



CITY COUNCIL REGULAR MEETING AGENDA

Monday, April 11, 2022 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 March 28, 2022 Regular Meeting minutes.
 - 5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
 - A. Susan Jeffery, head librarian for the Winters-Bellbrook Community Library, will discuss upcoming events and recent accomplishments of the library. In addition, special recognition of Joanne Mushala will be provided by Mayor Schweller celebrating her 25 years service to the library.
 - 6. PUBLIC HEARING OF PROPOSED ORDINANCES**
 - 7. BOARD REPORTS**
 - 8. INTRODUCTIONS OF ORDINANCES**
 - A. Ordinance 2022-O-5 REPEALING AND AMENDING SECTION 220.01 OF THE BELLBROOK CODE OF ORDINANCES (Cyphers)
 - 9. ADOPTION OF RESOLUTIONS**
 - A. Resolution 2022-R-12 AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A SERVICES AGREEMENT FOR NEEDED REPAIRS AND RENOVATION OF THE HISTORICAL MUSEUM BUILDING (Middlestetter)
 - B. Resolution 2022-R-13 URGING THE GREENE COUNTY COMMISSIONERS TO APPROVE THE TORNADO SIREN PROJECT SUBMITTED BY THE EMERGENCY MANAGEMENT AGENCY FOR USE OF ARPA FUNDS (Greenwood)
 - 10. REFERENCE OF LEGISLATIVE PROPOSALS TO COMMITTEES**
 - 11. CITY MANAGER'S REPORT**
 - A. The City Manager will provide updates on a variety of topics.
 - 12. COMMITTEE REPORTS**
 - 13. BIDS**
 - 14. OLD BUSINESS**
 - 15. NEW BUSINESS**
 - 16. PUBLIC COMMENT**
 - 17. DATES OF FUTURE COMMITTEE MEETINGS**
 - 18. EXECUTIVE SESSION**
 - 19. ADJOURNMENT**
- FUTURE AGENDA ITEMS (DATES SUBJECT TO CHANGE)**

File Attachments for Item:

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

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
Month DD, 20YY

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

APPROVAL OF THE MINUTES

Mayor Schweller asked if anyone had comments or corrections to the minutes of the March 14, 2022 meeting. Hearing none, the minutes were declared to be approved.

MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

Chief Carmin provided comments and an introduction as the City's new Police Chief.

Sugarcreek Township Trustee Carolyn Destefani made a presentation to discuss the township's desire and work thus far to construct a Veterans Memorial.

ADOPTION OF RESOLUTIONS

Resolution No. 2022-R-11 AUTHORIZING THE CITY MANAGER TO APPLY FOR THE GREENE COUNTY COMMUNITY INVESTMENT GRANT (Middlestetter)

Mr. Schommer noted the attached designs and cost estimates for the projects associated with the Streetscape Study. He explained the City's desire to apply to the Greene County Board of County Commissioner's Community Investment Grant for \$100,000 to cover half of the cost to construct one of the projects associated to the Streetscape Study.

A motion to approve Resolution 2022-R-11.

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

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

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
Month DD, 20YY

Item A. Section 4, Item

CITY MANAGER'S REPORT

Mr. Schommer provided an update on the recent technology updates and gave on-screen demonstration and explanation of a new online permitting system. The system allows entry of the permits, checking of status and ability to report code enforcement issues through the website or mobile.

COMMITTEE REPORTS

SAFETY COMMITTEE:

Mr. Greenwood noted there is a burn ban through May due to the windy conditions. This ban is for open burns, not for small controlled recreational fires.

Mr. Harding noted to be watchful for the annual Nerf wars by high school students making sure to be aware of kids going through neighborhoods.

SERVICE COMMITTEE:

Mr. Greenwood noted the gas pipeline replacement project is moving along and seems to be without incident.

FINANCE/AUDIT COMMITTEE:

Mrs. Cyphers stated she attended the County CIC meeting and plans to set up a Finance Committee meeting in April.

COMMUNITY AFFAIRS COMMITTEE:

Mrs. Middlestetter reported the committee met and discussed the two applicants for the Planning Board vacancy. She noted both applicants were offered an interview or to be directly considered since each applicant had recently been interviewed and interacting with Council.

