



## CITY COUNCIL REGULAR MEETING AGENDA Monday, March 14, 2022 at 7:00 PM

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

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**1. OATH OF OFFICE**

- A. Mayor Schweller to swear in and perform the Oath of Office for Mr. T.J. Hoke

**2. CALL TO ORDER**

**3. PLEDGE OF ALLEGIANCE**

**4. ROLL CALL**

**5. APPROVAL OF THE MINUTES**

- A. Approval of the February 28, 2022 Regular Meeting minutes.

**6. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**

- A. Swearing in and administration of Oath of Office for Chief Steve Carmin  
B. Recognition and Honoring the Retirement of Sgt. Burns  
C. Recognition of Eagle Scouts

**7. PUBLIC HEARING OF PROPOSED ORDINANCES**

**8. BOARD REPORTS**

**9. INTRODUCTIONS OF ORDINANCES**

- A. **Ordinance 2022-O-4** AMENDING ORDINANCE 2022-O-3 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY (Cyphers)

**10. ADOPTION OF RESOLUTIONS**

**11. REFERENCE OF LEGISLATIVE PROPOSALS TO COMMITTEES**

**12. CITY MANAGER'S REPORT**

- A. The City Manager will provide updates on various topics

**13. COMMITTEE REPORTS**

- A. Safety Committee  
B. Service Committee  
C. Finance/Audit Committee  
D. Community Affairs Committee  
Recommendation of appointment to Planning Board

**14. BIDS**

**15. OLD BUSINESS**

- A. Deputy Mayor Selection  
B. Rules of Council Amendment discussion.

**16. NEW BUSINESS**

**17. PUBLIC COMMENT**

**18. DATES OF FUTURE COMMITTEE MEETINGS**

**19. EXECUTIVE SESSION**

**20. ADJOURNMENT**

**FUTURE AGENDA ITEMS (DATES SUBJECT TO CHANGE)**

**File Attachments for Item:**

A. Approval of the February 28, 2022 Regular Meeting minutes.

# RECORD OF PROCEEDINGS

Bellbrook City Council Meeting  
Month DD, 20YY

Item A. Section 5, Item

## CALL 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  
Mrs. Elaine Middlestetter  
Mayor Mike Schweller

### ABSENT:

Mr. Ernie Havens

A motion to excuse the absence of Mr. Havens.

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

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

## APPROVAL OF THE MINUTES

Mayor Schweller asked if anyone had comments or corrections to the minutes of the February 14, 2022 Regular Meeting. Hearing none, the minutes were declared approved.

## MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

Mayor Schweller introduced County Commissioners Rick Perales and Tom Koogler for comments and presentation about Greene County Board of Commissioners. Commissioners Perales and Koogler provided comments and updates about County ARPA funding, county wide fiber project, the Greene County Jail project, and Spring Lakes Park bridge replacement.

Mayor Schweller read a Certificate of Recognition of Chief Doug Doherty's service to the community. He noted that prior to the meeting at Chief Doherty's Farewell Celebration he was presented a Proclamation and a Key to the City.

Mayor Schweller introduced Annastacia Shupe who presented an update and information about the 2022 Sugarmaple Festival

# RECORD OF PROCEEDINGS

Bellbrook City Council Meeting  
Month DD, 20YY

Item A. Section 5, Item

## **PUBLIC HEARING OF PROPOSED ORDINANCES**

Ordinance No. 2022-O-2 AMENDING ARTICLE 15, FLOOD DAMAGE PREVENTION, OF THE BELLBROOK ZONING CODE (Harding)

Mr. Harding read the Ordinance Title and a synopsis of the contents.

Mayor Schweller opened the public hearing. Mr. Schommer explained the Ordinance makes changes to the National Flood Insurance Program Map and Article 15 of the Zoning Code. He noted the addresses listed as modified for the map were all either reduced from 100 year flood plain to 500 year flood plain or removed all together. He added the changes to the map can make changes to insurance and encouraged anyone with changes or located on the map to verify through ODNR or contacting City Hall for assistance in interpreting.

Hearing no further discussion or comments, Mayor Schweller closed the public hearing.

A motion to approve Ordinance 2022-O-2.

Motion made by Mr. Harding, Seconded by Mr. Greenwood.

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

## **INTRODUCTIONS OF ORDINANCES**

Ordinance 2022-O-3 AMENDING ORDINANCE 2022-O-1 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY (Cyphers)

Mrs. Cyphers read the Ordinance title and a synopsis of the contents.

