

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Regular Meeting
June 28, 2021

Due to the COVID-19 pandemic the June 28, 2021, City Council Meeting was conducted using Zoom's remote webinar platform.

PRESENT: TJ Hoke
Ernie Havens
Dr. Van Veldhuizen
Forrest Greenwood
Elaine Middlestetter
Mayor Mike Schweller

ABSENT: Nick Edwards

ALSO PRESENT: City Manager Melissa Dodd

REGULAR MEETING

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

ROLL CALL

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

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

APPROVAL OF MINUTES

Mayor Schweller asked if anyone had any comments or corrections to the minutes of June 14. Hearing none he declared the minutes approved.

MAYOR'S ANNOUNCEMENTS

Mayor Schweller explained that the Article 14 work session has been postponed. He also announced that the executive session will begin at the end of regular business. Council will be reviewing City Manager applications.

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PUBLIC HEARING OF ORDINANCES - none

INTRODUCTION OF ORDINANCES - none

RESOLUTIONS

Dr. Van Veldhuizen read **Resolution 2021-Q A Resolution to Proceed to Levy a Tax in Excess of the Ten Mill Limitation.**

Mrs. Dodd explained that this is the last piece of legislation needed to place the tax levy on the November 2021 ballot. This will be the first of three opportunities to pass a levy before the current one expires at the end of 2022. This tax levy brings in \$226,000 to the City each year. She added that this is a renewal and qualifies for the state roll back and homestead exemptions.

Mayor Schweller pointed out that the last time this levy was up for renewal a citizen group was created to manage the signage and mailings associated with informing the public. Mrs. Dodd responded that she has already updated the mailer that was used last time. She will prepare information for Council concerning the steps and legal requirements.

Dr. Van Veldhuizen made a motion to adopt **Resolution 2021-Q A Resolution to Proceed to Levy a Tax in Excess of the Ten Mill Limitation.** Mr. Hoke seconded the motion. The Clerk called the roll. Dr. Van Veldhuizen, yes; Mr. Hoke, yes; Mr. Havens, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

Mr. Hoke read **Resolution 2021-R A Resolution Authorizing the City Manager to Sign an Agreement with the Greene County Engineer's Office for the Collective Paving Program for 2021.**

Mrs. Dodd explained that is the annual resolution to enter into a contract for the collective paving program through Greene County. Last year Council decided to use some of the additional money received from the gas tax to increase our allocation from \$150,000 to \$ 200,000. This year \$100,000 will

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come from the Streets Fund and \$100,000 from the Capital Fund with is funded by the General Fund. The amount took into account a six percent contingency. The City Manager has seen the bid which came in lower this year so the City might not have to spend the entire amount. She added that Service Director Pasley uses a system to measure all of the streets to be as accurate as possible. They monitor trucks and tonnage closely during the actual paving.

Mayor Schweller added that the City had investigated the cost of paving if we did not join in with Greene County and it was discovered that the collective program is a good choice because it is better pricing.

Mr. Hoke made a motion to adopt **Resolution 2021-R A Resolution Authorizing the City Manager to Sign an Agreement with the Greene County Engineer's Office for the Collective Paving Program for 2021.** Mrs. Middlestetter seconded the motion. The Clerk called the roll. Mr. Hoke, yes; Mrs. Middlestetter, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mayor Schweller, yes. The motion passed 6-0.

Mrs. Middlestetter read **Resolution 2021-S A Resolution In Support of the Bellbrook to Spring Valley Connector.**

Mrs. Dodd explained that there are several entities in Greene County applying for a RAISE grant. Sugarcreek Township is spearheading the grant portion that would fund the Bellbrook to Spring Valley connector trail. They are funding a match for the grant. Greene County Master Trails Plan looked at desired connections and this one is a high priority. Applications must be turned in to Brian Housh of the Rails to Trails Program by July 16. With this connector there will not be anything needing construction within the City. Bellbrook does not have room for a separate bike lane, but markings called "sharrows" will be painted on the pavement of Franklin Street as an indication that motorists and bicyclists must share the road. A path will be constructed starting outside of town connecting to the bike trail in Spring Valley.