Motion to appoint Dr. Dave VanVeldhuizen to the planning Board.

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

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

OLD BUSINESS

Discussion and review of amendments to Council Rules.

Mr. Schommer noted the last discussion focused on modifying the citizen comment and arrangement of the agenda. He noted there has been a proposed process created and presented it for discussion.

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Month DD, 20YY

Item A. Section 4, Item

Mr. Havens asked if a citizen registered to speak on an agenda item would that preclude them from speaking about an open topic. Mr. Schommer clarified the portion where citizens register for agenda items is noted to allow discussion at the time of that topic to have their input heard prior to a decision.

Mr. Cyphers asked if having citizens registered to speak and the section for public hearing of ordinances, a resident would have three opportunities to speak. She noted it may be best to move public comment to after committee reports so audience members could provide additional feedback at the end of the meeting if it does not relate to a specific agenda item. Mr. Schommer noted the intention was to allow citizens to provide comments prior to council deliberation and a decision, and moving it to the end would place comments after a decision was made.

It was also noted the purpose was to avoid having citizens sit through the entire meeting for general comments. Mr. Schommer also noted the citizens registered to speak on agenda items is merely a placeholder to announce there are registered speakers to make note when the agenda item is discussed they wish to speak. The comments were clarified and members noted it makes sense.

Mayor Schweller noted there will need to be a resolution, and any final comments and review should be done prior to the next meeting.

Mr. Havens noted regarding electronic voting, we should try it before changes the rules. It was noted prior to trying, it would need to be authorized to do.

PUBLIC COMMENT

Mr. Harding commented the house on 725 at the West end of the City is doing a great job on their renovation and it looks great.

Mr. Havens noted he spent time with the group conducting interviews for a recommendation for appointment on the Parks Board. He added he appreciated everyone's interest in the position.

Motion to recommend to the Common Pleas Court through a letter to appoint Steven Haller to the Park Board.

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

Mr. Hoke wanted to welcome Chief Carmin and was happy to see representation from the Township and the Parks at the meeting.

Mr. Greenwood thanked Carolyn Destefani for bringing the veterans memorial presentation to Council. He also appreciated the Veterans Town Hall organized by Mayor Schweller and noted the VA provides a lot of services and any veteran needing assistance should call.

Mr. Jeff Stewart from the Bellbrook-Sugarcreek Park District thanked the City for providing representation to help in the recommendation for appointment of a new Commissioner. He also noted

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
Month DD, 20YY

Item A. Section 4, Item

he was not intending on putting anyone on the spot, but going through the process, comments were made that the parks does not need any additional park land. He noted it was a departure from the mission of the agency, and new land is acquired through grants that take a lot of work and time. He noted if the City was stating it was happy with the parkland within the city limits, then they could focus their efforts on Sugarcreek Township and direct their energies there. He didn't know if it was a majority position of the city or just one, and asked if the city would create an official position so they have guidance and would know what to do and how they should spend their resources as far as preservation.

The Mayor stated he is not aware of that being the position of the City and was surprised by that comment.

Mr. Schommer stated he could give some insight to the comment, as he was there. He noted one of the candidates was asked directly about having a specific dollar amount, what was their priorities. The candidate indicated half of the amount would be given to additional land acquisition. The comments were specific to get insight from a single candidate, and the comment referred by Mr. Stewart was taken out of context, noting he was not sure of what was discussed by others after the interviews were done. Mr. Stewart stated Mr. Havens noted during the interview this community does not need any additional parkland. It was again noted that comments were made during the interview of a single candidate for context of that interview. The comment was not a position of the City and thinking so is taking questions and comments of an interview candidate out of context.

Mr. Stewart also asked about a rumor he heard about a D.O.R.A. Mayor Schweller stated there is not one. Mr. Schommer noted he and Mr. Stewart had a discussion about a process that would allow people to enjoy an event in the park and bring alcoholic beverages, not a DORA.

EXECUTIVE SESSION

Motion to enter executive session to consider the investigation of a public employee.

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

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

Council went into Executive Session at 8:46pm.

Motion to exit Executive Session.