Mr. Schommer explained the purpose of the ordinance is for an increase to the budget for health insurance refunds and an adjustment from fire fund to capital for the purchase of the new medic. He noted the Ordinance is written to be considered for adoption at the introduction.

A motion to approve Ordinance 2022-O-3 at the introduction.

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

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

## **ADOPTION OF RESOLUTIONS**

Resolution 2022-R-8 AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR THE SALE OF LAND TO THE BELLBROOK SUGARCREEK PARKS DISTRICT (Middlestetter)

Mrs. Middlestetter read the Resolution.

# RECORD OF PROCEEDINGS

Bellbrook City Council Meeting  
Month DD, 20YY

Item A. Section 5, Item

Mr. Schommer explained in 2018 the City agreed to accept acreage of open green space in accordance to the Development Agreement with Highview Terrace. The Park District is interested in acquiring the land, and they are the appropriate entity to own and make use of the land.

A motion to approve Resolution 2022-R-8.

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

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

Resolution 2022-R-9 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CORE & MAIN FOR THE PURCHASE OF FIRE HYDRANTS (Schweller)

Mayor Schweller read the Resolution.

Mr. Schommer noted the CIP included purchase of fire hydrants as part of the replacement and maintenance program. He added that although the purchase is under the purchasing threshold required for bidding or Council approval, the internal practice is to quote and bring to Council purchases of \$25,000 or higher. Of the quotes received, Core & Main was the lowest and best.

Mr. Harding asked if there were delays in shipping the items. Mr. Schommer deferred to Mr. Pasley who indicated they are about 6 months out, and that time frame did not cause an issue.

A motion to adopt Resolution 2022-R-9.

Motion made by Mayor Schweller, Seconded by Mrs. Middlestetter.

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

Resolution 2022-R-10 AUTHORIZING THE CITY MANAGER TO PURCHASE A MEDIC UNIT FOR USE BY THE FIRE DEPARTMENT THROUGH THE OHIO COOPERATIVE PURCHASING PROGRAM, AND WAIVING THE COMPETITIVE BIDDING REQUIREMENTS (Greenwood)

Mr. Greenwood read the Resolution.

Mr. Schommer explained this purchase was included in the 2022 CIP. Once the quotes came back from the State bid, the price was higher than originally planned in the CIP; however, delivery is expected 15 to 18 months out and the funds would not be expended until then.

Mr. Greenwood commented the Fire Department has taken this purchase very seriously and several members of the department worked hard to figure out the best piece of equipment needed.

A motion to approve Resolution 2022-R-10

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

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

# RECORD OF PROCEEDINGS

Bellbrook City Council Meeting  
Month DD, 20YY

Item A. Section 5, Item

## CITY MANAGER'S REPORT

The City Manager and Staff presented 2021 summary information for the Police, Fire, Service, Zoning and Administrative Departments of the City as noted in the attached presentation. Captain Carmen spoke for Police, Chief Bizzarro spoke for Fire, Mr. Pasley spoke for Service, Mr. Foster spoke for Community Development, and Mr. Schommer spoke for Administration.

## COMMITTEE REPORTS

SAFETY: Mr. Greenwood noted the Department updates covered Safety and Service this evening.

SERVICE:

FINANCE: Mrs. Cyphers noted she was going to bring up what the Commissioners discussed noting the potential availability of additional ARPA money through grants.

COMMUNITY AFFAIRS: Mrs. Middlestetter had nothing to report.

## OLD BUSINESS

Appointment of Council Member:

Mayor Schweller explained the unexpired term is in need of an appointment and two applicants were interviewed by Council. He opened the floor for nominations.

Mrs. Middlestetter nominated T.J. Hoke, Seconded by Mr. Harding. Hearing no other nominations, Mayor Schweller closed the floor for nominations.

A motion to appoint T.J. Hoke to the vacant Council seat.

Motion Made by Mrs. Middlestetter, Seconded by Mr. Harding.

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

Deputy Mayor Election:

Mayor Schweller noted this process will be deferred until the March 14, 2022 meeting.

Amendment of 2022 Council Rules:

Mayor Schweller noted this discussion will be deferred until the next meeting.

## NEW BUSINESS

None

## PUBLIC COMMENT

Mr. Greenwood thanked staff for the presentations and noted he will Miss Chief Doherty.

Mayor Schweller echoed Mr. Greenwood and thanked Chief Doherty again for his service.

