.00	\$30.00	\$285.00	\$47.50	\$ 50.00
(B) Each additional 100 Sq. ft or fraction thereof	\$2.00	Flat fee \$0.00		-	\$0.00	\$0.00	\$60.00	\$62.00	\$31.00	\$ 5.00
Fences and Walls (Each Project)	\$25.00	\$30.00	\$10.00	\$15.00	\$20.00	\$25.00	\$30.00	\$155.00	\$31.00	Keep
Pools and required fences	\$25.00	\$30.00	\$25.00	\$15.00	\$30.00	\$50.00	\$30.00	\$221.00	\$31.57	\$ 30.00
Signs	\$50.00	\$30.00	25.00 + .50 sq. ft.	\$15.00	\$40.00	\$30.00 + 2.00/Sq. ft over 10	\$100.00/\$125.00	\$290.00	\$41.43	Keep
Temporary Signs, per occurrence	\$25.00		\$25.00		\$20.00	\$25.00	\$25.00 + \$50.00 Cash Bond	\$145.00	\$24.61	Keep
Detached Garage or Accessory Building										
(A) Up to 100 sq. ft	\$10.00	Up to 200 sq. ft \$30.00	\$25.00	\$15.00	\$30.00	\$25.00	\$30.00	\$165.00	\$23.57	\$ 25.00
(B) Each additional 100 sq. ft or fraction thereof	\$5.00	Over 200 sq. ft \$50.00		-	\$0.00	\$40.00	\$60.00	\$155.00	\$38.75	Keep
Temporary use (see Sec 18.13(1), 18.13(2))	\$50.00	off street parking & Loading \$100 + 10.00 per 1000 sq. ft over 5000 sq. ft.	\$50.00	-	\$40.00	\$40.00	\$50.00	\$230.00	\$46.00	Keep
Gathering	\$15.00			-				\$15.00		Keep
Each additional day	\$5.00			-						Keep
Certificate of Zoning Compliance (1-1, O-1, B-1, B-2, B-4)	\$20.00			\$15.00	\$100.00	\$50.00	\$50.00	\$235.00	\$47.00	\$ 50.00
All other zoning permits	\$10.00							\$10.00		Keep
Application for a variance	\$100.00	Residential/Non Residential \$150.00/\$250.00	\$200.00	\$100.00	\$100.00	\$500.00	\$100.00	\$1,250.00	\$178.57	\$ 200.00
Application for a conditional use Petition/change/amend Zoning Code	\$100.00	\$150.00 + zoning permit	\$200.00	\$100.00	\$100.00	\$500.00	\$250.00	\$1,400.00	\$200.00	\$ 200.00
	\$200.00	\$250.00	\$150.00	\$200.00	\$150.00	\$750.00	\$250.00	\$1,770.00	\$252.85	\$ 250.00

Residential Zoning Permit and Subdivision Fees as Compared to City of Bellbrook

*****Red text indicate less than Bellbrook Charges, Blue text indicate more than Bellbrook charges. All calculations are for residential properties, calculations are based on surrounding Greene County Communities.*****

Subdivisions	Bellbrook Fee	City of Lebanon	City of Troy	Village of Yellow Springs	City of Xenia	Sugarcreek Township	City of Beavercreek	Total	Average	Suggested Fee
Preliminary Fee	\$200.00 + \$25.00 per acre	\$200.00 +\$10.00 per lot	50.00 +1.00 per lot	\$200.00	\$150.00	500 + 75 per lot	\$250.00	\$1,550.00	\$221.43	225.00 + \$25.00 per/acre
Final Fee	\$250 + \$25.00 per acre	\$200.00 +\$10.00 per lot	65.00 + 1.00 per lot	100.00 + 20.00 per lot	100.00 + 15.00 per lot	500 +150 per lot	\$200.00 + 50.00/acre	\$1,415.00	\$202.00	Keep
Lot Split/Lot Combination ** recently changed	\$150.00	\$200.00 + \$10.00 per lot	50.00 + 1.00/lot	100 Jf requires planning commission approval	\$50.00	\$150.00	\$50.00	\$350.00	\$70.00	Changed
Soil Erosion and Sedimentation Permit Fee	\$100+ \$10 per acre		\$200.00	50.00/100.00			only if landscape is greater than 2,000	\$600.00	\$200.00	\$200.00 + \$10.00 per acre