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

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

Council exited Executive Session at 9:43pm

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Month DD, 20YY

Item A. Section 4, Item

ADJOURNMENT:

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 9:45 pm

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Ordinance 2022-O-5 REPEALING AND AMENDING SECTION 220.01 OF THE BELLBROOK CODE OF ORDINANCES (Cyphers)

AGENDA ITEM INFORMATION REPORT



Meeting Type: City Council Meeting

Meeting Date: 4/11/2022

Department: Legislative

Submitted By: Rob Schommer

AGENDA ITEM DESCRIPTION:

Ordinance

Ordinance 2022-R-12 AMENDING SECTION 220.01 OF THE BELLBROOK CODE OF ORDINANCES

FISCAL IMPACT:

Cost: N/A **Source of Funds:** Choose an item.

Funds Currently Budgeted: Choose an item.

Notes/Implications: Click or tap here to enter text.

PURPOSE AND BACKGROUND:

Council has been reviewing and discussing the Rules of Council to update them to a more efficient and relative process. The first item identified includes a modification of the listed Order of Business for agenda to regular meetings to better reflect the current and desired meeting format. In addition, increasing citizen input opportunities at a more appropriate time of the meeting has been provided to include setting expected decorum.

Section 201 of the Ordinances allows the Rules of Council to be modified by Resolution; however, an Ordinance cannot be amended by Resolution. In addition, secret ballots are not permitted through ruling of the Ohio Supreme Court. This Ordinance provides amendments to Section 220.01 to address these issues. Future review and updates will occur to modify the entire section at a future date.

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2022-O-5

April 28, 2022

City of Bellbrook State of Ohio

Ordinance No. 2022-O-5

REPEALING AND AMENDING SECTION 220.01 OF THE BELLBROOK CODE OF ORDINANCES

WHEREAS, the City of Bellbrook has adopted Chapter 220, Section 220.01 – Rules of Council into the Bellbrook Code of Ordinances; and

WHEREAS, the City Council wishes to amend Section 220.01 (e) Rule V – Order of Business, and Section 220.01 (j) Rule X - Miscellaneous to provide a more efficient order of business and to allow better citizen participation

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the following amendments to Chapter 220 Section 220.01 – Rules of Council of the Bellbrook Code of Ordinances be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined.

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.

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2022-O-5

April 28, 2022

- (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. 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) Special guests;~~
 - ~~A. Announcements;~~

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2022-O-5

April 28, 2022

- ~~(6) Public hearings on proposed ordinances;~~
- ~~(7) Board reports;~~
- ~~(8) Introduction of ordinances;~~
- ~~(9) Adoption of resolutions;~~
- ~~(10) Reference of legislative proposals to committees;~~
- ~~(11) City Manager's report;~~
- ~~(12) Committee reports:~~
 - ~~A. Safety;~~
 - ~~B. Finance and governmental affairs;~~
 - ~~C. Service;~~
 - ~~D. Community affairs;~~
- ~~(13) Bids;~~
- ~~(14) Unfinished business;~~
- ~~(15) New business;~~
- ~~(16) General floor discussion;~~
- ~~(17) Dates of future committee meetings; and~~
- ~~(18) Adjournment. }~~

(1) CALL TO ORDER

(2) PLEDGE OF ALLEGIANCE

(3) ROLL CALL

(4) APPROVAL OF THE MINUTES

(5) MAYOR'S ANNOUNCEMENTS AND SPECIAL GUESTS

(6) CITIZEN COMMENTS

(7) CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

(8) PUBLIC HEARING OF PROPOSED ORDINANCES

(9) INTRODUCTION OF ORDINANCES

(10) ADOPTION OF RESOLUTIONS

(11) OLD BUSINESS

(12) NEW BUSINESS

(13) CITY MANAGER'S REPORT

(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

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2022-O-5

April 28, 2022

(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.

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2022-O-5

April 28, 2022

- (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]~~ Council 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.

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2022-O-5

April 28, 2022

- (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 vote ~~[ballot]~~ shall be taken, the candidates being limited to the two receiving the most votes on the first vote. ~~[ballot.]~~
- (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.

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.

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2022-O-5

April 28, 2022

PASSED BY City Council this ____ day of ____ 2022.

