



CITY COUNCIL REGULAR MEETING AGENDA

Monday, March 13, 2023 at 7:00 PM

15 East Franklin Street Bellbrook, Ohio 45305
T (937) 848-4666 | www.cityofbellbrook.org

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF THE MINUTES**
 - [A.](#) Approval of the February 13, 2023 Regular Meeting minutes
- 5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
 - A. Greene County Prosecutor David Hayes will present and introduce himself to Council.
- 6. CITIZEN COMMENTS**
- 7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS**
- 8. PUBLIC HEARING OF PROPOSED ORDINANCES**
- 9. INTRODUCTIONS OF ORDINANCES**
 - [A.](#) Ordinance 2023-O-1 AMENDING ORDINANCE 2022-O-10 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.
(Havens)
Motion for adoption at introduction.
- 10. ADOPTION OF RESOLUTIONS**
 - [A.](#) Resolution 2023-R-6 ESTABLISHING A SPECIAL REVENUE FUND NO. 202 TITLED "ONEOHIO OPIOID SETTLEMENT" (Cyphers)
- 11. OLD BUSINESS**
- 12. NEW BUSINESS**
 - A. Annual Review of City Department Activities and Highlights
- 13. CITY MANAGER'S REPORT**
 - A. Building Department/Permitting Process Options
 - B. Infrastructure Projects Update
- 14. COMMITTEE REPORTS**
 - A. Safety Committee
 - B. Service Committee
 - C. Finance/Audit Committee
 - D. Community Affairs Committee
- 15. CITY OFFICIAL COMMENTS**
- 16. EXECUTIVE SESSION**
- 17. ADJOURNMENT**

File Attachments for Item:

A. Approval of the February 13, 2023 Regular Meeting minutes

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
February 13, 2023

Item A. Section 4, Item

CALL THE MEETING TO ORDER:

Mayor Schweller called the Regular Meeting of the Bellbrook City Council to order at 7:00pm

PLEDGE OF ALLEGIANCE:

Mayor Schweller led the Council in the Pledge of Allegiance.

ROLL CALL:

PRESENT

Mrs. Katherine Cyphers
Mr. Forrest Greenwood
Mr. Brady Harding
Mr. Ernie Havens
Mr. T.J. Hoke
Mrs. Elaine Middlestetter
Mayor Mike Schweller

ABSENT:

None

ALSO PRESENT:

Rob Schommer, City Manager

APPROVAL OF MINUTES:

Mayor Schweller asked if anyone had comments or corrections to the minutes of the January 9, 2023, and January 23, 2023, meeting. Hearing none, the minutes were declared to be approved.

MAYOR'S ANNOUNCEMENTS / SPECIAL PRESENTATIONS:

None

CITIZEN COMMENTS

None

PUBLIC HEARING OF PROPOSED ORDINANCES:

None

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
February 13, 2023

Item A. Section 4, Item

INTRODUCTION OF ORDINANCES:

None

RESOLUTIONS:

Resolution 2023-R-2: Certifying the final enacted Resolution and authorizing the City Manager to execute a contract with the Ohio Department of Transportation for PID 110612 consisting of constructing a shared use path on Franklin Street (Harding)

The Resolution was read by Mr. Harding.

Mr. Schommer explained the Resolution finalizes the process for the Franklin Street bridge project to go to bid through ODOT. The project includes constructing a shared used path on the South side of Franklin Street (State Route 725) just West of Little Sugarcreek Road to the alley West of South West Street.

Mr. Schommer gave estimated prices and construction details and noted the project would go out for bid March 30, 2023, with a project timeline being Summer.

Mayor Schweller stated this being a State Route (725) the State provided us with the can's and cannot's on the project and is also managing the project for the City.

Mrs. Middlestetter asked what kind of traffic flow problems we anticipate since this is the one and only way into town. Mr. Schommer replied they will place a remote one lane traffic light for one of the three phases of the project. Most likely this will be started after school is out.

Mr. Hoke suggested letter or phone calls to the businesses in town to give them a heads up on the project.

Mr. Havens asked with the crosswalk, was there plans to expand the curb out where the cross walk only has two lanes. Mr. Schommer stated the crosswalk goes from curb to curb and the street narrows. He noted the plans for the crosswalk in front of the library for the streetscape project would include a bump-out of the curb. When attending the pre bid meeting the concerns will be brought up.

Mayor Schweller asked if there were any other questions or discussions. None

Motion to adopt resolution 2023-R-2

Motion made by Mr. Harding, Seconded by Mrs. Cyphers.

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Hoke, Mrs. Middlestetter,

Mayor Schweller

Voting No: Mr. Havens

Motion Carries

Mayor Schweller thanked the businesses located in that areas for working with us on the easements to

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
February 13, 2023

Item A. Section 4, Item

move forward with the project.