*****Red text indicate less than Bellbrook Charges, Blue text indicate more than Bellbrook charges. All calculations are for residential properties, calculations are based on surrounding Greene County Communities.*****

RECORD OF RESOLUTIONS

Resolution No. 2021-C

January 11, 2020

City of Bellbrook

Resolution No. 2021-C

A Resolution Approving the Amended Solid Waste Management Plan of the Greene County Solid Waste Management District.

WHEREAS, the Greene County Solid Waste Management District Policy Committee is responsible to prepare and amend the Greene County Solid Waste Management Plan; and

WHEREAS, by Resolution 2020-12-23-1 the Greene County Solid Waste Management District Policy Committee adopted the Amended Solid Waste Management Plan on December 23, 2020; and

WHEREAS, pursuant to Ohio Revised Code Section 3734.55 (B) the Board of County Commissioners and the legislative authority of each municipal corporation or township under the jurisdiction of the District must approve or disapprove the Amended Solid Waste Management Plan by ordinance or resolution; and

WHEREAS, this body has reviewed the Amended Solid Waste Management Plan and considered it at a duly called public meeting; and

WHEREAS, the Amended Solid Waste Management Plan furthers the public interest.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. The Amended Greene County Solid Waste Management Plan adopted on December 23, 2020, is hereby approved by the City of Bellbrook, and

Section 2. A copy of this Resolution of Approval shall promptly be delivered or cause to be delivered to the Greene County Solid Waste Management District Policy Committee at Greene County Environmental Services, 2145 Greene Way Boulevard, Xenia, OH 45385.

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

Passed this 11th day of January 2021.

Michael W. Schweller, Mayor

ATTEST:

Pamela Timmons, Clerk of Council

Greene County Solid Waste Management District

Draft Plan Executive Summary 2021

As required by the Ohio Revised Code (ORC) Section 3734.53, Greene County has prepared the Draft Amended Solid Waste Management Plan (Draft Plan). The Solid Waste Management District Policy Committee (Committee) is responsible to complete the Draft Plan. Committee membership is established by the Ohio Revised Code. The seven members of the Committee include representatives from the County Commission, Largest Municipality, Township Trustees, Health Department, Citizen Representative, Industrial/Commercial Waste Generator, and the Public Representative.

The Draft Plan must comply with Ohio Revised Code Section 3734.53. The Ohio Environmental Protection Agency used this ORC section to develop the "District Solid Waste Management Plan Format". To compose the Plan, the Committee must follow the instructions and directions listed in the Format.

The Draft Plan is a complex document that contains Chapters and Appendices. Information listed in the Chapters is designed and written for government leadership and the public. The detailed analysis of the Appendices is for review by the Ohio Environmental Protection Agency.

To assist community leaders and the public to review the Draft Plan, a summary of the Chapters is provided.

Chapter 1. Introduction

An introduction to Solid Waste Planning in Ohio along with requirements for Solid Waste Districts is provided. Greene County Solid Waste Management District's (District) current Plan was approved by OEPA in 2015. It is required to be updated by 2021. The reference or baseline year for the Draft Plan is 2018. Members of the Policy Committee are identified plus the District's contact information is listed.

Chapter 2. District Profile

Identifies Greene County as the Solid Waste Management District and provides an overview of the County. This overview lists the political jurisdictions along with population and significant waste generators such as schools, Wright Patterson Air Force Base, and several industries.

Chapter 3. Waste Generation

In 2018, the Residential/Commercial sector's generation of solid waste was 140,717 tons. Included in this amount is 27,694 tons of materials that were recycled and 16,389 tons of yard waste that were composted. The District's recycling percentage for 2018 was 31% which exceeds the State's goal of 25% for the Residential/Commercial Sector.