____ Yeas; ____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council

APPROVED AS TO FORM:

Stephen McHugh, Municipal Attorney

- (5) Votes. Except for procedural motions, voting shall be by roll call and shall be recorded in the journal or Record of Proceedings. Roll call votes occur when a council member votes “yea” or “nay” so that the names of members voting on each side are recorded. Roll Call voting may be compiled through the electronic voting system by the Clerk under the direction of the Presiding Officer. Should any member wish to have the vote called by individual member, they can “Ask for the Yeas and Nays”, which will not require a second and cannot be debated. At that time the Clerk will call the names of all members in alphabetical order and each member shall without debate declare their vote to the question. ~~The Clerk shall call the roll at all times. 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.~~

File Attachments for Item:

A. Resolution 2022-R-12 AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A SERVICES AGREEMENT FOR NEEDED REPAIRS AND RENOVATION OF THE HISTORICAL MUSEUM BUILDING (Middlestetter)

AGENDA ITEM INFORMATION REPORT



Meeting Type: City Council Meeting

Meeting Date: 4/11/2022

Department: Administration

Submitted By: Rob Schommer

AGENDA ITEM DESCRIPTION:

Resolution

Resolution 20222-R-12 AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A SERVICES AGREEMENT FOR NEEDED REPAIRS AND RENOVATION OF THE HISTORICAL MUSEUM BUILDING

FISCAL IMPACT:

Cost: \$49,000 **Source of Funds:** Capital Improvements Fund

Funds Currently Budgeted: Yes

Notes/Implications: [Click or tap here to enter text.](#)

PURPOSE AND BACKGROUND:

During recent repairs to the doors and windows of the Museum, it was discovered that some significant damage to parts of the foundation and structure has occurred. The damaged area was supported by temporary jacks and supports; however, permanent repairs need to be done. Greg Dart was asked to review the building due to his existing knowledge of the property and of historical buildings and provided a proposal to repair and renovate the building. The Historical Museum Board of Trustees have reviewed the proposals and have made a formal motion and recommendation/request to City Council to approve the proposals and fund the repairs.

RECORD OF RESOLUTIONS

Item A. Section 9, Item

Resolution No. 2022-R-12

April 11 2022

City of Bellbrook State of Ohio

Resolution No. 2022-R-12

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A SERVICES AGREEMENT FOR NEEDED REPAIRS AND RENOVATION OF THE HISTORICAL MUSEUM BUILDING

WHEREAS, City Council recognizes the Historical Museum as an important amenity for Downtown Bellbrook and an important structure to preserve the history of the community; and

WHEREAS, the City has recently begun repairing and improving various parts of the Museum building; and

WHEREAS, during certain exterior repairs, significant damage was found to parts of the structure of the building needing immediate repair; and

WHEREAS, the Historical Museum Board of Trustees have reviewed the needs to repair and renovate the building and through formal motion have recommended the repairs be approved and funded

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. The City Manager is authorized to negotiate and enter into a services agreement to perform repairs and renovation to the Historical Museum building at a cost not to exceed \$49,000

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 11th day of April, 2022.

____ Yeas; ____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council



G. L. Dart General Contracting, Inc.
A-1 Roofing & Construction

Item A. Section 9, Item

Customer Contract Proposal

Date: 2/21/2022
Customer Name: City of Bellbrook/Dwight Bartlet
Company: Bellbrook Museum
Phone Number: 937-475-6659 Address: 42 North Street City: Bellbrook State: Ohio Zip: 45305
Email: w.mitty@att.net, bev@cityofbellbrook.org, rob@cityofbellbrook.org

SPECIFICATIONS FOR LABOR, MATERIALS, TERMS AND CONDITIONS
G.L. Dart General Contracting agrees to furnish all materials & labor necessary for the work specified below unless otherwise noted.

Clean out crawl space, remove trash, remove dirt piles, install gravel base for moisture. Remove stone 2-3 courses, brace front of building framing system. Remove damaged original framing, shore up original framing to remain, add joist system, band board and main supports, tie onto existing previous repairs. Move gas line and lower it to accommodate new framing , relay stone and tuck-point needed areas. Remove window at foundation and lay stone in place of window. Remove electric lines and re-install if needed. Build up and lay stone in corner where missing, build threshold and assist Matt at City of Bellbrook to accommodate his re-install of original door.

