



## **CITY COUNCIL REGULAR MEETING AGENDA**

### **Monday, April 28, 2025 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**
- 5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
  - A. Deputy Health Commission Noah Stuby from the Greene County Board of Health will review programs and services.
- 6. CITIZEN COMMENTS**
- 7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS**
- 8. PUBLIC HEARING OF PROPOSED ORDINANCES**
- 9. INTRODUCTIONS OF ORDINANCES**
  - A. Ordinance 2025-O-08 AN ORDINANCE TO PROCEED TO LEVY AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 AND SUBSECTION 5705.19(JJ), AS AMENDED, FOR ALL PURPOSES DESCRIBED IN SUBSECTIONS 5705.19(I) AND (J) OF THE OHIO REVISED CODE, WHICH LEVY SHALL BE TWO AND TWO TENTHS (2.2) MILLS AND SHALL RUN FOR A CONTINUING PERIOD OF TIME PURSUANT TO OHIO REVISED CODE SECTION 5705.19, AND DECLARING THAT THE QUESTION OF THE ADDITIONAL TAX LEVY BE SUBMITTED TO THE ELECTORS AT THE ELECTION TO BE HELD NOVEMBER 4, 2025. (Ashley)
- 10. ADOPTION OF RESOLUTIONS**
  - A. Resolution 2025-R-11 TO ACCOMMODATE UNANTICIPATED DELAYS IN U.S. POSTAL SERVICE DELIVERY, AUTHORIZING THE CITY MANAGER TO DEVELOP AND IMPLEMENT MODIFIED PENALTY AND BILLING PROCEDURES FOR UTILITY BILLING IN ACCORDANCE WITH SECTION 1042.04 OF THE BELLBROOK CODIFIED ORDINANCES (Cyphers)
- 11. OLD BUSINESS**
  - A. Continued discussion/review or amendments to the animal ordinance.
- 12. NEW BUSINESS**
  - A. Appointment of Representative to the Greene County Board of Health.
- 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. Ordinance 2025-O-08 AN ORDINANCE TO PROCEED TO LEVY AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 AND SUBSECTION 5705.19(JJ), AS AMENDED, FOR ALL PURPOSES DESCRIBED IN SUBSECTIONS 5705.19(I) AND (J) OF THE OHIO REVISED CODE, WHICH LEVY SHALL BE TWO AND TWO TENTHS (2.2) MILLS AND SHALL RUN FOR A CONTINUING PERIOD OF TIME PURSUANT TO OHIO REVISED CODE SECTION 5705.19, AND DECLARING THAT THE QUESTION OF THE ADDITIONAL TAX LEVY BE SUBMITTED TO THE ELECTORS AT THE ELECTION TO BE HELD NOVEMBER 4, 2025. (Ashley)

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2025-O-08

May 12, 2025

## City of Bellbrook State of Ohio

### Ordinance No. 2025-O-08

**AN ORDINANCE TO PROCEED TO LEVY AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 AND SUBSECTION 5705.19(JJ), AS AMENDED, FOR ALL PURPOSES DESCRIBED IN SUBSECTIONS 5705.19(I) AND (J) OF THE OHIO REVISED CODE, WHICH LEVY SHALL BE TWO AND TWO TENTHS (2.2) MILLS AND SHALL RUN FOR A CONTINUING PERIOD OF TIME PURSUANT TO OHIO REVISED CODE SECTION 5705.19, AND DECLARING THAT THE QUESTION OF THE ADDITIONAL TAX LEVY BE SUBMITTED TO THE ELECTORS AT THE ELECTION TO BE HELD NOVEMBER 4, 2025.**