The amount of solid waste generated by the Industrial Sector equaled 16,890 tons for 2018. Of this total waste generated, industries reported recycling 13,523 tons. This results in a recycling rate for the Industrial Sector of 80%, which exceeds the State's goal of 66%.

Chapter 4. Waste Management

Provides a summary of the waste generated during 2018 and estimates for the amount of waste that will be generated from 2021 to 2026. In 2018, District generated waste was disposed in six sanitary landfills in Ohio. Stony Hollow sanitary landfill in Montgomery County and Rumpke's sanitary landfill in Hamilton County directly accepted over 26% of the wastes disposed. Additionally, three transfer facilities located in Greene, Fayette, and Montgomery Counties collected District waste prior to it being landfilled.

Recycling programs are offered and supported through government agencies and private vendors. There are three waste hauling companies that provide solid waste disposal and recycling services to residents and businesses in the District.

In addition, there are several composting facilities that are operated by the private sector. Two of these facilities are located in the District and three are just outside the District's borders. In addition, one Village hosts a composting operation. These operations provide an outlet for leaves, grass, and brush.

The District has demonstrated that it has access to sufficient disposal capacity at sanitary landfills to accommodate the solid waste generated by the District. Since waste may be collected at transfer facilities prior to landfilling, those are identified. Facilities that accept and process recyclables and compostable materials are listed in this Chapter.

Chapter 5. Waste Reduction and Recycling

The District intends to maintain the core operations provided at Environmental Services and bolster efforts with outreach and education to increase recycling. Recycling cardboard will be the focus of the recycling education.

All programs and services that recycle or compost are listed in this Chapter and are organized by the State's format. The programs and services developed by the Policy Committee resulted from a strategic process that evaluated the recycling efforts in Greene County. Below is a summary of the programs and services. Chapter 5 of the Plan Update includes a detailed description for each program and service.

Multi-Family Unit Recycling – developing a tool kit to assist multi-family units recycling and best management practices guide for ordinance or zoning/building codes.

Residential Recycling Program – work with the waste management vendors to conduct a participation and set out rate study plus maintaining open options for development of partnerships between public and private resources.

Commercial/Institutional Sector Recycling – provide recycling containers for venue type events and offer waste audits or technical assistance to manage commodities.

Industrial Sector Recycling – offer waste audits, technical assistance to manage commodities, and support link to the materials marketplace.

Restricted and Difficult to Manage Waste including yard waste, household hazardous waste, scrap tires, electronic, lead-acid batteries, and appliances – services to manage the yard waste, household hazardous waste, scrap tires, lead-acid batteries, and appliances will be provided through the Environmental Services Recycling Complex. Management of scrap tires is dependent on grants. Electronics will be managed through a local not-for-profit or private entities.

Material Specific Program – evaluate the generation of food waste created by the commercial sector and develop a campaign to focus of food waste prevention and donation programs.

Grants – authorizes the District to apply for grants that complement the Plan or support progressive solid waste management.

Data Collection – annually survey the recycling activity of the residential, commercial, and industrial generators.

Disaster Assistance – enables the District to provide resources to respond to and manage debris generating events and transition the roadside litter program to the management of local jurisdictions.

Facility Operations – maintains the Environmental Services Recycling Complex.

Outreach, Education, Awareness, and Technical Assistance – include campaigns to reduce waste, promote recycling in communities, and explore options for backyard composting. These campaigns will be shared via electronic communication media such as websites and social media plus traditional communication tools. To support the campaigns with presentations or hands on displays, the District plans to partner with Greene Soil & Water, Greene County Sanitary Engineering, and the Master Gardener program. Tours of local waste management facilities and presentations to schools are planned. Overall, activities will focus on recycling cardboard.

Chapter 6. Budget

The District is funded through two sources, generation fees and sale of commodities. The District expects revenues of just over one million per year from the \$10.00 per ton generation fee. Annually, sale of commodities will generate about twenty-thousand dollars. Expenses are calculated at just under one million each year. The projected distribution of expenses includes personnel and overhead, yard waste management, drop-off recycling, special material collections, and education. Expenses are expected to increase by 3% annually and the distribution of expenses will be maintained.