It is likely that the bottom row of siding and left corner trim will fall apart or split during shoring of building. (see next estimate) Remove all parging /stucco from front of stone, flash transition (this was listed in the estimate from 2019 but has gotten worse since) The stucco isn't original and the stone will match and look better and also match historical standards.

Labor & Material: \$11,800

Comments/Terms: **50% deposit required to start job. Balance due upon job completion**

The terms and specification stated herein and special conditions following herein are hereby accepted. Contractor is hereby authorized to perform prescribed repairs agreed upon in the above stated price. Upon acceptance of this proposal or additional work orders, the signer agrees to pay the amount shown in full. Any amount not paid within the described payment schedule will result in possible legal action. Costs resulting from any legal actions, including attorney fees and court costs will be the responsibility of signer. Interest will be added to any unpaid balances, maximum percent allowable by law.

THREE DAY RIGHT TO CANCEL: I hereby acknowledge that I have been informed of my right to cancel this contract within three (3) days of signing this agreement and have been provided two or more copies of the Notice of Cancellation.

Owner Signature	Date	Owner Signature	Date
<hr/>		<hr/>	
Insurance Company	Phone	GL Dart Representative	Date



G. L. Dart General Contracting, Inc.
A-1 Roofing & Construction

Item A. Section 9, Item

Customer Contract Proposal

Date: 2/21/2022
Customer Name: City of Bellbrook/Dwight Bartlet
Company: Bellbrook Museum
Phone Number: 937-475-6659 Address: 42 North Street City: Bellbrook State: Ohio Zip: 45305
Email: w.mitty@att.net, bev@cityofbellbrook.org, rob@cityofbellbrook.org

SPECIFICATIONS FOR LABOR, MATERIALS, TERMS AND CONDITIONS
G.L. Dart General Contracting agrees to furnish all materials & labor necessary for the work specified below unless otherwise noted.

G L Dart will remove existing wood steps at the front of the museum. Remove pavers to a squared off area for reconstruction. Supply and install new stone steps slightly wider than the front entrance door. Tuck point foundation walls on the front and sides of the museum. Tuck-point 2nd area of the steps on the 2nd building. Tuck-point the foundation on the front and two sides of 2nd building.

After new steps are built on the front of the museum supply and install new paver bricks to match as close as possible. If the pavers do not match exactly, we will pick an accent color and square off the area so that it looks like an accent area.

Supply and install and paint iron railings to both sets of steps on the front of the museum and the second building. Core drill and tap the iron railing into the paver bricks or ground with cement.

Labor and Materials: \$6,500

Comments/Terms: **50% deposit required to start job. Balance due upon job completion**

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G. L. Dart General Contracting, Inc.
A-1 Roofing & Construction

Item A. Section 9, Item

Customer Contract Proposal

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Company: Bellbrook Museum
Phone Number: 937-475-6659 Address: 42 North Street City: Bellbrook State: Ohio Zip: 45305
Email: w.mitty@att.net, bev@cityofbellbrook.org, rob@cityofbellbrook.org

SPECIFICATIONS FOR LABOR, MATERIALS, TERMS AND CONDITIONS
G.L. Dart General Contracting agrees to furnish all materials & labor necessary for the work specified below unless otherwise noted.

Remove siding on left and right of main original structure 2 layers likely, install house wrap (if sheeting is needed or damage exists, evaluate and report to Dwight to discuss options)

Remove needed trim at base and repair corners, remove hand rails off of front of building and patch holes. Install siding to match front of museum as close as possible. Caulk, prime and paint new siding. Flash windows and bottom of siding. Remove all trash.

Labor and Materials: \$13,600

Current lumber prices for 30 days, price of lumber materials may increase. No additional labor charges, only material. Current price of lumber is \$4 sq ft.

