



## **CITY COUNCIL REGULAR MEETING AGENDA** **Monday, September 11, 2023 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. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF THE MINUTES**
  - A. Approval of the August 28, 2023 Regular Meeting Minutes
- 5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
  - A. Mayor Schweller will present a Mayoral Proclamation for Patriot Day and Day of Remembrance
  - B. Presentation of the 2023 Beautification Awards
- 6. CITIZEN COMMENTS**
- 7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS**
- 8. PUBLIC HEARING OF PROPOSED ORDINANCES**
- 9. INTRODUCTIONS OF ORDINANCES**
  - A. Ordinance No. 2023-O-4 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 (Cyphers)  
Motion to adopt at introduction.
- 10. ADOPTION OF RESOLUTIONS**
  - A. Resolution 2023-R-25 CREATING THE SHOP LOCAL BELLBROOK INCENTIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO APPLY A CREDIT TO CITY OF BELLBROOK RESIDENTIAL WATER CUSTOMERS FOR PARTICIPATION (Schweller)
- 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**

**File Attachments for Item:**

A. Approval of the August 28, 2023 Regular Meeting Minutes

**RECORD OF PROCEEDINGS**  
Bellbrook Charter Advisory Committee Meeting  
August 28, 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

**ALSO PRESENT:**

Rob Schommer, City Manager

**APPROVAL OF MINUTES:**

Mayor Schweller asked if anyone had comments or corrections to the minutes of the August 14, 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

**INTRODUCTION OF ORDINANCES:**

None

**RECORD OF PROCEEDINGS**  
Bellbrook Charter Advisory Committee Meeting  
August 28, 2023

Item A. Section 4, Item

**RESOLUTIONS:**

**Resolution 2023-R-22:** Accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county auditor (Cyphers)

Mayor Schweller noted this is part of the first step of the 2024 Budget.

Mr. Schommer noted 2024 Tax Budget is completed and submitted and the Budget Commission has certified the rates. The next step is to certify and accept the rates and then report back to the tax commission.

Mayor Schweller asked if there were any questions or discussion from The Council.

The Council discussed the 2024 Tax Budget concerns.

Mayor Schweller asked for a Motion regarding Resolution 2023-R-22.

Motion Made by Mrs. Cyphers, Seconded by Mr. T.J. Hoke.

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

Motion Carries

**Resolution 2023-R-21:** Authorizing merit and performance pay for the City Manager (Schweller)

Mayor Schweller mentioned this is for the Annual Performance Bonus for the City Manager.

The Council thanked Mr. Schommer for his performance and the savings through negotiations from the City Manager.

Mayor Schweller asked for a Motion regarding Resolution 2023-R-21

Motion made by Mayor Schweller, Seconded by Mr. Greenwood.

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

Motion Carries

**Resolution 2023-R-23:** Authorizing the city manager to solicit, advertise, and receive proposals from qualified firms to provide materials and perform services related to the construction and installation of mid-block crosswalks, pavement, curbing, landscaping, and all necessary and related appurtenances within the city (Harding)

Mayor Schweller mentioned this is the official bid package to be sent to all requesting parties.

Mr. Schommer noted the construction and bid drawings remain the same, with only the instructions



**RECORD OF PROCEEDINGS**  
Bellbrook Charter Advisory Committee Meeting  
August 28, 2023

Item A. Section 4, Item

booklet being added .

Mayor Schweller asked the council if they had any other comments or discussion about the bid package.

Mayor Schweller asked for a Motion regarding Resolution 2023-R-23

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

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

Motion Carries

**Resolution 2023-R-24:** Authorizing the city manager to enter into certain public works mutual aid agreements with other participating political subdivisions (Greenwood)

Mr. Greenwood mentioned this is an agreement that allows the departments to assist and aid one another in emergency events.

Mr. Schommer noted the agreement formalizes the procedures during an emergency, and will be helpful should there be FEMA or other reimbursement.

Mayor Schweller asked the council if they had any other comments on Resolution 2023-R-24.

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

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

Motion Carries

**OLD BUSINESS:**

None

**NEW BUSINESS:**

None

**CITY MANAGER REPORT:**

Mr. Schommer provided an overview and updates on the downtown bridge work. He noted the project should be completed mid-October.

Mr. Schommer provided updates on Walnut Street storm water issues. He noted staff is working with the engineering firm and will provide recommendations soon on next steps.