RECORD OF RESOLUTIONS

Resolution No. 2021-D

January 25, 2021

City of Bellbrook

Resolution No. 2021-D

A Resolution Designating a Public Depositor (KeyBank National Association) of Active and Interim Deposits of the City of Bellbrook.

WHEREAS, KeyBank National Association has been the designated public depository for active and interim inactive deposits for the City and the existing agreement will expire February 1, 2021; and

WHEREAS, it is the determination of Council that KeyBank National Association may continue to be designated as depositor for the active and interim funds of the City, with such designation to be confirmed by the execution of a depository agreement with the City; and

WHEREAS, State law authorizes the granting of depository agreements for a period of up to five years; and

WHEREAS, KeyBank is requesting to replace the existing depository agreement with a revised depository agreement permitting participation in the Ohio Pooled Collateral Program administered by the Office of the Treasurer of the State of Ohio.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. That KeyBank National Association is hereby designated as official depositor for the active and interim funds of the City of Bellbrook pursuant to Section 135.10 of the Ohio Revised Code and subject to the execution of a formal depository agreement and attached hereto as Exhibit A.

Section 2. That the depository agreement will be in effect from February 1, 2021 until February 1, 2026.

Section 3. That City Council authorizes the City Manager/Finance Director to execute the agreement on behalf of the City.

Section 4. That upon the execution of depository agreement, the Director of Finance is hereby authorized to deposit active and interim funds of the City in said bank.

Section 5. That this resolution shall take effect and be in force forthwith.

Passed this 25th day of January 2021.

Michael W. Schweller, Mayor

RECORD OF RESOLUTIONS

Resolution No. 2021-D

January 25, 2021

ATTEST:

Pamela Timmons, Clerk of Council

**MEMORANDUM OF AGREEMENT
ACTIVE AND INTERIM DEPOSITS**

This Memorandum of Agreement (“Agreement”), is made as of January 6th, 2021, between **KeyBank National Association, (KeyBank” or “Bank”)** and the **City of Bellbrook, Ohio (the “Depositor” or “Public Unit”)**. Depositor hereby confirms that it has designated KeyBank as a Public Depository for its Active and Interim deposits for the period of designation from February 1st, 2021 through January 31st 2026, both dates inclusive, in the total amount of **\$5,000,000.00**. This Agreement supersedes and replaces any and all prior agreements between the parties, relative to the subject matter of this Agreement, as of the date first referenced hereinabove.

ACTIVE DEPOSITS

Bank agrees to accept active deposits during the period of designation subject to the Bank's posted rules and regulations from time to time in effect for commercial accounts. Bank agrees to keep such sums on deposit pending payment by depositor.

Bank agrees that the sums deposited to the credit of Depositor’s active commercial accounts may be drawn against and paid by check executed by such authorized persons. Depository must be notified in writing if designated persons change.

Bank agrees to supply Depositor’s Treasurer each month, only during the period of designation, a statement of the daily activity in the Depositor’s accounts.

INTERIM DEPOSITS

Whenever any Interim deposits of Depositor are awarded to and accepted by the Bank pursuant to Chapter 135 of the Ohio Revised Code, the Interim moneys shall be evidenced by the Bank’s interest bearing Certificates of Deposit. Such rates may be agreed upon by Bank and Depositor before issuance of said Certificates.

PLEGGED COLLATERAL -- OHIO REVISED CODE CHAPTER 135
(ORC 135.18(A)(2); 135.37(A)(2); 135.182; OAC 135-3-01)

KeyBank has been accepted into the Ohio Pooled Collateral Program, O.A.C. 135-3-01 (“OPCP”), which is authorized by Ohio Revised Code Section 135.182(B), and the Ohio Pooled Collateral System (OPCS) , both of which are administered by and through the Office of the Treasurer of the State of Ohio.