Mr. Havens asked what was included in "all transportation modes". Mrs. Dodd explained that the wording is used to assure accommodations for all un-motorized forms of transportation such as bicycles and wheelchairs.

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Mrs. Middlestetter made a motion to adopt **Resolution 2021-S A Resolution In Support of the Bellbrook to Spring Valley Connector**. Dr. Van Veldhuizen seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mr. Hoke, yes; Mr. Havens, yes; Mayor Schweller, yes. The motion passed 6-0.

OLD BUSINESS - none

NEW BUSINESS - none

CITY MANAGER REPORT

Mrs. Dodd reported the following:

- Dispatch Contract Renewal with City of Xenia – The contract between the City of Xenia, Sugarcreek Township and the City expired on September 14, 2020. Since last summer we have been looking at the call volume and demand for service between Bellbrook and the Township. The demand is not actually split 50/50 which was what the original agreement had both parties paying. Xenia has come up with a proposed contract modification that would reduce our contract by 13% and increase the Township’s share by 13% with a 3% increase each year. Council will have the opportunity to review the details and the contract at an upcoming meeting. Even though there has been no contract in place since the expiration, the City continued to pay the last contract year amounts. So now the City is ahead of the annual fee for 2021 if the 13% decrease was to materialize. The annual fee will be \$232,000 if the City accepts the proposal. Sugarcreek Township would pay \$303,000. Prior to this decrease the City paid \$268,000.

Mayor Schweller asked how long the contract extends. Mrs. Dodd said it is a six-year contract. The Mayor asked about future calculations since the Township will have much more growth than Bellbrook. Mrs. Dodd said they will need to provide a way to recalculate.

Mr. Havens asked if the difference in the number of calls equaled the 13%. The City Manager explained that different types of calls were weighted differently so it is not a simple 13%. The

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calculation uses 75% readiness for service and 25% service utilization. The three-year average for calls equaled 5,000 for Bellbrook and 15,000 for Sugarcreek Township.

Mr. Havens stated that he understood that the City could go with Greene County instead of Xenia which some people say could be dramatically cheaper, maybe up to half the cost. He asked if this has been explored or if other options had been researched. Mrs. Dodd said they have not. Mayor Schweller said that Greene County had mentioned a potential plan, but it never materialized during the timeframe when this choice was made. The Council studied the situation thoroughly when considering the consolidation and made the best choice.

Mr. Havens added that he talked to several organizations who use the Greene County service with numbers closer to Bellbrook but whose cost was closer to \$50,000 instead of \$260,000.

Mrs. Middlestetter added that much of the cost is having a system and staff ready at all times whether calls come in or not. Response time was also a concern but there was almost negligible difference after the consolidation. Mr. Greenwood agreed that having Bellbrook, Beavercreek, and the Township hear each other on the radios which was a great improvement.

The City Manager expressed concern about wanting to shop around after being out of contract with Xenia for a year. She has not reviewed the current contract concerning a termination fee.

Mr. Havens suggested not telling them Bellbrook was looking at other services but try to slow down the process by 30 days or so since a contract has not been presented. Mrs. Dodd doubted anyone else could prepare a plan and contract to switch the entire dispatch service within a month.

- Lease with Golf Park – The owners of the Golf Park notified the City that they wished to exercise their right to a five-year lease extension of the well-field. In receiving this, the original contract was discovered. The contract was dated 2006 for a five-year time period with the option to renew it a certain number of times but not to go past 2026. It did not appear to have been approved by Council back in 2006 as there is no legislation which authorized the execution by the City Manager at the time. Mrs. Dodd sent the agreement to the Municipal Attorney and the City's insurance company who both suggested some changes. Therefore, a new lease agreement resolution will

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be brought before Council to approve at one of the meetings in July. The wellfield was purchased by the City in 2006 with the agreement to lease the land to the golf park at no cost.