Mr. Schommer thanked everyone who helped with the Movie Night at the Museum. Also, mentioned a vacancy on the Charter Advisory Committee.

**RECORD OF PROCEEDINGS**  
Bellbrook Charter Advisory Committee Meeting  
August 28, 2023

Item A. Section 4, Item

**COMMITTEE REPORTS:**  
**SAFETY:**

Mr. Hoke mentioned Officer Bennington, our SRO starting off in the school and building a rapport with faculty, staff, and students.

**SERVICE:**

Mr. Greenwood thanked the Service Department for their hard work in the heat.

**FINANCE/GOVERNMENT AFFAIRS:**

None

**COMMUNITY AFFAIRS:**

Mrs. Middlestetter mentioned the three openings on the Museum Board.

**CITY OFFICIAL COMMENTS:**

Mrs. Cyphers: None

Mr. Harding: None

Mr. Havens: None

Mr. Hoke: Mentioned the Spellbrook Halloween Event October 14, 2023, 6:00pm-10:30pm in the park and noted this was an event put together as an individual, not on behalf of City Council. He looks forward to seeing the community out that night.

Mrs. Middlestetter: None

Mr. Greenwood: Noted he attended the Movie Night at the Museum and commented on how great of an idea for an event.

Mayor Schweller wished our citizens a safe and Happy Labor Day.

**EXECUTIVE SESSION:**

None

**ADJOURNMENT:**

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 8:15pm

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Michael Schweller, Mayor

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Robert Schommer, Clerk of Council

**File Attachments for Item:**

A. Mayor Schweller will present a Mayoral Proclamation for Patriot Day and Day of Remembrance

# City of Bellbrook Office of the Mayor

# Proclamation

**Whereas:** *Twenty-two years ago, nearly three thousand men, women and children were going about their normal routines and had their lives taken in an unprovoked, senseless act of terrorism against our Nation; and*

**WHEREAS,** *thousands of families and individuals were immediately deprived of a lifetime of moments with their lost loved ones, and people of every race, background, and faith felt the pain inflicted by the attacks; and*

**WHEREAS,** *though many Americans have grown up not knowing the firsthand horrors of that day, their lives have been shaped by it; and*

**WHEREAS,** *in the years that followed those attacks, the United States has worked to rebuild and strengthen our Nation to be more sound and resilient than before; and*

**WHEREAS,** *the compassion that rose in the hearts and minds of Americans following the September 11<sup>th</sup>, 2001 attacks serves as the ultimate rebuke on those who wish evil on our great Nation; and*

**WHEREAS,** *the first responders, rescuers and volunteers who risked and gave their own lives to rescue others demonstrated the unwavering heroism that defines our country; and*

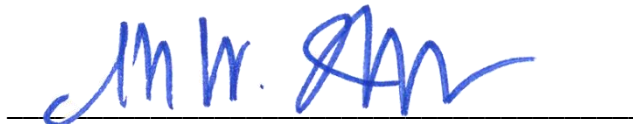
**WHEREAS,** *the City of Bellbrook remembers the innocent victims and continues to honor the brave individuals who gave their lives for this Nation.*

**NOW, THEREFORE,** *I, Michael Schweller, Mayor of the City of Bellbrook and the Bellbrook City Council do hereby proclaim September 11<sup>th</sup>, 2023 to be*

## **PATRIOT DAY AND A DAY OF REMEMBRANCE**

*in Bellbrook, Ohio and call upon all citizens to remember the innocent victims and heroes who gave their lives on that tragic day and to honor them by being of service to one another to continue building a stronger Nation.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Bellbrook to be affixed this 11<sup>th</sup> day of September, 2023*



*Michael Schweller, Mayor*

**File Attachments for Item:**

B. Presentation of the 2023 Beautification Awards

**City of Bellbrook**

15 East Franklin Street  
Bellbrook, Ohio 45305

T (937) 848-4666

F (937) 848-5190

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## 2023 Beautification Committee Awards

Area	Address	Owner Name
A	2125 Clearview Dr	Tom & Dona Erickson
A	4341 Hillcrest	Stephanie Frank & Dennis James
B	2450 Marcia Dr	Rich Schoultz
B	2094 Rosecrest	Missy & James Jordan
C	4098 N. Linda Dr.	Jennifer & Michael James
C	4227 Woodacre Dr	Scott & Suzette Hopkins
D	32 West Maple	Janice Meredith
D	31 East Maple.	Rick Roberts
E	3817 Sable Ridge Dr	John & Barbara Riley
E	3838 Vin de Rogers CT	Josh Haag & Jennifer Moore
Business	15 E Franklin St	Bellbrook Historical Museum

**File Attachments for Item:**

A. Ordinance No. 2023-O-4 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 (Cyphers)

Motion to adopt at introduction.

