



CITY COUNCIL REGULAR MEETING AGENDA

Monday, April 08, 2024 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 25, 2024 Regular City Council meeting minutes.
5. **MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
6. **CITIZEN COMMENTS**
7. **CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS**
8. **PUBLIC HEARING OF PROPOSED ORDINANCES**
9. **INTRODUCTIONS OF ORDINANCES**
10. **ADOPTION OF RESOLUTIONS**
11. **OLD BUSINESS**
12. **NEW BUSINESS**
13. **CITY MANAGER'S REPORT**
 - A.
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 March 25, 2024 Regular City Council meeting minutes.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 25, 2024

Item A. Section 4, Item

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Schweller led the Council in the Pledge of Allegiance.

3. ROLL CALL

PRESENT

Mr. Logan Ashley

Mrs. Katherine Cyphers

Mr. Forrest Greenwood

Mr. Brady Harding

Mr. Ernie Havens

Mr. T.J. Hoke

Mayor Mike Schweller

4. APPROVAL OF THE MINUTES

Mayor Schweller asked if anyone had comments or corrections to the minutes of March 11, 2024, meeting. Hearing none, the minutes were declared to be approved.

5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUESTS

Mayor Schweller announced the presentations for the 2023 Annual Review Report by the City Departments. Mr. Schommer introduced each department director who reviewed details of their respective departments for 2023 following a prepared presentation.

6. CITIZEN COMMENTS

Mr. Larry White of the Bellbrook Presbyterian Church spoke on a current project to restore the Historic Bell.

Mr. Mike Kinsey of 1370 Sugar Hill Lane noted questions and concerns about one of the proposed changes to the City Charter recommended by the Charter Advisory Committee.

Mr. David Buccalo mentioned concerns with the Bellbrook Community Support Center.

Mr. Schommer noted the recommendations of the Charter Advisory Committee are in the report to Council; however, there are no formal actions as of yet to initiate any proposed changes until Council can review the recommendations and the Charter in its entirety.

Mayor Schweller noted the Community Support Center is not part of the City government and there is no control or oversight as it operates as an independent organization.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 25, 2024

Item A. Section 4, Item

7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

None

8. PUBLIC HEARING OF PROPOSED ORDINANCES

None

9. INTRODUCTIONS OF ORDINANCES

A. ORDINANCE 2024-O-3: AMENDING ORDINANCE 2023-O-6 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY (CYPHERS)

Mr. Schommer noted two grants were received that were not included in the original 2024 budget, and there is a need to appropriate the funds in order to purchase the related public safety equipment associated to the grants.

Mayor Schweller asked for a Motion to Adopt Ordinance 2024-O-3 at Introduction.

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

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

Motion Carries

10. ADOPTION OF RESOLUTIONS

A. RESOLUTION 2024-R-11: GENERALLY APPROVING A PROJECT FOR AN EXPANSION TO THE WINTER'S LIBRARY FACILITY (GREENWOOD)

Mr. Schommer noted there has been some meetings between the City and Library to preliminarily discuss the need for an expansion to meet the service needs of the community. He added there is a current opportunity of interest within the State Capital Budget to earmark funding. He also noted establishing the expansion as an intended project in the future for the City based on identified funding would help.

Council noted the expansion has been talked about for some time and identifying steps for funding is a good idea.

Mayor Schweller asked for a Motion to Adopt Resolution 2024-R-11.

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

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

Motion Carries

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 25, 2024

Item A. Section 4, Item

11. OLD BUSINESS

None

12. NEW BUSINESS

- A. Mr. Schommer introduced two applications to establish a Community Entertainment District within the City. One is for Downtown and the other is for the west business area of the City. He noted the current alcohol permit quota is full for certain types of licenses and would limit the possibility of certain economic development for the city. He added the first step of the process is to apply to the Mayor and stated it would be most appropriate to have Council direct him on behalf of the City to make the application.

Motion to direct the City Manager to create and submit to the Mayor of the City of Bellbrook an application for the establishment of a community entertainment district as defined in Ohio revised Code 4301.80

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

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

- B. Mayor Schweller asked Council to review of recommended changes to the City Charter as submitted by the Charter Advisory Committee.