WHEREAS, City Staff have carefully reviewed the status of the City's funds and projected expenses and have determined that there is a need for additional funding, pursuant to Ohio Revised Code Section 5705.19(JJ), for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of related costs, and/or for providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of the police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel pursuant to section 145.48 or 742.33 of the Revised Code, for the provision of ambulance or emergency medical services operated by a police department, or for the payment of other related costs, upon the entire territory of the City of Bellbrook, at a rate not exceeding Two and Two Tenths (2.2) Mills for each \$1 of taxable value, which amounts to \$77.00 for each \$100,000.00 of the county auditor's appraised value, for a continuing period of time; and

WHEREAS, it is in the best interest of the City's residents, and their health, safety, and welfare, that the City has adequate funding for its efficient operation; and

WHEREAS, City Staff have recommended that the City seek additional funding in the form of a tax levy, pursuant to Ohio Revised Code Section 5705.19(JJ), for the purposes described in Ohio Revised Code Section 5705.19(I) and (J); and

WHEREAS, after considering the recommendations of City Staff, this Council heretofore determined the necessity of levying an additional tax in excess of the ten-mill limitation for the benefit of the City and for the purposes described herein.

**NOW, THEREFORE, TWO-THIRDS OF ALL MEMBERS OF COUNCIL OF THE CITY OF BELLBROOK CONCUR AND HEREBY ORDAINS:**

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2025-O-08

May 12, 2025

Section 1. Council has received certification issued by the County Auditor for Greene County, Ohio, pursuant to Ohio Revised Code Section 5705.03, as amended.

Section 2. The amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the City of Bellbrook.

Section 3. Pursuant to Ohio Revised Code Section 5705.19(JJ), as amended, it is necessary to levy an additional tax in excess of the ten-mill limitation, for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of related costs, and/or for providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of the police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel pursuant to section 145.48 or 742.33 of the Revised Code, for the provision of ambulance or emergency medical services operated by a police department, or for the payment of other related costs, upon the entire territory of the City of Bellbrook, at a rate not exceeding Two and Two Tenths (2.2) Mills for each \$1 of taxable value, which amounts to \$77.00 for each \$100,000.00 of the county auditor's appraised value, for a continuing period of time.

Section 4. The City of Bellbrook will proceed with the submission of the question of the additional tax to the electors. Said levy shall be submitted to the electors of this City at the election to be held on Tuesday, November 4, 2025, and at the regular place or places of voting within this City as established by the Board of Elections of Greene County, Ohio during the election hours established by state law or by said Board of Elections.

Section 5. This ballot measure shall be submitted to voters in the entire territory of the City of Bellbrook, and the entire territory of the City of Bellbrook is located within Greene County, Ohio.

Section 6. The form of the ballot to be used at said election shall be substantially as follows:

## **PROPOSED ADDITIONAL TAX LEVY**

### **CITY OF BELLBROOK, OHIO**

A majority affirmative vote is necessary for passage

An additional tax for the benefit of the City of Bellbrook, pursuant to Ohio Revised Code Section 5705.19(JJ), as amended, for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2025-O-08

May 12, 2025

communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of related costs, and/or for providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of the police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel pursuant to section 145.48 or 742.33 of the Revised Code, for the provision of ambulance or emergency medical services operated by a police department, or for the payment of other related costs, at a rate not to exceed two and two tenths (2.2) mills for each \$1 of taxable value, which amounts to \$77.00 for each \$100,000.00 of the county auditor's appraised value, for a continuing period of time, beginning in the year 2025 and first due and collectable in the calendar year 2026.

	FOR THE TAX
	AGAINST THE TAX

Section 7. Said levy shall be placed upon the tax list and duplicate of the then current year of 2025 (the proceeds of which levy first would be available for collection in the calendar year of 2026), if a majority of the qualified electors of this City voting thereon vote in favor thereof.

Section 8. The Clerk of Council is hereby directed to certify a copy of this Ordinance, together with a copy of the county auditor's certification(s) and the Resolution adopted by the City of Bellbrook pursuant to Ohio Revised Code Section 5705.03(B)(1), to the Board of Elections of Greene County, Ohio, not later than four o'clock (4:00) p.m. on the ninetieth (90<sup>th</sup>) day before the date of said election and to request that the Board of Elections of Greene County, Ohio, cause notice of the election on the question of levying this additional tax to be given as required by law.