In executing this Agreement, the undersigned Depositor/Public Unit represents that it is participating in, or will participate in, the OPCP and OPCS and acknowledges that KeyBank, as a Public Depository, will pledge, with other Public Depositories, a pool of eligible securities for the benefit of all public depositors to secure the repayment of uninsured public deposits at KeyBank, at the rate of 102% of the Depositor/Public Unit’s uninsured deposits, i.e. those deposits in excess of FDIC insured deposits, or at no less than the collateral floor the Ohio Treasurer of State, in his/her sole discretion, assigns to KeyBank as permitted under Ohio Revised Code Sections 135.18(A)(2), 135.182(B), 135.137 (A)(2), and the OPCP. If the latter event has occurred, eligible securities will be pledged by KeyBank at the rate of 50 % of Depositor’s uninsured deposits. In the event that such an assignment has not yet been

made, and the Ohio Treasurer of State assigns such rate in the future, KeyBank will provide Depositor with written Notice of the specific percentage of eligible securities to be pledged by KeyBank as security for the uninsured portion of Depositor's account(s), which Notice shall, upon receipt by Depositor, become a part of, and be incorporated into, this Agreement.

Depositor agrees that should it become necessary to look to collateral deposited in the OPCP for return of the value of its uninsured deposits at KeyBank, it will make such claim directly to and through the Ohio Treasurer of State and not through KeyBank. KeyBank, the Ohio Treasurer of State, and an eligible and qualified Trustee(s) (as approved by the Ohio Treasurer of State pursuant to ORC 135.182(C)) will enter into an agreement whereby collateral pledged to secure the uninsured portion of the Depositor's account(s), as a percentage of Depositor's deposits at KeyBank and as determined above, will be deposited with the Trustee(s) as Custodian and held as security for the benefit of Public Depositors through OPCP administered by the Treasurer of the State of Ohio.

Depositor/Public Unit hereby consents, in connection with its and KeyBank's participation in the OPCP, to the sharing of its account information by and between KeyBank and the Office of the Ohio Treasurer of State, in order to effectuate the terms, conditions and requirements of OPCP and OPCS.

This Agreement will be executed as two originals, one of which will be retained by each party hereto.

CITY OF BELLBROOK, OHIO

KEYBANK NATIONAL ASSOCIATION

(Depositor)

By: _____

By: *Oksana J. Bruce*

(Printed Name) _____

(Printed Name) Oksana Bruce

Title: _____

Title: VP, Relationship Manager _____

LOB: Public Sector

To: Mayor & City Council
From: Melissa Dodd, City Manager
Date: January 22, 2021
Subject: City Manager Update

- **Downtown Sidewalk Letters Sent** – On January 5th 152 letters were sent that covered approximately 250 properties/parcels. The letter was to inform owners of the sidewalk regulations in place and that a full assessment of sidewalks will occur by staff this spring/summer. Once the assessment is complete, property owners will be notified of any issues identified and request them to have them remediated. The timeline and next steps are still being discussed internally.
- **Monthly Board Activity Updates** – City Council will be receiving a monthly update on board activity for the previous month. This can go in a meeting packet or can be sent to Council via email.
- **Annual Reports Scheduled** – Annual reports for Service, Police and Fire will occur over the course of the next three meetings. Each department head will present their report at the meeting. The reports presented will also be part of each meeting packet.
- **Planning and Zoning Update** – I would like to add Planning and Zoning to the annual updates. This can either be presented by our Planning and Zoning Assistant or included in a meeting packet and I can present.
- **Article 14 Update** – Article 14 was passed by Planning Board at their January 21st meeting. The ordinance will be reviewed by our municipal attorney and once approved brought to Council for approval.
- **COVID-19** – An email newsletter went out last week about the phase 1b vaccination distribution. It linked information on where to find providers and also to be put on a notification list for clinics held by Greene County Public Health. I will continue to share the information as it becomes available by way of e-newsletter and our website.
- **2020 Financial Reports** – The compilation of the 2020 financial statements has begun. Staff has been forwarding all of the necessary documentation for their preparation.
- **Sable Ridge Gate Agreement Near Completion** – I have been working with the HOA of the Sable Ridge community for nearly 8 months to come up with an agreement for the HOA to take responsibility for maintenance of the gate at Kensington Drive between the communities. We plan to have the agreement and a resolution before council to authorize execution at the February 8th meeting.