Mr. Schommer explained the changes discussed and voted on by the committee are submitted in report form to Council for consideration. Council would then review and discuss to determine if any changes need to be made to the City Charter.

Mayor Schweller asked Council to have the first four articles reviewed for discussion at the May Council meeting.

13. CITY MANAGER'S REPORT

Mr. Schommer mentioned the zero loss awards by department through MVRMA to include Fire, Service and Water. He noted there are zero loss claims for several years in a row by the departments.

Mr. Schommer noted the need to bring to council a recommendation to identify methods of increasing revenue to cover the deficit created through the operation of public safety. There is a current shortfall of \$500,000 which has depleted existing fund balances and the gap in revenue needs to be filled to maintain the current level of public safety services.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
March 25, 2024

Item A. Section 4, Item

14. COMMITTEE REPORTS

- A. Safety Committee: None
- B. Service Committee: None
- C. Finance/Audit Committee: None
- D. Community Affairs Committee: Mr. Schommer noted there will be interviews for park district commissioner appointment recommendations, and according to the MOU the City Manager and a designated member of council sits on the interview board. Mr. Havens asked to continue participating and Council had no objection.

15. CITY OFFICIAL COMMENTS

Mr. Ashley: None

Mrs. Cyphers: None

Mr. Greenwood: Thanked the department heads for the great reports.

Mr. Harding: Thanked everyone in attendance.

Mr. Hoke: None

Mr. Havens: Thanked the Council and Township residents for attending.

Mayor Schweller: Mentioned we have a great city staff due to great leaders.

16. EXECUTIVE SESSION

Mayor Schweller asked for a Motion to enter Executive Session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statement of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

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

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

Motion Carries

Executive Session began at 9:22pm.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

March 25, 2024

Item A. Section 4, Item

Mayor Schweller asked for a Motion to exit Executive Session

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

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

Motion Carries

Executive Session ended at 10:00pm.

There were no formal actions or decisions made during the executive session.

17. ADJOURNMENT

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 10:02 pm

Mayor Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A.



MEMORANDUM

TO: Bellbrook City Council
FROM: Mayor Michael Schweller
Subject: Community Entertainment District Applications

City of Bellbrook
15 East Franklin Street
Bellbrook, Ohio 45305

T (937) 848-4666
F (937) 848-5190

www.cityofbellbrook.org

I have reviewed the two submitted applications to establish both an East and West Community Entertainment District within the city limits of Bellbrook. Upon the review, I found the applications contained all the required elements in accordance to the applicable State Laws.

One application has been submitted by Matthew Borszsz c/o Treig LLC representing ownership of property at 4441 S.R. 725 within the proposed CED. The second application has been submitted by City Manager Rob Schommer at the direction of City Council on behalf of the City representing ownership of property within the proposed CED including 12 W. Franklin Street.

I agree the establishment of these Community Entertainment Districts are in the best interest of the community and will allow for current and future businesses and property owners within the City the opportunity for growth and enhancement. Without the consideration of establishing these CED's, the City of Bellbrook would significantly limit pending economic development opportunities as well as limit future opportunities for businesses.

As Bellbrook continues its excellent work towards revitalizing Downtown and enhancing services to the community, this growth and economic development initiative is vital to our continued success.

Considering all aspects of the submitted applications, and the benefit to the community, I recommend Council approve the applications and take the necessary actions to establish both East and West Community Entertainment Districts.

Signed,

A handwritten signature in blue ink, appearing to read "M. W. Schweller".

Michael Schweller, Mayor

Community Entertainment District Application

March 2024

Applicant's Name and Address

Treig LLC
c/o Matthew Borszcz
4441 State Route 725
Bellbrook, Ohio 45305
(937) 475-6579

Detailed Map of the Community Entertainment District (CED)

The attached exhibit serves as the map of the proposed district that encompasses a total of twenty-three (23) acres. The applicant is the property owner of the land listed below inside the proposed CED.

1. Treig LLC – L35000200130017900

Attached as Exhibit A.