# RECORD OF PROCEEDINGS

Bellbrook City Council Meeting  
Month DD, 20YY

Item A. Section 5, Item

## EXECUTIVE SESSION

A motion to enter executive session to consider the appointment or employment of a public employee.

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

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

Council exited to executive session at 8:42PM

A motion to exit executive session.

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

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

Council returned to open session at 9:38PM

## ADJOURNMENT:

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 9:42 pm

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Michael Schweller, Mayor

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Robert Schommer, Clerk of Council

**File Attachments for Item:**

**A. Ordinance 2022-O-4** AMENDING ORDINANCE 2022-O-3 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY (Cyphers)





## AGENDA ITEM INFORMATION REPORT

**Meeting Type:** City Council Meeting

**Meeting Date:** 3/14/2022

**Department:** Finance

**Submitted By:** Rob Schommer

### **AGENDA ITEM DESCRIPTION:**

#### Ordinance

Ordinance 2022-O-4 AMENDING ORDINANCE 2022-O-3 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY

### **FISCAL IMPACT:**

**Cost:** \$29,000      **Source of Funds:** General Fund

**Funds Currently Budgeted:** No

**Notes/Implications:** Offset by Increased Revenue

### **PURPOSE AND BACKGROUND:**

The City and the School district share the expenses for the fuel pump station located behind Fire Station 2. In order to receive a discount on fuel purchases, the payment for each fuel purchase is done through an EFT. In previous years, the school district did not have an EFT set up; therefore they would send the City a reimbursement check for their cost. The accounting of the expense was done by a net purchase and passing the cost of the schools portion through our books; however, the appropriations Ordinance did not include the cost of the schools portion. It is necessary to appropriate that portion due to the fact it is an expense of the City even though the funds are returned or reimbursed.

This supplemental provides an appropriation for the first purchase of fuel for the year. From this point forward, the School District will be paying the fuel vendor directly and we will not be expensing the entire purchase, thus no further adjustments to our appropriation will be needed. This Ordinance is requested to be considered for adoption at introduction to allow the first fuel purchase to be appropriated and payment made.

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2022-O-4

March 14, 2022

## City of Bellbrook

### Ordinance No. 2022-O-4

#### AMENDING ORDINANCE 2022-O-3 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY

WHEREAS, the City of Bellbrook adopted the 2022 annual budget based on the best information available at the time; and

WHEREAS, additional costs and/or adjustments will occur in various 2022 Personnel Services and Other Expenses which requires the amendment of various appropriation levels.

#### Now, Therefore, the City of Bellbrook Hereby Ordains:

Section 1. That the 2022 appropriation levels in several of the funds listed below be amended as follows:

Fund	2022 Appropriations	Personnel Services Revisions	Other Expenses Revisions	Total Revisions	Amended 2022 Appropriations
General Fund:					
-Legislative	\$43,085	\$ -	\$ -	\$ -	\$43,085
-Administrative	\$880,908	\$ -	\$ 35,000	\$ 35,000	\$915,908
-Library	\$2,100	\$ -	\$ -	\$ -	\$2,100
-Museum	\$25,465	\$ -	\$ -	\$ -	\$25,465
-Community	\$68,442	\$ -	\$ -	\$ -	\$68,442
Total General Fund	\$1,020,000	\$ -	\$ -	\$ -	\$1,020,000
Police Fund	\$1,876,979	\$ -	\$ -	\$ -	\$1,876,979
Police Pension Fund	\$64,890	\$ -	\$ -	\$ -	\$64,890
Fire Fund	\$1,428,172	\$ -	\$ -	\$ -	\$1,429,172
Street Fund	\$410,128	\$ -	\$ -	\$ -	\$410,128
State Highway Fund	\$19,800	\$ -	\$ -	\$ -	\$19,800
Motor Vehicle Fund	\$28,850	\$ -	\$ -	\$ -	\$28,850
Coronavirus Relief Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Local Fiscal Recovery	\$384,646	\$ -	\$ -	\$ -	\$384,646
Fuel System Fund	\$1,200	\$ -	\$ -	\$ -	\$1,200
Waste Fund	\$510,378	\$ -	\$ -	\$ -	\$510,738
Water Fund	\$1,454,231	\$ -	\$ -	\$ -	\$1,454,231
Capital Improvement Fund	\$860,000	\$ -	\$ -	\$ -	\$860,000
Performance Bond Fund	\$10,000	\$ -	\$ -	\$ -	\$10,000
Grand Total - All Funds	\$8,070,634	\$ 0	\$ 35,000	\$ 35,000	\$8,105,634

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 these funds are needed to complete payment for a fuel purchase; therefore, this Ordinance shall take full force and effect immediately upon its adoption by Council

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2022-O-4

March 14, 2022

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 14<sup>th</sup> day of March, 2022.

