



CITY COUNCIL REGULAR MEETING AGENDA **Monday, December 11, 2023 at 7:00 PM**

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF THE MINUTES

A. Approval of the November 27, 2023 Regular Meeting minutes.

5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

A. Special recognition of Council Member Elaine Middlestetter for her three consecutive terms on Council and continued years of service to the community.

6. CITIZEN COMMENTS

7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

8. PUBLIC HEARING OF PROPOSED ORDINANCES

A. Ordinance 2023-O-7 AMENDING ARTICLE 18 – GENERAL PROVISIONS OF THE BELLBROOK ZONING CODE (Middlestetter)

Proposed amendment to Section 8 of the introduced Ordinance to better define the measurement of light trespass.

Motion to amend introduced Ordinance 2023-O-7 prior to motion to adopt.

9. INTRODUCTIONS 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

Recommendation and motion to appoint Deborah Schram to the Historical Museum Board of Trustees

15. CITY OFFICIAL COMMENTS

16. EXECUTIVE SESSION

17. ADJOURNMENT

File Attachments for Item:

A. Approval of the November 27, 2023 Regular Meeting minutes.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 27, 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 November 13, 2023, meeting. Hearing none, the minutes were declared to be approved.

MAYOR'S ANNOUNCEMENTS / SPECIAL PRESENTATIONS:

Mayor Schweller announced a recognition of the retirement of Officer Jackie Jones after 34 years with the City of Bellbrook.

Chief Carmin gave a presentation and an award to Officer Jones. The council thanked Officer Jackie Jones for her 34 years of service.

Mayor Schweller introduced our new City Prosecutor, Mark Webb. Mr. Webb provided details on his years of service and what his staff has to offer the city.

Mayor Schweller and Mr. Schommer welcomed Mr. Mark Webb.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 27, 2023

Item A. Section 4, Item

Mr. Havens mentioned the council looks forward to working with Mr. Webb and his team.

CITIZEN COMMENTS:

None

PUBLIC HEARING OF PROPOSED ORDINANCES:

Ordinance 2023-O-6: An Ordinance approving the appropriations for expenses of the City of Bellbrook for the period beginning January 1, 2024, and ending December 31, 2024. (Cyphers)

Mr. Schommer gave a presentation about the 2024 Annual Proposed Budget to the council.

- Highlights on the 2024 expense budget
- Budgetary goals
- Individual funds by departments
- Revenue budget
- Budget by category
- Expenses by fund
- Capital Improvements by fund
- Capital Expenditures by fund
- Personnel Costs by fund and departments
- Budget Elements (Department/fund details)
- Water fund (revenue vs usage)
- Property Tax

Mr. Schommer also provided details on navigating the new Financial Transparency Center tool available on the city website. He launched and introduced the tool and provided additional budget details and a demonstration of how to use the tool.

Mr. Schommer gave overview information and had department heads give details for their respective department budgets.

Police Chief Carmin thanked the council for another year of support for the Police Department. Chief provided updates on the Police Department and budget changes for 2024 noting:

- property and liability insurance increase
- technology maintenance fees for IT services re-allocated and increased
- MARCS fees increased (radio maintenance) software updates
- Flock Cameras (Investigating Tool)
- Ammunition and training
- Protective equipment (bullet proof vests)

Fire Chief Bizzarro thanked the council for their support and provided details on the Fire Department budget changes

- Dress uniform funds requested

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 27, 2023

Item A. Section 4, Item

- Drone training program (pilots license cost)
- Property and liability insurance increase
- MARCS fees increase
- IT Maintenance re-allocation and increase
- Training with Lexipol (online) trainings in house to decrease fees
- Occupational Cancer concerns
- Hardware and software
- Turn out gear
- Dues and membership fees increase

Mr. Ryan Pasley with street, water, and waste collection.

- Water fund increase (generator and elevator maintenance)
- GIS (meter reading software)
- Analytical cost increase
- Fiber line to the wells
- street paving

Mayor Schweller thanked everyone for the Budget updates.

Mr. Schommer mentioned changes to Community Development and Administrative budgets.

Mr. Schommer provided details on Capital Investments for 2024 including the following items:

- street paving funds
- fire hydrants
- storm water maintenance
- fiber line installation to Well Field
- Main and Franklin Street improvement

Mayor Schweller thanked staff and Mr. Schommer on getting the Budget passed before the end of year. Also mentioned the New Financial Transparency Center with Clear Gov is amazing and gave credit on the details to Mr. Schommer.