Nature and Type of Establishments

The Ohio Revised Code, in Section 4301.80(A), a Community Entertainment District is defined as follows:

(A) As used in this section, "community entertainment district" means a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these:

- (1) Hotels;
- (2) Restaurants;
- (3) Retail sales establishments;
- (4) Enclosed shopping centers;
- (5) Museums;
- (6) Performing arts theaters;
- (7) Motion picture theaters;
- (8) Night clubs;
- (9) Convention facilities;
- (10) Sports facilities;
- (11) Entertainment facilities or complexes;
- (12) Any combination of the establishments described in division (A)(1) to (11) of this section that provide similar services to the community.

The proposed "Bellbrook West" CED contains a diverse group of businesses engaged in commercial activity, including restaurants, retail sales establishments, service establishments, and many other complimentary businesses. The proposed district encompasses the City of

Bellbrook's western most commercial centers and an undeveloped 7.36-acre tract along the western boundary line of the city.

Timeframe for Completion of Establishments

The proposed CED is fully developed with the exception of two parcels on the western boundary line totaling 7.36 acres. These parcels could be developed as early as 2025.

Evidence that Land in the CED is Consistent with the City's Comprehensive Plan

The land uses in the proposed CED are consistent with the City's Comprehensive Plan.

Attached as Exhibit B.

Certificate from Surveyor/Engineer that CED Contains at Least Twenty Contiguous Acres

Attached as Exhibit C

A processing Fee of Ten Dollars (\$10) made payable to the City of Bellbrook was submitted with the original application.

Exhibit A



----- Indicates outline of Community Entertainment District-Bellbrook West

----- Indicates property owned by applicant



City of Bellbrook

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Exhibit B

March 19, 2024

City of Bellbrook
15 East Franklin Street
Bellbrook, Ohio 45305

RE: Community Entertainment District-Bellbrook East

Dear Sir or Madam:

Please be advised that the proposed Community Entertainment District-Bellbrook West for which boundaries are defined on the attached map (Exhibit A) are consistent with the City's Comprehensive Plan and Zoning Map as required in Ohio Revised Code Section 4301.80(B)(5).

City of Bellbrook

By:  _____

Jason Foster, OhioCED
Community Development Administrator



2500 Newmark Drive Miamisburg, OH 45342 | (866) 552-3536 | LJBinc.com

March 20, 2024

Mayor Michael Schweller
City of Bellbrook
15 East Franklin Street
Bellbrook, OH 45305

Re: Community Entertainment District – Bellbrook West

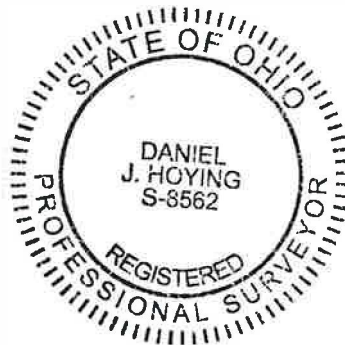
Dear Mayor Schweller:

Please be advised that the proposed Community Entertainment District – Bellbrook West, for which boundaries are outlined in blue as defined on the attached map (Exhibit A), contains no less than twenty (20) contiguous acres as required in the Ohio Revised Code Section 4301.80(B)(6).

Sincerely,

LJB Inc.

Daniel Hoying, P.E., P.S., STP
Project Development, Infrastructure



STRUCTURAL



FALL PROTECTION
SAFETY



TRANSPORTATION



SITE DESIGN



SURVEY



WATER
RESOURCES



TECHNOLOGY
& INNOVATION



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Community Entertainment District Application

March 2024

Applicant's Name and Address

City of Bellbrook
c/o Rob Schommer, City Manager
15 East Franklin Street
Bellbrook, Ohio 45305
(937) 848-4666

Detailed Map of the Community Entertainment District (CED)

The attached exhibit "A" serves as the map of the proposed district that encompasses a total of 45.5 acres and includes privately owned land, publicly owned land, and public rights-of-way.

The applicant is the property owner of the land listed below inside the proposed CED.

1. The City of Bellbrook – L35000100020004200
2. The City of Bellbrook – L35000200050004700
3. The City of Bellbrook – L35000200050004500
4. The City of Bellbrook – L35000200050004300
5. The City of Bellbrook – L35000200050004900
6. The City of Bellbrook – L35000200050004400
7. The City of Bellbrook – L35000200050004200
8. The City of Bellbrook – L35000100020005000
9. The City of Bellbrook – L35000100020004900
10. The City of Bellbrook – L35000100020004800
11. The City of Bellbrook – L35000100020004600

Attached as Exhibit A.