Resolution 2023-R-3: Declaring certain city owned property no longer required for municipal purposes as surplus and authorizing disposal of said property (Greenwood)

Mr. Schommer explained the Resolution would authorize the surplus of a backhoe to allow its sale through an online auction.

Mr. Greenwood asked if people could call if interested in the equipment. Mr. Schommer replied yes, all contact information is provided in the sale notice.

Mr. Harding asked if there was any value for sharing this as a backup incase needed. Mr. Schommer replied the use of those dollars would go further if we didn't keep this piece of equipment. We have alternates if needed, and reselling at the current market would be more beneficial than keeping it.

Motion to adopt Resolution 2023-R-3

Motion made by Mr. Greenwood, Seconded by Mrs. Middlestetter.

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. Hoke, Mrs. Middlestetter, Mayor Schweller

Motion Carries

OLD BUSINESS:

None

NEW BUSINESS:

Mayor Schweller noted the Board of Health requested re-appointment of William Beeman as the City's representative on the Board. Mr. Schommer noted Mr. Beeman was willing to be re-appointed.

Motion to Appoint Mr. William Beeman. Reappointed for another 4 more-year term on the Greene County Board of Health.

Motion made by Mr. Greenwood, Seconded by Mrs. Middlestetter.

Motion to appoint Mr. Beeman as the representative for Greene County Board of Health

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. Hoke, Mrs. Middlestetter, Mayor Schweller

Motion Carries

Mayor Schweller thanked Mr. Beeman for serving on the Board on behalf of the City of Bellbrook.

CITY MANAGER REPORT:

Mr. Schommer provided various updates including:

- updates on the Museum repairs, noting the work is near completion with only the front steps remaining.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
February 13, 2023

Item A. Section 4, Item

- The full-time fire fighter position has been posted for recruitment and the interview process for Police officer candidates is scheduled.
- Meeting with Lexipol for the policy and personnel and merit system manual updates is underway.

Mayor Schweller asked if any council had any questions for Mr. Schommer.

Mr. Greenwood asked about the building inspection process. He noted Xenia is going with a private company. He asked if there is a process for citizen grievances or concerns with building permits and inspections. Mr. Schommer replied yes this is in place now, as the City will advocate and assist any applicant through the process including pre-submittal meetings.

Mayor Schweller asked if there were any other questions or comments.

Mr. Harding asked within our zoning code is there anything that limits a business for the amount of illumination they can have on their store fronts. Mr. Schommer noted the most recent draft of code changes includes management of lighting.

Mr. Havens stated he is hearing positive and negative things that are impacting businesses within the community. He asked Mr. Schommer to help the council understand how much it cost the city to go with a private company for building permitting and not go through Greene County. Mr. Schommer replied there are a couple factors, one being the same fee schedule and whatever services the private contractor would agree to in their proposal.

Mr. Schommer stated if Council wanted to explore options, staff could seek proposals and identify the differences with a private firm compared to the services of Greene County.

Mayor Schweller asked for a Motion to research and receive proposals for commercial and residential building inspections.

Motion made by Mr. Havens, Seconded by Mr. Hoke.

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. Hoke, Mrs. Middlestetter, Mayor Schweller

Motion Carries

COMMITTEE REPORTS:

SAFETY: Mr. Hoke spoke on the police department and hiring. He also noted the training on New World record management system is ongoing. He added the Victim Advocate position responsibilities are being held by Christine Florea and new prosecutor Mike Mayor.

SERVICE: Mr. Greenwood spoke on the Miami Valley Reginal Planning Committee and projects in the region.

FINANCE/GOVERNMENT AFFAIRS: None

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
February 13, 2023

Item A. Section 4, Item

COMMUNITY AFFAIRS: None

CITY OFFICIAL COMMENTS:

Mr. Harding congratulates everyone involved in the recent Community Support Center Gala and stated it involved very fun events. He noted March 3, 2023, is a Casino Night event for the Bellbrook/Sugarcreek Chamber of Commerce. Lastly, thanked Mr. Schommer for the animal crossing signs placed on Franklin Street.

Mr. Havens noted the Lyons Club Pancake Breakfast coming up and is a great way to meet the community. He added the Community Support Center is offering a program to give a better understanding of people in poverty at the Fearless Church.

Mr. Hoke also noted the Casino Night on March 3, at 6:30pm located at the Sugar Valley Golf Club.

EXECUTIVE SESSION:

None

ADJOURNMENT:

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 8:47pm

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Ordinance 2023-O-1 AMENDING ORDINANCE 2022-O-10 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.
(Havens)

Motion for adoption at introduction.

RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2023-O-1

March 13, 2023

City of Bellbrook

Ordinance No. 2023-O-1

AMENDING ORDINANCE 2022-O-10 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Bellbrook adopted the 2023 annual budget based on the best information available at the time; and

WHEREAS, additional costs and/or adjustments are required for various 2023 Personnel Services and Other Expenses which requires the amendment of various appropriation levels.

Now, Therefore, the City of Bellbrook Hereby Ordains:

Section 1. That to provide for the required expenses and other expenditures of the City of Bellbrook during the fiscal year ending December 31, 2023, the appropriation levels are amended as set forth in Exhibit A attached hereto and incorporated herein by reference and hereby set aside to be appropriated.

Section 2. This Ordinance is declared to be an emergency measure necessary to meet a public emergency affecting health, safety, morals or the public welfare, or a special emergency in the operation of a Municipal department, and for the further reason that receipt of OneOhio Opioid Settlement Funds are required to be appropriated into a special revenue fund and repairs to the fuel system; therefore, this Ordinance shall take full force and effect immediately upon its adoption by Council

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.

PASSED BY City Council this ____ day of ____, 2023.

____ Yeas; ____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council

APPROVED AS TO FORM:

Stephen M. McHugh, Municipal Attorney

RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2023-O-1

March 13, 2023

EXHIBIT

Fund	2023 Current Appropriations	Personnel Revisions	Other Expenses Revisions	Total Revisions	Amended 2023 Appropriations
100 General Fund	\$1,970,991				\$1,970,991
<i>11 Legislative</i>	\$43,085				\$43,085
<i>12 Administrative</i>	\$568,262				\$568,262
<i>13 Library</i>	\$3,000				\$3,000
<i>14 Museum</i>	\$27,526				\$27,526
<i>15 Community Environment</i>	\$68,118				\$68,118
<i>30 Capital Outlay</i>	\$1,261,000				\$1,261,000
201 Local Fiscal Recovery Fund	\$521,200				\$521,200
202 OneOhio Opioid Settlement Fund	\$0		\$2,161	\$2,161	\$2,161
210 Street Fund	\$426,190				\$426,190
220 State Highway Fund	\$28,000				\$28,000
230 Police Fund	\$2,026,902				\$2,026,902
240 Fuel System Fund	\$1,550		\$1,000	\$1,000	\$2,550
250 Fire Fund	\$1,446,852				\$1,446,852
270 Police Pension Fund	\$80,590				\$80,590
280 Motor Vehicle License Fund	\$105,100				\$105,100
610 Waste Collection Fund	\$620,122				\$620,122
620 Water Fund	\$1,570,122				\$1,570,122
800 Performance Bond Fund	\$10,000				\$10,000
Total All Funds	\$8,8007,619		\$3,161	\$3,161	\$8,812,330

File Attachments for Item:

A. Resolution 2023-R-6 ESTABLISHING A SPECIAL REVENUE FUND NO. 202 TITLED “ONEOHIO OPIOID SETTLEMENT” (Cyphers)

OHIO AUDITOR OF STATE KEITH FABER

Auditor of State Bulletin Bulletin 2022-003

DATE ISSUED: March 10, 2022

TO: All County, City, Township, Village Officials and Independent Public Accountants

FROM: Keith Faber
Ohio Auditor of State

SUBJECT: OneOhio Opioid Settlement

Ohio reached an \$808 million agreement with the three largest distributors of opioids. The state developed the OneOhio plan, a mechanism to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crisis.

The settlement agreement allocates 30% to local governments (LG Share), 55% to a foundation that will distribute funds to projects, and 15% to the Office of the Ohio Attorney General as Counsel for the State of Ohio. This bulletin will focus on the allocation of settlement proceeds provided directly to local governments in the LG Share.

The purpose of this bulletin is to emphasize the separate accountability and accounting guidance for the LG Share of the OneOhio Opioid Settlement Funds (OneOhio Funds).

Approved Uses of the Local Government Share

OneOhio Funds must be utilized in a manner consistent with the “Approved Purposes” definition in the OneOhio memorandum of understanding (MOU). According to the MOU, the Funds must be used for “evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers[.]”

Additionally, Exhibit A of the MOU sets forth agreed Ohio Opioid Abatement Strategies.

The Ohio Opioid Abatement Strategy includes three main components:

1. **Strategies for Community Recovery:** Included but not limited to prevention, treatment, recovery support and community recovery projects (examples include child welfare, law enforcement strategies and other infrastructure supports). These strategies have a hyper-local focus that allows communities to collaborate and expand necessary services to their community.
2. **Strategies for Statewide Innovation & Recovery:** Included but not limited to strategies included in Community Recovery Component but also projects that promote statewide change and regional development for prevention, treatment, recovery supports and community recovery (examples include regional treatment hubs, drug task forces, data collection and dissemination). This component also includes research and development to understand how to better serve individuals and families in Ohio.
3. **Strategies for Sustainability:** Ohio's addiction and mental health epidemic was not created overnight, and it will not go away immediately. By collaborating to share resources and knowledge, Ohio's state and local communities can build a sustainable financing strategy and infrastructure to reverse the damage that has been done and prevent future epidemics and crises.