- **CDBG Grant** – I received an email that the Greene County Community Development Block Grant through Greene County will be opening in March/April. The requirements are changing but I will be still working to identify a project for submission since we will be eligible to apply again this year after our last award.
- **Greene County Municipal Grant** – For the last 2 years we received money from Greene County as a grant to be used to leverage other funding for various projects that fit criteria they gave. This year instead of granting an allocation to each municipality they are soliciting applications and will be granting it based on projects submitted. I am unsure if we will be ready to submit this year but I am working closely with representatives from the County.
- **Mural Request** – I have been approached by a group of high school students called the “Bellbrook Hopeful Squad”. They are looking to install a mural in the downtown and seeking a suitable spot to place it. We are working with them to help find a space and work through an approval process as murals are not currently addressed in our codes.
- **Quarterly Community Meeting** – I sent an email to representatives from the Parks, Township and Schools on the 21st to get a meeting on the February calendar as part of Council’s goals to restore these. I will follow up once I have received responses.



To: Mayor & Council
From: Melissa Dodd, City Manager
Date: January 22, 2021
Subject: 4th Quarter Financial Update

The following is a brief summary of the City's financial status:

Cash Balance & Investments:

- Total ending balance of all accounts was **\$7,599,344** as of December 31, 2020. Total encumbrances outstanding at the end of the month are **\$192,584** which leaves an unencumbered balance of **\$7,404,267**.
- All major funds added to their reserves at the end of 2020. A summary of the major fund balance changes at year end are as follows:

General Fund.....	+\$289,722
Police Fund.....	+\$190,892
Fire Fund	+\$183,167
Street Fund.....	+\$100,524
Waste Collection Fund	+\$18,227
Water Fund.....	+\$564,530

- The following is a breakdown of unencumbered balances by fund type:

Property Tax Supported Funds	\$3,393,111
Transportation Restricted Funds	\$573,558
Water Fund	\$3,275,338
Waste Collection Fund	\$136,518
Local Coronavirus Relief Fund.....	\$2,223
All Other Funds	\$25,742

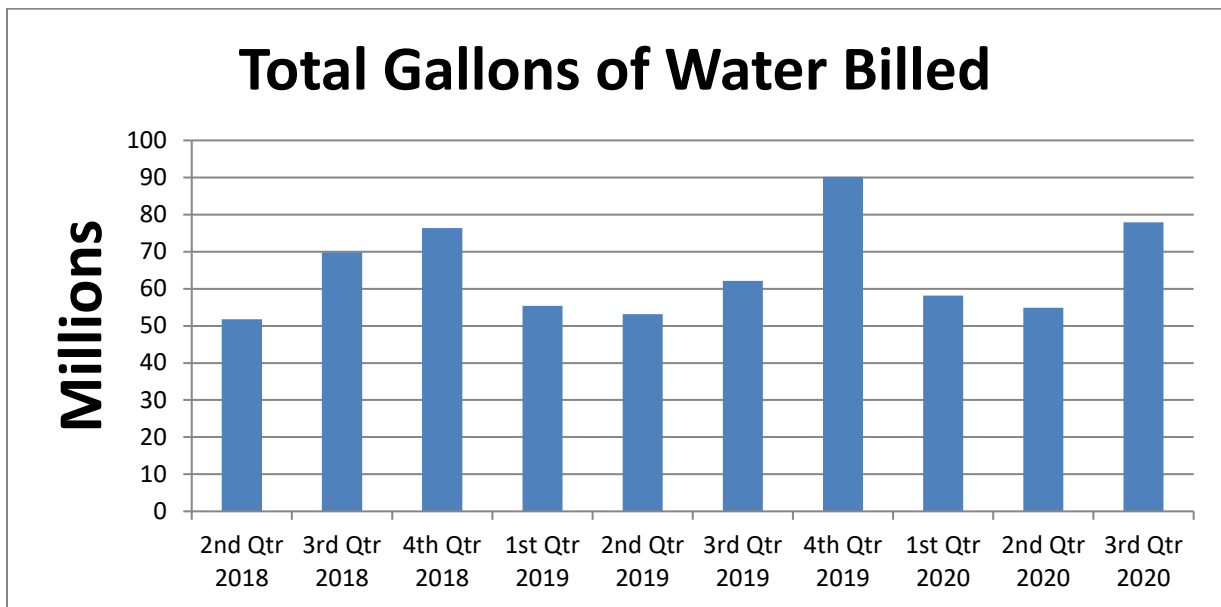
- From the total ending balance above, the following were the balances in our investment accounts as of December 31st - SJS/Schwab - **\$1,942,284** and STAR Ohio - **\$3,344,641**