Nature and Type of Establishments

The Ohio Revised Code, in Section 4301.80(A), a Community Entertainment District is defined as follows:

(A) As used in this section, "community entertainment district" means a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these:

- (1) Hotels;
- (2) Restaurants;
- (3) Retail sales establishments;
- (4) Enclosed shopping centers;
- (5) Museums;
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- (7) Motion picture theaters;
- (8) Night clubs;
- (9) Convention facilities;
- (10) Sports facilities;
- (11) Entertainment facilities or complexes;
- (12) Any combination of the establishments described in division (A)(1) to (11) of this section that provide similar services to the community.

The proposed "Bellbrook East" CED encompasses Bellbrook's Historic Old Village District, the vibrant Downtown corridor of the city. Bellbrook's historic core is built upon its rich history as a regional tourism destination dating back to as early as 1816, to Village incorporation in 1832, through over a century of development to its entertainment, retail, social, and cultural connections. The historic core includes the acclaimed Blueberry Café, Macintosh Tavern, Veli's Pizzeria, and Bellbrook Brewing Company. In addition to specialty retail boutiques, Winter's Public Library, Bellbrook's Historical Museum, and many other small businesses are included in the proposed CED. A new full-service restaurant and a unique craft cocktail lounge are currently proposed in the proposed district as well. The city has also approved and began work on the "Downtown Streetscape Project". This project includes improvements to walkability, pedestrian safety, infrastructure, and the overall aesthetics of Downtown.

Collectively, the current and planned private and public development projects within the proposed CED reinforce the destination qualities of the area, and along with a dynamic mix of walkable uses, offer a unique attraction and catalyst for future development and investment within the district.

Timeframe for Completion of Establishments

The proposed CED is fully developed. However, redevelopment of several properties will begin in 2024.

Evidence that Land in the CED is Consistent with the City's Comprehensive Plan

The land uses in the proposed CED are consistent with the City's Comprehensive Plan.

Attached as Exhibit B.

Certificate from Surveyor/Engineer that CED Contains at Least Twenty Contiguous Acres

Attached as Exhibit C

A processing Fee of Ten Dollars (\$10) made payable to the City of Bellbrook was submitted with the original application.

Exhibit A



----- Indicates outline of proposed Community Entertainment District

----- Indicates property owned by applicant



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Exhibit B

March 19, 2024

City of Bellbrook
15 East Franklin Street
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RE: Community Entertainment District-Bellbrook East

Dear Sir or Madam:

Please be advised that the proposed Community Entertainment District-Bellbrook East for which boundaries are defined on the attached map (Exhibit A) are consistent with the City's Comprehensive Plan and Zoning Map as required in Ohio Revised Code Section 4301.80(B)(5).

City of Bellbrook

By: _____

A handwritten signature in blue ink that reads "J Foster".

Jason Foster, OhioCED
Community Development Administrator



March 20, 2024

Mayor Michael Schweller
City of Bellbrook
15 East Franklin Street
Bellbrook, OH 45305

Re: Community Entertainment District – Bellbrook East

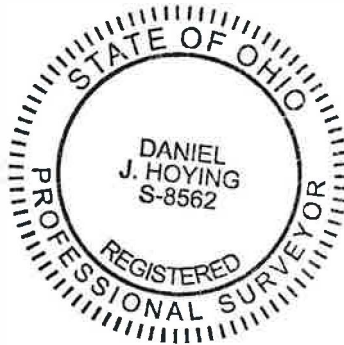
Dear Mayor Schweller:

Please be advised that the proposed Community Entertainment District – Bellbrook East, for which boundaries are outlined in blue as defined on the attached map (Exhibit A), contains no less than twenty (20) contiguous acres as required in the Ohio Revised Code Section 4301.80(B)(6).

Sincerely,

LJB Inc.

Daniel Hoying, P.E., P.S., STP
Project Development, Infrastructure



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