The LG Share of the OneOhio Funds can also be used for past expenditures that are consistent with the approved purposes definition.

Accounting for the Local Government Share

Ohio Rev. Code §5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose. Additionally, Ohio Rev. Code §5705.10(I) states that money paid into a fund must be used only for the purposes for which such fund is established.

Before the local government receives its portion from the state, the Auditor of State (AOS) recommends that each participating subdivision accepting the Funds provide by a written ordinance or resolution that the LG Share of the OneOhio Funds shall be placed in a separate fund and used only for the approved purposes as required by the OneOhio MOU. As the special fund is created under Ohio Rev. Code § 5705.09(F), local governments do not need to seek AOS approval for establishing this new fund.

AOS recommends that each participating subdivision accepting OneOhio Funds clearly document their rationale for each expenditure. This documentation is best provided by legislation adopted by the entity's legislative body explaining how the expenditure meets the approved purposes definition of the OneOhio MOU. To aid in our future audit work, we also ask that each expenditure be carefully tracked and adequate documentation of the expenditure be maintained.

For any expenditures previously made by a local government that are eligible for reimbursement with moneys from the LG Share, the local government must pass an ordinance or resolution that identifies

the prior expenditures and explains its determination that expenditures are for approved purposes consistent with the OneOhio MOU.

If local governments are using OneOhio Opioid Settlement dollars to reimburse expenditures from another fund, local governments have two options:

Reallocation method - Local governments should receipt the OneOhio Opioid Settlement dollars into the special revenue fund. If the original expenditure was made in the same fiscal year, the local government can reallocate the original expenditure from the original fund to the special revenue fund. Local governments should maintain documentation to support the reallocation. Local governments on the Uniform Accounting Network (UAN) system should refer to UAN for information on how to properly handle reallocations of expenditures in the UAN system. For guidance UAN provided to users to reallocate/reimburse receipts and expenditures using Coronavirus Relief Fund awards, click [here](#). Similar steps will apply to OneOhio Opioid Settlement dollars.

Invoice method - Local governments should receipt the OneOhio Opioid Settlement dollars into the special revenue fund. Management should prepare a detailed invoice documenting the fund that reported the original expenditure of allowable cost(s) (Original Fund), charge the invoice to the OneOhio Opioid Settlement Fund, and record a reduction of the appropriate expenditure if the reimbursement is within the same fiscal year as the original expenditure. Miscellaneous revenue may be a better choice if the reimbursement relates to a prior fiscal year. Some judgment may be needed to determine the best presentation of these amounts in each particular circumstance. Local governments should charge the appropriate functions/objects within the OneOhio Opioid Settlement Fund based on the billing received from the Original Fund. This method is most useful when the original expenditures were made in one year and receipt of the OneOhio Opioid dollars money didn't occur until the following year.

The AOS encourages recipients of OneOhio Funds to consult with their legal counsel as they plan to utilize the Funds.

Questions

This bulletin is not intended to answer all questions that local governments may have. AOS will continue to provide updated guidance.

If you have any questions regarding the information presented in the Bulletin, please contact the Center for Audit Excellence at the Auditor of State's Office at (800) 282-0370.



Keith Faber
Ohio Auditor of State

RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2023-R-6

March 13, 2023

City of Bellbrook State of Ohio

Resolution No. 2023-R-6

ESTABLISHING A SPECIAL REVENUE FUND NO. 202 TITLED “ONEOHIO OPIOID SETTLEMENT”

WHEREAS, the State of Ohio reached an \$808 million agreement with the three largest distributors of opioids and developed the OneOhio plan as a mechanism to ensure the funds from the settlement be fairly distributed to communities; and

WHEREAS, use of the funds must be consistent with the Approved Purposes definition within the OhioOne Memorandum of Understanding (MOU) authorized by City Council August 9, 2021 through Resolution No. 2021-AA; and

WHEREAS, Ohio Revised Code Ss5705.09(F) requires the establishment of separate funds for each class of revenue other than the general property tax which the law requires to be used for a particular purpose

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. That the OneOhio Opioid Settlement Fund is hereby established and shall be numbered as Fund 202 in the City of Bellbrook Chart of Accounts.

Section 2. That it is found and determined that all formal actions of the City Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of the State of Ohio.

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

PASSED BY City Council this ____ day of _____, 2023.

____ Yeas; ____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council