\_\_\_\_\_ Yeas; \_\_\_\_\_ Nays.

AUTHENTICATION:

\_\_\_\_\_  
Michael W. Schweller, Mayor

\_\_\_\_\_  
Robert Schommer, Clerk of Council

APPROVED AS TO FORM:

Stephen M. McHugh, Municipal Attorney

**File Attachments for Item:**

B. Rules of Council Amendment discussion.

## Sec. 220.01. Rules of Council.

- (a) *Rule I—General provisions.* No provision or section of these Rules which conflicts with or restricts those rights provided by the Constitution of the United States, the Constitution of the State, the general law or the City Charter shall have any force or effect.
- (b) *Rule II—Meetings.*
  - (1) *Regular meetings.* Meetings will be held on the second and fourth Monday of each month at 7:00 p.m., or as otherwise agreed upon by a majority of Council, and recessed or adjourned at approximately 10:30 p.m. Whenever the date of a regular meeting falls on a legal holiday, Council may, by majority vote, change the day and hour.
  - (2) *Special meetings.* See Charter Section 4.08.
  - (3) *Closed sessions.* See Charter Section 4.08.
- (c) *Rule III—The Chair; powers and duties.*
  - (1) *Call to order; roll call; agenda; minutes.* The Mayor shall take the Chair at the hour appointed for Council to meet and shall immediately call Council to order. The roll call shall then be taken by the Clerk. The agenda for each meeting, which is prepared by the Mayor, may, by a majority vote of Council, be amended. ~~The Clerk shall not be required to read the minutes during the meeting unless a motion is made to direct him or her to do so.~~ Council shall be polled for any addition and/or correction.
  - (2) *Temporary Chairperson.* In the absence of the Mayor, the Deputy Mayor shall preside and shall have the same power to vote as other Council members. In the absence of both the Mayor and the Deputy Mayor, the senior Council member shall preside as if Deputy Mayor. If two or more members have equal Council seniority, the oldest member shall preside.
  - (3) *Conduct of meetings.* The Chair shall preserve decorum and conduct the meetings according to Rule V of these Rules. The meetings shall be conducted under Robert's Rules of Order, except when such Rules conflict with the Charter or these Rules of Council.
  - (4) *Appeals from decisions of the Chair.* If any member transgresses any of these rules of Council, the Chair shall, or any member may, call him or her to order and, in the latter instance, the Chair shall render a decision as to the point of order. In the case of an appeal from a ruling of the Chair, the question shall be: "Shall the decision of the Chair stand and be the decision of Council?" The ruling of the Chair shall be sustained unless overruled by a majority vote of the members of Council present. Should the Chair transgress any of these rules of Council, a point-of-order call shall be made by any member of Council. If the point of order is not resolved in the ensuing discussion, a majority vote of members of Council present shall decide the issue.
  - (5) *Votes.* The Clerk shall call the roll at all times. A vote by electronic means identifying each member's vote may be considered a roll call vote. The order of the vote shall be taken in an order as predetermined by a majority vote of City Council, with the Mayor voting last. The Clerk shall announce the number of votes on each side. It shall not be in order for members to explain their votes while a vote is being taken.
- (d) *Rule IV—Members; duties and privileges.*
  - (1) *Addressing the Chair.* Any member about to speak on a question or make a motion shall address the Chair as Mr. Mayor or Ms. Mayor, or as Mr. Chairperson or Ms. Chairperson if a member other than the Mayor is presiding. In response, the Chair shall pronounce the name of the member entitled to the floor.

Any member of the audience desiring to address Council shall be recognized by the Chair, shall state his or her name and address in an audible tone for the record and shall limit his or her remarks to the question under discussion.

