

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 Bizzarro 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