The Council thanked Mr. Schommer for his hard work and providing the city with these great tools.

Mr. Schommer mentioned the small amount of debt The City of Bellbrook carries. (Ohio Public Works Commission Loans, Upper Hillside Water Replacement, and the water treatment plant improvement. Annual payments are being made at 0% interest.

Mayor Schweller mentioned very few cities operate with as little debt as The City of Bellbrook.

Mayor Schweller asked if anyone in the audience cares to speak in favor of or opposition to the budget presentation Ordinance 2023-O-6. Hearing none, Mayor Schweller declared the public hearing closed.

Motion to Adopt Ordinance 2023-O-6.

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

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 27, 2023

Item A. Section 4, Item

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. T.J. Hoke, Mrs. Middlestetter, Mayor Schweller.
Motion Carries

INTRODUCTION OF ORDINANCES:

Ordinance 2023-O-7: Amending Article 18- General provisions of the Bellbrook Zoning Code (Middlestetter)

Mrs. Middlestetter read the Ordinance.

Mr. Schommer provided a brief description of the proposed amendment to the zoning code.

The council discussed light trespass violations with Mr. Foster.

Mr. Foster stated he would prefer more education from a legal perspective about specific enforcement and measurement of lighting violations.

Mayor Schweller noted more discussion can occur at the Public Hearing December 11, 2023.

Motion to Introduce Ordinance 2023-O-7.

Motion made by Mrs. Middlestetter, Seconded by Mrs. Cyphers.

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

Motion Carries

ADOPTION OF RESOLUTIONS:

Resolution 2023-R-32: Imposing a temporary moratorium of one hundred and eighty (180) days on the issuance and processing of any permits allowing adult use cannabis operators within the City of Bellbrook (Havens)

Mayor Schweller noted this is a 180-day moratorium on the issuance of permits for any adult use cannabis operations in the city.

Mr. Schommer explained with the passage of the new law it has risen to some concerns reflected by Council. The moratorium prohibits any of the retail establishments in the city having the opportunity to be selected and solicit for a license to distribute cannabis for sale in the city. The moratorium allows local control and it's written in the law that allows us to either limit or prohibit the issuance of licenses locally. December 7, 2023, the law is in effect.

Mayor Schweller asked if this has been through legal review. Mr. Schommer replied, yes. This matches the type of regulation this city has regarding licensing and retail sales to safeguard the interest of the community.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 27, 2023

Item A. Section 4, Item

Motion to Adopt Resolution 2023-R-32.

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

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

Motion Carries

OLD BUSINESS:

None

NEW BUSINESS:

None

CITY MANAGER REPORT:

Mr. Schommer mentioned work by staff to prepare for the 2024 Budget Presentation tonight.

COMMITTEE REPORTS:

SAFETY: Mr. T.J. Hoke met in person with Chief Bizzaro, Chief Carmin, and Captain Lane to go over safety committee issues. Looking forward to Flock Cameras. He spoke on Crime Reports in the New World reporting system for different schedules of reports including the weekly blotter.

SERVICE: Mr. Greenwood mentioned two water wells are down for cleaning. He noted the Service department does a lot of maintenance to prevent issues, and the department is getting ready for the winter weather.

FINANCE/GOVERNMENT AFFAIRS:

None

COMMUNITY AFFAIRS:

Mrs. Middlestetter mentioned needing applicants for the Museum Board. She also reminded everyone of the December 9, 2023, Christmas in the Park event.

CITY OFFICIAL COMMENTS:

Mrs. Cyphers: None

Mr. Harding: Congrats to Jackie Jones on her retirement. Reminder to shop local for the Holidays.

Mr. Havens: None

Mr. Hoke: Welcome to our New Prosecutor Mark Webb.

Mrs. Middlestetter: Welcome to our New Prosecutor Mark Webb.

Mr. Greenwood: Welcome to Mark Webb taking the Prosecutor position.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 27, 2023

Item A. Section 4, Item

Mentioned the service department has been working hard to light up downtown. Looks great!

Mayor Schweller thanked Mark Webb for coming and thanked The Optimist Club for lighting the tree in Bellbrook Park.