K&K Petroleum Maintenance Inc

7723 Tylers Place Blvd suite 327  
West Chester, OH 45069

ESTIMATE	Item A.Section 9, Item
ESTIMATE DATE	Aug 23, 2023
TOTAL	\$2,053.92

4254 W Franklin St  
Bellbrook, OH 45305

(937) 848-3272  
a.bizzarro@cityofbellbrook.org

CONTACT US

(937) 938-1195  
office@kkpetro.com

ESTIMATE

Materials	qty	unit price	amount
Parts / Materials - Steel Manhole 37" Round With Skirt	2.0	\$1,026.96	\$2,053.92
Parts/ Materials - Steel Manhole 37" Round With Skirt			

Materials subtotal: \$2,053.92

Subtotal	\$2,053.92
Tax (Tax exempt 0%)	\$0.00

Total \$2,053.92

Thank you for your business!  
K&K Petroleum Maintenance Inc





K&K Petroleum Maintenance Inc  
7723 Tylers Place Blvd suite 327  
West Chester, OH 45069


ESTIMATE	Item A. Section 9, Item
ESTIMATE DATE	Aug 23, 2023
TOTAL	\$9,399.50

4254 W Franklin St  
Bellbrook, OH 45305

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ESTIMATE

Services	qty	unit price	amount
Non Inventory - TL	1.0	\$1,900.00	\$1,900.00
Estimate includes time, travel, labor, and mileage for two technicians to install PLLD kits on regular and diesel.			
Non Inventory - Note			
* Any repairs or damage that are below the surface that cannot be verified without removal of equipment/material covering area are not included.			
* Labor for installation will be billed as "Time and Materials and Mileage".			
* When encountering adverse weather conditions due to extremes in the temperature (either high or low), precipitation (rain, ice or snow), or high wind factors, K&K Petroleum Maintenance, Inc. will not be held responsible for any time delays caused by factors out of our control and/or acts of God.			
* Any addition work that has not been quoted, will be on the same terms and will be invoiced at contractor's existing rate scale for time and material.			
* K&K Petroleum Maintenance, Inc. is fully insured and its' employees are covered by Ohio Workman's Compensation. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra coasts will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control.			
* Owner is to carry fire, tornado, and other necessary insurance.			
* We try our best to keep the store operational, however, if it becomes necessary for unexpected reasons to shut down the pumps, K & K Petroleum Maintenance will not be responsible for loss of sales.			
Services - Concrete Saw Rental	1.0	\$125.00	\$125.00
Services - Concrete Saw Rental			

Services subtotal: \$2,025.00

Materials	qty	unit price	amount
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Parts/Materials - PLLD Kit	2.0	\$2,068	Item A. Section 9, Item
Parts/Materials - PLLD Kit			
Parts/Materials - PLLD Control Module	1.0	\$650.00	\$650.00
Parts/Materials - PLLD Control Module			
Parts/Materials - PLLD Input & Output Module	1.0	\$1,300.00	\$1,300.00
Parts/Materials - PLLD Input & Output Module			
Parts/Materials - PLLD Software	1.0	\$650.00	\$650.00
Parts/Materials - PLLD Software			
Parts/Materials - Capacitor Cover Assembly	2.0	\$93.90	\$187.80
Parts/Materials - Capacitor Cover Assembly			
Parts/Materials - Concrete Caulk	1.0	\$149.50	\$149.50
Parts/Materials - Concrete Caulk			
Parts/Materials - Misc. Shop & Electrical Supplies	1.0	\$300.00	\$300.00
Parts/Materials - Misc. Shop & Electrical Supplies			