Revenues:

- The following is a summary of major revenue sources:

<u>Major revenue sources</u>	<u>Actual thru 12/31/2019</u>	<u>Actual thru 12/31/2020</u>	<u>% change from 2019</u>
Property Tax	\$3,130,347	\$3,172,958	1.36%
Homestead & Rollback	434,321	434,289	0.00%
Local Government Funds	108,047	123,539	14.34%
Cable Franchise Fees	103,068	103,276	0.20%
Gasoline Tax	330,036	403,496	22.26%
EMS Receipts	115,856	104,763	-9.58%
Waste Collection Fees	444,843	493,929	11.03%
Water Fees	1,580,932	1,662,041	5.13%
Tap-in Revenue	183,200	135,000	-26.31%
Grand Total Revenue (excluding transfers)	\$5,894,903	\$7,897,147	33.97%

- Total Water Billed:**



- The breakdown of **tap-in fees** by subdivision is as follows:

<u>Subdivision</u>	<u>Qty</u>	<u>Amount</u>
Highview Terrace	4	\$ 12,000
Landings	40	\$ 120,000
Regent Park Place	-	\$ -
<u>Miscellaneous</u>	<u>1</u>	<u>\$ 3,000</u>
TOTAL	45	\$ 135,000

Expenses:

- The following is a summary of expenses by type:

	2020 Total	Actual thru	% of Total
	<u>Budget</u>	<u>12/31/2020</u>	<u>Budget</u>
			<u>Spent</u>
Wages & Compensation	\$2,899,962	\$2,603,100	90%
Fringe Benefits	\$1,078,892	901,774	84%
Contract Services	\$1,680,863	1,374,377	82%
Supplies & Materials	\$298,300	156,337	52%
Capital Outlay	\$1,172,792	983,410	84%
Other Expenses	\$560,152	474,197	85%
Debt Service	<u>\$110,902</u>	<u>110,901</u>	<u>100%</u>
Grand Total Expenses (excluding transfers)	\$7,801,863	\$6,604,096	85%
Transfers		<u>\$ 772,600</u>	
Grand Total with Transfers		\$ 7,376,696	

Capital Projects:

The following is the status of major capital projects included in the 2020 budget:

Project	2020 Original Budget Amount	2020 Actual Amount	Project Complete
CAPITAL IMPROVEMENT FUND			
Administration			
Finance Software Conversion Tabled until Spring 2021	\$14,175	\$14,175	No
Police, Fire & Admin Workstations Complete	\$15,000	\$10,883	Yes
Sound mixer for Council Chambers Installed and complete	\$3,000	\$2,996	Yes
Fuel System Upgrade Complete	\$15,000	\$14,750	Yes
TOTAL	\$47,175	\$42,804	

SERVICE			
Annual Street Repair and Resurfacing	\$150,000	\$124,419	Yes
Out of \$200,000 budget - came in at \$165,892 total			
Beechwood Drive Culvert Lining	\$50,000	\$49,165	Yes
Complete			
North West Street Sidewalk Improvements	\$46,000	\$19,925	Yes
Done in under half of budget			
TOTAL	\$246,000	\$193,509	