ADJOURNMENT:

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 9:15 pm

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Ordinance 2023-O-7 AMENDING ARTICLE 18 – GENERAL PROVISIONS OF THE BELLBROOK ZONING CODE (Middlestetter)

Proposed amendment to Section 8 of the introduced Ordinance to better define the measurement of light trespass.

Motion to amend introduced Ordinance 2023-O-7 prior to motion to adopt.

NOTICE OF PUBLIC HEARING



City Council Public Hearing

Monday December 11, 2023 7:00 pm
City Council Chambers 15 E. Franklin Street

**There will be an open Public Hearing by the Bellbrook
City Council regarding Ordinance No.2023-O-7**

A Public Hearing will be held by Bellbrook City Council, regarding Ordinance No2023-O-7

**Ordinance 2023-O-7 AMENDING ARTICLE 18 – GENERAL PROVISIONS OF THE BELLBROOK
ZONING CODE**

Monday December 11, 2023 7:00 pm in the Council Chambers 15 E. Franklin Street.
The public is welcome to attend or send comments to the Clerk of Council at
clerk@cityofbellbrook.org. A copy of the Ordinance is attached.

Agenda and additional meeting information available at www.cityofbellbrook.org

Posted 11/28/2023

City of Bellbrook State of Ohio

Ordinance No. 2023-O-7

AMENDING ARTICLE 18 – GENERAL PROVISIONS OF THE BELLBROOK ZONING CODE

WHEREAS, The City of Bellbrook has adopted Article 18 – General Provisions of the Bellbrook Zoning Code into the Bellbrook Code of Ordinances; and

WHEREAS, City Council wishes to amend Article 18 – General Provisions to include a new section for Light and Glare.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the following amendments to Article 18 – General Provisions of the Bellbrook Zoning Code be approved with the addition of Section 18.31 Light and Glare added in its entirety as follows:

18.31 Light & Glare:

(1) Purpose and Intent

These provisions are intended to control the use of artificial illuminating emitting rays into the night sky and to provide a level of illumination necessary for adequate, safe, and efficient movement of vehicles and persons. It is the intention of this section to accomplish the following:

- a. Encourage lighting systems that are designed to conserve energy;
- b. Minimize glare;
- c. Protect the use and enjoyment of surrounding property; and
- d. Increase nighttime safety, security, and productivity.

(2) Conformance and Applicable Codes

All outdoor, artificial illuminating devices shall be installed and maintained in conformance with the provisions of this section and the Ohio Building Code.

(3) Nonconforming Lighting – New Uses, Buildings & Major Additions, or Modifications

This section shall apply to all lots of proposed new land uses, developments, buildings, and structures that require a permit.

All building additions or modifications of 25 percent or more in terms of additional dwelling units, gross floor area, or parking spaces, either with a single approval or with cumulative approvals shall invoke the requirements of this sections for the entire property, including previously installed and any new exterior lighting.

Similarly, cumulative modification or replacement of the exterior lighting constituting 25 percent or more of the total exterior light output found on the site, measured in initial lamp lumens, shall invoke the requirements of this section for the entire property, including previously installed and any new exterior lighting.

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2023-O-7

December 11, 2023

(4) Nonconforming Lighting – Minor Additions

Additions or modifications of less than 25 percent, as described in 18.31 (3), and that require any type of permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new exterior lighting. Any new lighting on the site shall meet the requirements of this Code with regard to shielding and lamp type.

(5) Nonconforming Lighting – Resumption of Use after Abandonment

If a property or use with nonconforming lighting is abandoned for 6 months or more, then all exterior lighting shall be reviewed and brought into compliance with this Code prior to the property's reuse.

(6) Exceptions

The following shall be exempt from the standards of this Section:

- a. Public street luminaries;
- b. Emergency lighting: All temporary emergency lighting needed by the police, fire departments, or other emergency services, as well as all vehicular luminaries;
- c. Lighting used for construction crews making improvements of the public right-of-way.

(7) Shielding Standards

All exterior luminaries shall not be aimed, directed, or focused to cause direct light from the luminaire toward residential property or to persons operating motor vehicles on public ways; the luminaire shall be redirected, or its light output controlled as necessary to eliminate such conditions.

In addition, all exterior luminaires having an initial output greater than 2,000 lumens and that are mounted on a pole, building, structure, or tree, shall be full cutoff type luminaires. Such pole, building, structure, or tree mounted luminaires shall not be equipped with adjustable mounting devices permitting alteration of the luminaire's aim in the field.