Materials subtotal: \$7,374.50

Subtotal \$9,399.50

Tax (Tax exempt 0%) \$0.00

**Total \$9,399.50**

Thank you for your business!  
K&K Petroleum Maintenance Inc

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2023-O-4

September 11, 2023

## City of Bellbrook

### Ordinance No. 2023-O-4

#### **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 repairs to the fuel system are needed as soon as practical; 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 \_\_\_\_<sup>th</sup> 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-4

September 11, 2023

## EXHIBIT A

Fund	2023 Current Appropriations	Personnel Revisions	Other Expenses Revisions	Total Revisions	Amended 2023 Appropriations
<b>100 General Fund</b>	\$1,974,491				\$1,974,491
<i>11 Legislative</i>	\$43,085				\$43,085
<i>12 Administrative</i>	\$570,862				\$570,862
<i>13 Library</i>	\$3,000				\$3,000
<i>14 Museum</i>	\$27,526				\$27,526
<i>15 Community Environment</i>	\$69,018				\$69,018
<i>30 Capital Outlay</i>	\$1,261,000				\$1,261,000
<b>201 Local Fiscal Recovery Fund</b>	\$521,200				\$521,200
<b>202 OneOhio Opioid Settlement Fund</b>	\$4,218				\$4,218
<b>210 Street Fund</b>	\$430,790				\$430,790
<b>220 State Highway Fund</b>	\$28,000				\$28,000
<b>230 Police Fund</b>	\$2,067,502				\$2,067,502
<b>240 Fuel System Fund</b>	\$2,550		<b>\$11,500</b>	<b>\$11,500</b>	\$14,050
<b>250 Fire Fund</b>	\$1,446,852				\$1,446,852
<b>270 Police Pension Fund</b>	\$80,590				\$80,590
<b>280 Motor Vehicle License Fund</b>	\$105,100				\$105,100
<b>610 Waste Collection Fund</b>	\$620,522				\$620,522
<b>620 Water Fund</b>	\$1,581,972				\$1,581,972
<b>800 Performance Bond Fund</b>	\$10,000				\$10,000
<b>Total All Funds</b>	<b>\$8,873,787</b>		<b>\$11,500</b>	<b>\$11,500</b>	<b>\$8,885,287</b>

**File Attachments for Item:**

A. Resolution 2023-R-25 CREATING THE SHOP LOCAL BELLBROOK INCENTIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO APPLY A CREDIT TO CITY OF BELLBROOK RESIDENTIAL WATER CUSTOMERS FOR PARTICIPATION (Schweller)

# RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2023-R-25

September 11, 2023

## City of Bellbrook State of Ohio

### Resolution No. 2023-R-25

#### **CREATING THE SHOP LOCAL BELLBROOK INCENTIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO APPLY A CREDIT TO CITY OF BELLBROOK RESIDENTIAL WATER CUSTOMERS FOR PARTICIPATION**

WHEREAS, City Council encourages all Bellbrook residents to shop local whenever possible to provide support to Bellbrook businesses; and

WHEREAS, shopping local can strengthen local economy, provide product diversity, and gives back to the community; and

WHEREAS, as redevelopment and projects continue to occur in Downtown Bellbrook, City Council wishes to incentivize residents to shop local and make the trip Downtown; and

WHEREAS, City Council has determined it is in the best interest of the City to incentivize residents to shop local to support the businesses within Bellbrook.

#### **NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:**

Section 1. The Shop Local Bellbrook incentive program is hereby established with the following elements and policy:

- a) Shop Local Bellbrook incentive program will run from September 16, 2023 through September 30, 2023
- b) During the incentive program, any Bellbrook residential water customer providing proof of purchase from any Bellbrook business will receive a ten-dollar (\$10) credit on their next residential water billing cycle
- c) Bellbrook water customers will submit an incentive promotional code to the City for application of the credit on their next residential water billing cycle

The City Manager is authorized to create a process and procedures to implement the program under this policy.

Section 2. The City Manager is hereby authorized to apply a ten-dollar (\$10) credit on the next residential water billing cycle for any Bellbrook residential water customer who submits the incentive promotional code for the Shop Local Bellbrook incentive program between September 16, 2023 and September 30, 2023.

Section 3. 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.

RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2023-R-25

September 11, 2023

Section 4. 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

# Shop LOCAL Bellbrook

*Strengthen*  
**LOCAL  
ECONOMY**

*Enjoy*  
**PRODUCT  
DIVERSITY**

*Give Back*  
**TO THE  
COMMUNITY**