Comments/Terms: ***50% deposit required to start job. Balance due upon job completion***

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G. L. Dart General Contracting, Inc.
A-1 Roofing & Construction

Item A. Section 9, Item

Customer Contract Proposal

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Email: w.mitty@att.net, bev@cityofbellbrook.org, rob@cityofbellbrook.org

SPECIFICATIONS FOR LABOR, MATERIALS, TERMS AND CONDITIONS
G.L. Dart General Contracting agrees to furnish all materials & labor necessary for the work specified below unless otherwise noted.

Crowl Building & Museum:

Trim trees over hanging Crowl building, remove gutter guard, clean gutters, install flashing to repair existing leaks causing rot on trim boards. Tuck-point minor areas on foundation of Crowl building. Repair gutter fascia wood, door threshold various trim problems. Replace handrail to Crowl entrance, stucco fill voids in landing of steps. Add cover plate handrail to 2nd story steps to prevent further damage and keep water out. Perform a seam tune up detail on 2 rubber roofs (someone put asphalt patch on incorrectly) repair flashing trim. Clean with power washer and then install a 3 part liquid elastomeric flat roof system to both flat roofs. Prime all newly repaired wood, install lifetime gutter guard to both buildings. Replace pipe boot flashing on the main roof, repair loose down spout.

Labor & Material: \$6,800

Comments/Terms: **50% deposit required to start job. Balance due upon job completion**

The terms and specification stated herein and special conditions following herein are hereby accepted. Contractor is hereby authorized to perform prescribed repairs agreed upon in the above stated price. Upon acceptance of this proposal or additional work orders, the signer agrees to pay the amount shown in full. Any amount not paid within the described payment schedule will result in possible legal action. Costs resulting from any legal actions, including attorney fees and court costs will be the responsibility of signer. Interest will be added to any unpaid balances, maximum percent allowable by law.

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G. L. Dart General Contracting, Inc.
A-1 Roofing & Construction

Item A. Section 9, Item

Customer Contract Proposal

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Company: Bellbrook Museum
Phone Number: 937-475-6659 Address: 42 North Street City: Bellbrook State: Ohio Zip: 45305
Email: w.mitty@att.net, bev@cityofbellbrook.org, rob@cityofbellbrook.org

SPECIFICATIONS FOR LABOR, MATERIALS, TERMS AND CONDITIONS
G.L. Dart General Contracting agrees to furnish all materials & labor necessary for the work specified below unless otherwise noted.

Museum & Crowl House:

Clean, wash, scrape and prep all previously painted surfaces, including new siding, include black hand rails, decks and deck ceilings, steps, siding soffit, trim, doors, windows, rail and walls. Prime all bare area with oil primer, paint 2 coats 20 year rated paint to all surfaces, stain all decks and steps, citys choice of solid color or transparent stain.

Museum is an entire restore and paint job, Crowl house is a touch up, prime in areas needed and repaint momse of the trim, touch up same color as existing.

Labor and Materials: \$6,500

Comments/Terms: **50% deposit required to start job. Balance due upon job completion**

The terms and specification stated herein and special conditions following herein are hereby accepted. Contractor is hereby authorized to perform prescribed repairs agreed upon in the above stated price. Upon acceptance of this proposal or additional work orders, the signer agrees to pay the amount shown in full. Any amount not paid within the described payment schedule will result in possible legal action. Costs resulting from any legal actions, including attorney fees and court costs will be the responsibility of signer. Interest will be added to any unpaid balances, maximum percent allowable by law.

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Owner Signature	Date	Owner Signature	Date
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Insurance Company	Phone	GL Dart Representative	Date

File Attachments for Item:

B. Resolution 2022-R-13 URGING THE GREENE COUNTY COMMISSIONERS TO APPROVE THE TORNADO SIREN PROJECT SUBMITTED BY THE EMERGENCY MANAGEMENT AGENCY FOR USE OF ARPA FUNDS (Greenwood)

AGENDA ITEM INFORMATION REPORT



Meeting Type: City Council Meeting

Meeting Date: 4/11/2022

Department: Legislative

Submitted By: Rob Schommer

AGENDA ITEM DESCRIPTION:

Resolution

Resolution 2022-R-13 URGING THE GREENE COUNTY COMMISSIONERS TO APPROVE THE TORNADO SIREN PROJECT SUBMITTED BY THE EMERGENCY MANAGEMENT AGENCY FOR USE OF ARPA FUNDS

FISCAL IMPACT:

Cost: N/A **Source of Funds:** Choose an item.