- (2) *Limitation of debate.* Members addressing Council shall confine themselves to the question under discussion and avoid personalities. No member shall be allowed to speak more than once upon any subject until every member choosing to speak has had an opportunity to be heard for a time not longer than five minutes, without leave of Council upon a majority vote. Additional comments shall include only new information. Material previously expressed shall not be rediscussed. This paragraph shall pertain to both the audience and members of Council.
- (3) *Voting.* See subsection (c)(5) hereof and Charter Subsection 4.08(c).
- (e) *Rule V—Order of business.* The order of business of Council shall be as follows:
  - (1) Call to order;
  - (2) Pledge of Allegiance to the Flag;
  - (3) Roll call;
    - A. A motion to excuse absentees ~~for reason;~~
  - (4) Minutes of previous meetings;
    - A. Approval of previous minutes;
  - (5) ~~Announcements and~~ Special guests;
    - A. ~~Announcements;~~
  - (6) Citizens Registered to Speak on Agenda Items
  - ~~(7)~~ Public hearings on proposed ordinances;
  - ~~(7)—Board reports;~~
  - (8) Introduction of ordinances;
  - (9) Adoption of resolutions;
  - ~~(10)~~ Old Business
  - ~~(11)~~ New Business
  - ~~(10)—Reference of legislative proposals to committees;~~
  - (11) City Manager's report;
  - (12) Committee reports:
    - A. Safety;
    - B. Finance and ~~governmental affairs;~~audit
    - C. Service;
    - D. Community affairs;
  - ~~(13)—Bids;~~
  - ~~(14)—Unfinished business;~~
  - ~~(15)—New business;~~

(16) ~~General floor discussion; City Official Comments~~

(17) Dates of future committee meetings; and

(18) Adjournment.

(f) *Rule VI—Committees.*

- (1) *Standing committees.* The standing committees are Finance/Audit, Safety, Service, and Community Affairs. Other necessary committees are hereby authorized. Appointment of all committee members shall be made by vote of Council at a regular or special meeting.
- (2) *Committee of the whole.* The Mayor shall preside when Council resolves itself into the Committee of the Whole.
- (3) *Meetings.* Committees shall meet on call of the Chairperson. All meetings shall be open to the public to the same extent as meetings of the entire Council when dealing with matters of the same general type of subject matter. ~~The Clerk shall publish a schedule of meetings by the fifth day of each month. Such schedule shall include all meetings scheduled for the month as of that day.~~
- (4) *Quorum.* A majority of members of a committee shall constitute a quorum.
- (5) *Temporary Chairperson.* In the absence of the Chairperson, the member named next shall act as temporary Chairperson.
- (6) *Reports.* Reports of committees shall be agreed to by a majority thereof. All documents referred shall be returned to Council with the report of the committee. Upon motion, and by a majority vote, Council may relieve a committee of further consideration of any question and order the question to be placed on the agenda. When any matter is referred to a committee with instruction to report at a time named in the order of reference, failure to report at such time shall be considered as a report without recommendation, unless the time for report is extended by Council. If no such extension is granted, the committee shall immediately return to the Clerk the documents pertaining thereto, and the matter shall take its appropriate place on the agenda.

(g) *Rule VII—Ordinances and resolutions.* (See Article V of the Charter.)

- (1) *Pre-introduction of ordinances and resolutions.*
  - A. An exact copy of an ordinance which has been approved as to form, or a resolution to be introduced, shall be delivered to the Clerk of Council not later than 8:00 p.m. on the Thursday before the regular Monday Council meeting. In the case of a special Council meeting, the ordinance or resolution shall be delivered to the Clerk of Council not less than 48 hours before the special meeting.
  - B. Emergency ordinances shall be held exempt from the 48-hour time requirement if the subject of the emergency ordinance is the reason for calling the special Council meeting. However, emergency ordinances to be introduced at a regular Council meeting shall be subject to the 48-hour time requirement.
  - C. The Clerk of Council shall notify each member of Council not later than 24 hours prior to the Council meeting and make a copy of the ordinance or resolution available as of that time.
- (2) *Passage of resolutions.* Resolutions shall be read in their entirety before Council unless such reading is waived by a majority of Council, in which case a synopsis will be presented and, after a properly seconded motion to accept and after discussion, voted upon. (See Sec. 220.01(h) Rule VIII-Motions.)
- (3) *Introduction of proposed ordinances.* Ordinances may be introduced by a reading of the title and a synopsis of the proposed ordinance. ~~Six copies of all ordinances being introduced shall be made available in their entirety for perusal by the public during the meeting. The Chair shall require their~~

~~return to the Clerk at the close of the meeting for re-use at the hearing.~~ An ordinance shall be accepted for introduction after a majority vote on a properly seconded motion to accept for introduction and discussion. (See Sec. 220.01(h) Rule VIII-Motions.) After acceptance, the Chair shall establish a date for the public hearing.