- American Rescue Plan Funds – On the 22nd, news came out that townships would now be included in the distribution of ARP funds. This has greatly reduced the original proposed allocation of \$1.4 million to Bellbrook down to a maximum of \$769,291. The amount and the guidelines for using the funds are still evolving.
- Council Goals Update – The plan was to meet with each committee to review the respective goals. With meetings required to go back in person in July and to be respectful of time, a written update will be sent to each committee at the beginning of July and then a collective update to Council as a whole at the last meeting in July. In reviewing the state of each goal, many will be reserved for the next City Manager at this juncture.
- Juneteenth Federal and State Holiday – As Council is aware, Juneteenth was declared a federal, and subsequently, a state holiday recently. With that being said, Council will need to decide if they wish to observe this as a city holiday in the future and if so, modifying the Personnel Policy Manual in a future update to reflect such.

Mr. Hoke asked if the City Manager could present Council with the estimated cost to the City to make this an official holiday. Mrs. Dodd answered that the information will be brought to the next Council meeting.

- The revision of Article 14 has been tabled for Council approval until a new City Manager is installed.

COMMITTEE REPORTS

Service – Mr. Greenwood reported that the flash flood event on June 19 affected many areas of town including some damage to some homes and businesses. These events are becoming more frequent. Bellbrook should look at the issues as it pertains to infrastructure. He added that Dot's Market sign was struck and is no longer working. They also had some mud and flooding at the rear of the business from retention areas behind the building. Mayor Schweller added that he had spoken to Dot's owner to explain that the flooding did not come from public land or drains but probably from the retention pond of the Ridgewood development, so this case is not a City matter.

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Safety – Mr. Hoke explained that he was definitely affected by the flash flood when he was trapped outside of his neighborhood. He extended thanks and appreciation for the coordination between the Police Department and the Service Department who came out when the entrance to the Vineyards was flooded by about four feet of water and blocked by trees that had washed down the hill. He wanted to remind residents to never drive into water. Mrs. Dodd added that this is a good example of why developments with only one way in and out are a bad idea.

Finance – Dr. Van Veldhuizen reported that the City has received a clean audit report. No exit interview is required but he believes it would be useful to newer members of the committee.

Community Affairs – Mrs. Middlestetter reported that the committee is trying to coordinate times to interview board applicants.

CLERK’S REPORT

Mrs. Timmons reported that she will be attending the annual Ohio Municipal Clerk’s Institute July 11 through 15 in Columbus. The Mayor and City Manager have looked at the agenda for July 12 and at this point there are no items.

Mr. Havens made a motion to cancel the July 12 regular Council meeting. Mrs. Middlestetter seconded the motion and all member agreed. The motion passed 6-0.

Mrs. Timmons detailed the following items for Upcoming Council Meetings:

- July 26 – Resolution to Proceed for General Fund Levy Renewal
- The State has not extended the virtual meeting allowance past the June 30 deadline. This means the meetings will return to in-person starting July 1.

COMMENTS

Mrs. Dodd clarified that the Greene Central dispatch service is actually run by Xenia dispatch. They are the same thing; they do not have their own dispatch service.

Mr. Greenwood - none

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Mr. Havens - none

Mr. Hoke announced that there will be a Football Community Pep Rally on July 17 from 2:00-5:00 PM. The cost is \$10.00 per person and will be catered. He asked if the BZA-PRC will meet in July. The Clerk said that the board will meet in July. Mr. Hoke also recommends the documentary "American Factory" on Netflix which is about the Fuyao plant in Moraine.

Mrs. Middlestetter commented on the loss of one of the big trees in Bellbrook Park.

Dr. Van Veldhuizen asked Mrs. Dodd to express thanks to the Service Department for the amazing work they did following the flash flood.

Mayor Schweller asked if anyone has heard how this storm compared to the one in 2020 that washed away the N Belleview culvert and road. Mrs. Dodd did not have any details at this point.

PUBLIC COMMENT - none

ADJOURNMENT TO EXECUTIVE SESSION

Mrs. Middlestetter made a motion to enter executive session at 8:31 PM. The motion was seconded by Mr. Hoke. All were in favor.

The Mayor announced that there was no further business at 9:30 PM.



Michael W. Schweller, Mayor



Melissa Dodd, Acting Clerk of Council