(8) Light Trespass

All luminaires shall be located, aimed, or shielded to prevent light from trespassing across property boundaries. Light originating on a site shall not exceed the following foot-candles at any property line of said site for the following adjacent uses:

- a. Single Family Residential 0.1 foot-candles
- b. Multi-Family Residential 0.3 foot-candles
- c. Civic 0.5 foot-candles
- d. Office 0.5 foot-candles
- e. Commercial 1.0 foot-candles
- f. Industrial 1.0 foot-candles
- g. Street Rights-of-Way 1.0 foot-candles

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2023-O-7

December 11, 2023

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

PASSED BY City Council this ____ day of ____ 2023.

____ Yeas; ____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council

APPROVED AS TO FORM:

Stephen McHugh, Municipal Attorney

City of Bellbrook State of Ohio

Ordinance No. 2023-O-7

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RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2023-O-7

December 11, 2023

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All luminaires shall be located, aimed, or shielded to prevent light from trespassing across property boundaries **and into adjacent dwellings**. Light originating on a site shall not exceed the following foot-candles **at any property line and be measured at the point of intrusion** of said **site dwelling** for the following adjacent uses:

- | | |
|------------------------------|---|
| a. Single Family Residential | 0.4 0.55 foot-candles |
| b. Multi-Family Residential | 0.3 0.55 foot-candles |
| c. Civic | 0.5 5 foot-candles |
| d. Office | 0.5 foot-candles |
| e. Commercial | 1.0 foot-candles |
| f. Industrial | 1.0 foot-candles |

RECORD OF ORDINANCES

Item A. Section 8, Item

Ordinance No. 2023-O-7

December 11, 2023

g. Street Rights-of-Way

1.0 foot-candles

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PASSED BY City Council this ____ day of ____ 2023.

____ Yeas; ____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council

APPROVED AS TO FORM:

Stephen McHugh, Municipal Attorney

File Attachments for Item:

D. Community Affairs Committee

Recommendation and motion to appoint Deborah Schram to the Historical Museum Board of Trustees



CITY OF BELLBROOK
APPLICATION FOR BOARD/COMMISSION

Item D. Section 14, Item

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305
(937) 848-4666 WWW.CITYOFBELLBROOK.ORG

PERSONAL INFORMATION

LAST NAME Schram FIRST NAME Deborah
ADDRESS 36 S. Main St. CITY Bellbrook STATE OH ZIP CODE 45305
PHONE (937) 271 6608 EMAIL deborahcschram@gmail.com

DESIRED APPOINTMENT

<input type="checkbox"/> BOARD OF ZONING APPEALS/PROPERTY REVIEW COMMISSION (5 YEAR TERM)	<input type="checkbox"/> PLANNING BOARD (5 YEAR TERM)
<input type="checkbox"/> VILLAGE REVIEW BOARD (3 YEAR TERM)	<input checked="" type="checkbox"/> HISTORICAL MUSEUM TRUSTEE (4 YEAR TERM)
<input type="checkbox"/> RECORDS COMMISSION (5 YEAR TERM)	

BACKGROUND

LENGTH OF RESIDENCE IN BELLBROOK 33 years ARE YOU A REGISTERED VOTER? YES ☒ NO ☐

CIVIC PARTICIPATION, INTERESTS, ACTIVITIES I have been on community boards and served as board chair on several: Nova House, Womanline, Buda, Western Ohio Alcoholism Counsel, Condo Association and acted as attorney for several. I have a collection of vintage clothing starting with the Civil war.

QUALIFICATIONS FOR APPOINTMENT See above

REASONS I WOULD LIKE TO BE CONSIDERED The musuem and the history of Bellbrook have always been of interest. My house was the first coroner's house in Bellbrook - but not the morgue. I have skills that could be useful to the Board and I have the time.

OTHER TRAINING/SKILLS I have written grant applications, corporate by-laws and incorporated non-profit and for profit corporations.

EMPLOYMENT HISTORY

PRESENT OR PAST EMPLOYER(S)	JOB TITLE	YEARS
Self	Attorney at Law	30 years +

SIGNATURE Deborah Schram DATE 11/20/23

PLEASE FEEL FREE TO ATTACH YOUR RESUME OR ADDITIONAL INFORMATION.