- (4) *Public hearing on proposed ordinances.* ~~Six copies of the proposed ordinance shall be made available in their entirety for perusal by the public during the hearing.~~ After the opening of the hearing, the title and a synopsis shall be read. The Chair shall then call for questions of clarification of the proposed ordinance. Comments for the proposed ordinance and then comments opposed to the proposed ordinance, from the general public, shall be heard. Comments from Council shall be heard next. After Council comments, a motion for, against, or to take up the matter again at a future specified date, shall be in order. A seconded motion shall be voted upon as specified in Sec. 220.01(h)(5) Rule III and the Charter. The procedure described in this subsection shall apply to both regular and emergency ordinances.
- (5) *Emergency ordinances.* Emergency ordinances shall be accepted as described in subsection (g)(4) hereof.
- (h) *Rule VIII—Motions.* When a motion is made, it shall be restated by the Clerk before voting and shall be listed in the minutes of the Council. A motion shall not be withdrawn by the movant without the consent of Council if it has been seconded. Unless otherwise required by law, a motion shall be deemed passed if it receives the affirmative vote of a majority of the members present. Upon the Mayor's ordering of the roll call vote, it is the duty of every member who has an opinion on the question to express it by his or her vote, but he or she cannot be compelled to do so by any rule and may, therefore, abstain from voting.
- (i) ~~*Rule IX—Legislative proposals.* The Clerk shall keep a docket of legislative proposals referred to each of the standing committees. If Council is unable to agree upon the committee to which any particular legislative proposal should be referred, then the reference may be made by the Chair. References to committees shall be made only at regular or special Council meetings and a synopsis of the measure shall be read at the time of reference.~~
- (j) *Rule X—Miscellaneous.*
  - (1) *Amending Council rules.* These rules may be amended or altered, or new rules may be adopted, by resolution, after review by the Governmental Affairs Committee and the Municipal Attorney.
  - (2) *Enforcement of Council rules.* Any action taken by Council which is not in accordance with the Rules of Council shall be voided if a written protest is filed with the Clerk by any Council member within three days of the infraction. Such protest shall state the section(s) and paragraph(s) violated. The matter in question shall then be made the subject of a special meeting to be held not more than seven days after the date the protest was filed.
  - (3) *Quorum.* A majority of all members elected to Council shall constitute a quorum. If a quorum is not present, the Chair may instruct the Sergeant-at-Arms to escort any unexcused member(s) in the City to the meeting.
  - (4) *Election of the Deputy-Mayor.* No person shall be considered a candidate for the office of Deputy-Mayor until he or she has been nominated by a member ~~and a secret ballot has been taken.~~ No person shall be declared elected unless he or she receives a majority vote of Council. ~~The Clerk and the Mayor shall count the votes in the presence of Council. After the Mayor announces the winner, the ballots shall be destroyed. No entry of votes shall be entered into the minutes. Only the name of the winning candidate shall be so entered.~~ If no one member receives a majority vote, a second ballot vote shall be taken, the candidates being limited to the two receiving the most votes on the first ballot vote.
  - (5) *Municipal Attorney.* The Municipal Attorney shall, when requested by the Mayor or a member of Council, give a verbal opinion on any question of law concerning Bellbrook Municipal affairs in open



Council. If he or she deems the matter of greater importance, he or she may take a reasonable time to submit his or her opinion in writing. He or she shall be required to frame all ordinances into proper legal form. He or she shall not be required to draw any resolution, except upon a majority vote of Council.

- (6) *Sergeant-at-Arms.* The Police Chief or his or her duly appointed representative, when requested, may be called upon to maintain order at the discretion of the Chair.
- (7) *Return of documents.* Upon expiration of a Council member's term of office, he or she shall submit to the Clerk of Council the following documents, if he or she is not re-elected:
  - a. The Zoning Code;
  - b. The Comprehensive Plan;
  - c. The Municipal Code; and
  - d. Other City property.
- (8) *Temporary modification.* Council may temporarily modify these rules at any time by a majority vote of Council.

~~(9) *Motions to table.* Motions to table, after being seconded, may be debated by members of Council. Each member shall be afforded the opportunity to speak and the Chair shall strictly limit such discussion to three minutes for each member.~~

After Council discussion, members from the audience may address the Chair, but must contain their comments to a three-minute time limit.

Discussion shall be limited to the question to table.

(Res. 77-M, passed 10-10-77; Res. 78-J, passed 3-13-78; Res. 80-T, passed 8-25-80; Res. 97-L, passed 10-13-97; Res. 2003-G, passed 3-17-03; Res. 80-4, passed 8-25-80; Ord. No. 2019-9 , § 1, 4-22-2019)