Police			
Mobile Data Terminals	\$20,000	\$15,253	Yes
Complete			
Weapons - guns and tasers	\$16,000	\$16,000	No
Ordered and waiting for final invoice			
Furniture and fixes	\$2,500	\$2,500	No
Tabled for the year			
TOTAL	\$38,500	\$33,753	

Fire			
Architectural work for fire station combination	\$25,000	\$15,986	Yes
Renderings complete and awaiting city staff feedback			
Mobile Laptops	\$15,000	\$9,844	Yes
Completed			
Medic Cots Loading System	\$8,000	\$8,000	Yes
Completed			
New Sign at Station 2	\$16,000	\$8,562	Yes
Completed			
Hose Roller	\$8,000	\$6,630	Yes
Completed			
Self Contained Breathing Apparatus	\$30,000	\$33,525	Yes
Over budget due to price increase after budgeting - savings from other projects used			
Rescue Tool	\$35,000	\$31,952	Yes
Complete			
TOTAL	\$137,000	\$114,499	

CAPITAL IMPROVEMENT FUND TOTALS	\$468,675	\$384,565	
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Water Fund			
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Fire Hydrant Replacement Program Complete	\$30,000	\$29,009	Yes
GIS Equipment and Data Conversion Complete and in service	\$20,000	\$13,540	Yes
Utility Billing and Finance Conversion Project bumped to Spring 2021	\$42,525	\$42,525	No
Pickup truck Complete and in service	\$47,000	\$42,726	Yes
TOTAL	\$139,525	\$127,800	
TOTAL CAPITAL + WATER FUNDS	\$608,200	\$512,365	

BELLBROOK HISTORICAL MUSEUM UPDATE

Hi all,

Recognizing that it is way past time for an update on the Museum I'll try to give an update since our last meeting (November 2019).

Hopefully we shall be able to convene this Spring and return to normalcy soon after. Despite the restraints on our activities we have been able to move forward on several key fronts.

2021 MAJOR PROJECTS

The Museum has identified several major projects for 2021, regardless of the current restrictions imposed upon us by the Coronavirus. These are:

1. The **Digitizing Project**. Continued efforts to complete digitizing our entire artifact collections, including photos, publications, newspaper articles, etc. It is noteworthy that we are the only small museum in the area that is implementing this technology, at least that I am aware of.
2. The **On-Line Project**. This is the project that will result in the Museum being able to present our entire artifact inventory to the public, in their homes, 24/7. It has been one of our main goals for the past three years, and remains one of our highest priorities. As you may know we have been using a system called Past Perfect to accomplish this project. The software imbedded in the Past Perfect system is used by well over 1,000 museums and will eventually allow us to interact with all users using the system. The opportunities are literally endless. If you haven't seen the results of the project thus far, stop by the Museum and ask Judy Carr to see a sample of the information we now have on some of the artifacts. I think you will be impressed.
3. The **Wagon Project**. On January 5, 2021, with the help of City Service personnel and equipment, a late 1800's Farm Wagon was removed from a barn in Spring Valley Township. This is a comprehensive project involving the design, development and implementation of a broad range of sub-projects surrounding the acquisition of the wagon from a local resident. The activities resulting from the acquisition may include such far-ranging subjects as research, goal setting, educational program planning and the development of co-operative joint activities with other community organizations.

In addition to the above projects we also have our normal slate of Museum activities and management including hosting visitors on a twice-weekly basis, planning and executing the periodic Rotating Exhibit Room updates, special group visits, the annual Third grade tours, Sugar Maple Festival participation, and any other special requests that may come our way. Facility management direction is provided to the City to insure the Museum is kept as safe and inviting as possible.

In closing I am sure you share my concern for the health and well-being of our community, staff and fellow Trustees as we begin 2021. With that caveat in mind I pledge I shall get us back in the “normal” groove as soon as possible. Until then I shall try to provide you all with some varied opportunities for service and participation in the ongoing growth of your Museum.

Dwight Bartlett, President