Funds Currently Budgeted: Choose an item.

Notes/Implications: Click or tap here to enter text.

PURPOSE AND BACKGROUND:

Tornado sirens have been discussed and were identified as a targeted project through the City Goals. Initial plans and design have been done to seek out and approve installation as a project, and it was recently determined the Greene County Emergency Management Agency has requested approval for a county-wide tornado siren installation project to the County Commissioners for use of the received ARPA funds.

The director or EMA confirmed her submission of the project and this Resolution shows the desire of the City of Bellbrook not only to have sirens, but commend the County for taking on a regionally beneficial project for the safety of all of Greene County by urging the Commissioners to approve the project.

RECORD OF RESOLUTIONS

Item B. Section 9, Item

Resolution No. 2022-R-13

April 11, 2022

City of Bellbrook State of Ohio

Resolution No. 2022-R-13

URGING THE GREENE COUNTY COMMISSIONERS TO APPROVE THE TORNADO SIREN PROJECT SUBMITTED BY THE EMERGENCY MANAGEMENT AGENCY FOR USE OF ARPA FUNDS

WHEREAS, City Council commends the Greene County Board of County Commissioners for being proactive to engage all of Greene County through a structured process by a consultant to determine how to best use the funds received through the American Rescue Plan Act (ARPA); and

WHEREAS, through that process, the Greene County Emergency Management Agency submitted a tornado siren project for consideration as part of the process; and

WHEREAS, the City of Bellbrook, like other communities in Greene County has had input from many residents desiring the installation of outdoor warning sirens to provide an emergency population warning of potential life-threatening danger is approaching; and

WHEREAS, it has been shown that in addition to radio, media, and mobile device alerting, outdoor warning sirens can greatly enhance an early warning system allowing the general population to react and get to a place of safety during a weather threat; and

WHEREAS, City Council recognizes the importance of regional communication and coordination of emergency management and is willing to participate in a county-wide tornado siren project

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. The Bellbrook City Council urges the Green County Board of County Commissioners to approve the Emergency Management Agency's tornado siren project submission for use of received ARPA funds for the benefit and safety of all Greene County residents.

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 _____, 2022.

____ Yeas; ____ Nays.

RECORD OF RESOLUTIONS

Item B. Section 9, Item

Resolution No. 2022-R-13

April 11, 2022

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. The City Manager will provide updates on a variety of topics.



AGENDA ITEM INFORMATION REPORT

Meeting Type: City Council Meeting

Meeting Date: 4/11/2022

Department: Administration

Submitted By: Rob Schommer

AGENDA ITEM DESCRIPTION:

City Manager Report

The City Manager will provide an update on a variety of items.

FISCAL IMPACT:

Cost: N/A **Source of Funds:** Choose an item.

Funds Currently Budgeted: Choose an item.

Notes/Implications: Click or tap here to enter text.

PURPOSE AND BACKGROUND:

Technology Projects Updates:

- New Payroll system has been converted; however, there is a need for more time to train and verify the system. Therefore, we will launch July 1st to stay in line with the end of a quarter. The system
- New website is complete and will be launched within days if not already published by this meeting date. The new site includes the ability for viewers to subscribe to notifications that published on the website. In addition, there is an email tool to allow community notification of events and information. The system is simple, and instructions for residents will be provided on the website and through notices and social media.
- The Permit/Code Enforcement public portal is complete and will be available for residents to use to file for a permit, check the status of permits, and report code enforcement issues.
- We are finalizing an outward-engagement portal that will be integrated on our website and linked through social media to provide a method to seek, analyze then report to take action on citizen input. It will likely be a direct web link of input.cityofbellbrook.org
- New cameras and completion of the council chambers upgrade is scheduled for the first week of May. It is hopeful the schedule of Spectrum will allow activation of the Bellbrook TV channel at the same time

Open Positions:

- 2 applications were received for the VRB vacancy. Community Affairs Committee will be scheduling review of the applicants
- Police Department and H/R conducted interviews of the police officer applicants and will begin processing the candidate including a comprehensive background prior to selection.