Section 9. 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.

Section 10. This Ordinance shall take effect at the earliest time permitted by law.

PASSED BY City Council this 12<sup>th</sup> day of May, 2025.

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

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2025-O-08

May 12, 2025

## AUTHENTICATION:

\_\_\_\_\_  
Michael Schweller, Mayor

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

## APPROVED AS TO FORM:

Stephen McHugh, Municipal Attorney

**File Attachments for Item:**

A. Resolution 2025-R-11 TO ACCOMMODATE UNANTICIPATED DELAYS IN U.S. POSTAL SERVICE DELIVERY, AUTHORIZING THE CITY MANAGER TO DEVELOP AND IMPLEMENT MODIFIED PENALTY AND BILLING PROCEDURES FOR UTILITY BILLING IN ACCORDANCE WITH SECTION 1042.04 OF THE BELLBROOK CODIFIED ORDINANCES (Cyphers)

RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2025-R-11

April 28, 2025

City of Bellbrook  
State of Ohio

Resolution No. 2025-R-11

**TO ACCOMMODATE UNANTICIPATED DELAYS IN U.S. POSTAL SERVICE DELIVERY, AUTHORIZING THE CITY MANAGER TO DEVELOP AND IMPLEMENT MODIFIED PENALTY AND BILLING PROCEDURES FOR UTILITY BILLING IN ACCORDANCE WITH SECTION 1042.04 OF THE BELLBROOK CODIFIED ORDINANCES**

WHEREAS, There have been increased unanticipated delays in the delivery of mail items through the U.S. Postal Service; and

WHEREAS, the City utilizes the U.S. Postal Service for delivery and receipt of utility bills; and

WHEREAS, the current schedule of utility billing and penalty assessments can potentially create difficult timelines for residents to respond to utility bills considering the time needed for U.S. Postal Service delivery; and

WHEREAS, City Council wishes to provide services and policies that support and benefit the residents of Bellbrook and not create any undue burdens

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

Section 1. In accordance with Section 1042.04 of the Bellbrook Codified Ordinances, the City Manager is authorized to develop and implement modified billing and penalty procedures in accordance with Section 1042.04 of the Bellbrook Codified Ordinances.

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 28<sup>th</sup> day of April, 2025.

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

**AUTHENTICATION:**

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

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



**File Attachments for Item:**

A. Continued discussion/review or amendments to the animal ordinance.

**DRAFT**

This Section outlines the requirements for keeping small livestock, as defined by the Bellbrook Municipal Code Chapter 618 Section 618.01.

The keeping of small livestock is permitted, provided the following criteria are met:

- (A) A zoning permit is required by the City of Bellbrook. No person shall keep any small livestock without first having obtained a permit from the Community Development Administrator.
- (B) The principal use of the lot is a single-family residential dwelling.
- (C) No person shall keep roosters, geese, peafowl, turkeys, ostriches, or emu.
- (D) Allowed densities for keeping any combination of small livestock animals shall be as follows:
  - (1) Lots smaller than 0.5 acres: no more than three (3) small livestock animals
  - (2) Lots 0.5 acre to less than 1.0 acre: no more than six (6) small livestock animals
  - (3) Lots 1.0 acres to less than 2.5 acres: no more than twelve (12) small livestock animals
  - (4) Lots 2.5 acres to less than 5.0 acres: no more than fifteen (15) small livestock animals
- (E) It shall be unlawful to keep more animals than the lot size allows.
- (F) All small livestock shall be provided with an outdoor, covered, predator-proof sheltering structure, which shall be kept in sound and usable condition. The sheltering structure shall be thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
- (G) The sheltering structure must be of a size to allow for 4 square feet per individual small livestock animal.
- (H) Any outdoor sheltering structure shall be placed in the rear yard of the property, and in no case shall the outdoor sheltering structure be closer than 50 feet to a residential property other than the single-family residential dwelling where the small livestock animal(s) are kept. In no case shall the outdoor sheltering structure be closer than 25 feet to an abutting property line.
- (I) Structures or appurtenances for keeping small livestock animals may not be in a front or side yard.
- (J) There shall be no more than one (1) sheltering structure on the property. Sheltering structures shall be considered accessory structures.
- (K) All feed must be stored in a rodent-proof container, and animals must not be fed in a manner likely to attract rodents, such as dispersing the feed on the ground.
- (L) Unless attended by a keeper, all small livestock animals shall be kept in an outdoor sheltering structure at all times, and the sheltering structure must be within a fully enclosed fenced yard. No small livestock shall be allowed to roam "at large" in the city. See Sec. 618.14. - Impounding and redemption.
- (M) Keeping small livestock pursuant to this Section shall be strictly for personal or household use rather than for any commercial use. The sale of animal products in residentially zoned districts, including but not limited to meat, eggs, and fur, shall be prohibited.
- (N) Small livestock animals may be slaughtered and butchered on-site of the property, where they are kept only inside the primary structure and otherwise out of public view. All waste must be bagged and disposed of with household trash to prevent nuisance and health hazards.
- (O) Manure from small livestock must be disposed of in one of the following manners:
  - (1) Household trash collection: Manure must be bagged, placed in a waterproof container, and disposed of with household trash.
  - (2) Composted and applied on-site: Manure must be kept in a rodent-proof container designed to limit odors. The containers must be located in the property's defined rear yard at least 8 feet from any property line. Finished compost may be applied on-site.
  - (3) Directly applied on-site: Manure applied directly on-site must be done in a way that prevents nuisance and polluted stormwater runoff.
- (P) Notwithstanding compliance with the requirements of this Section, small livestock shall not be kept in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others. Small livestock shall be kept only in conditions that limit odors and noise and the attraction of insects and rodents so as not to cause a

**DRAFT**

nuisance to occupants of nearby buildings or properties and not to cause health hazards. See Sec. 618.13. - Nuisance conditions prohibited.

- (Q) The person keeping small livestock is responsible for being aware of and abiding by all applicable local, state, or federal requirements, including but not limited to the Ohio Department of Agriculture's Ohio Livestock Care Standards and private deed or covenant restrictions.

## CHAPTER 618. ANIMALS<sup>1</sup>

### Sec. 618.01. Definitions.

For the purpose of this chapter, the following definitions shall apply:

**Agricultural animal.** The definition of agricultural animal is the same as set forth in Ohio Revised Code Section 903.01 (A), including but not limited to the following text: “any animal generally used for food or in the production of food, including cattle, sheep, goats, rabbits, poultry, and swine; horses; alpacas; llamas; and any other animal included by the director of agriculture by rule. “Agricultural animal” does not include fish or other aquatic animals regardless of whether they are raised at fish hatcheries, fish farms, or other facilities that raise aquatic animals.”

**Animal.** The definition of animal is the same as set forth in Ohio Revised Code Section 941.01 (D), including but not limited to the following text: “any animal that is a bird, reptile, amphibian, fish, or mammal, other than humans.”

**Companion animal.** The definition of companion animal is the same as set forth in Ohio Revised Code Section 959.131 (A)(1), including but not limited to the following text: “any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in section 956.01 of the Revised Code. “Companion animal” does not include livestock or any wild animal.”

**Domestic animal.** The definition of domestic animal is the same as set forth in Ohio Revised Code Section 941.01 (E), including but not limited to the following text: “livestock; other animals that through long association with humans have been bred to a degree resulting in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them different from nondomestic animals of their kind; and other animals as defined by rule by the director.”

**Livestock.** The definition of livestock is the same as set forth in Ohio Revised Code Section 5739.01 (MM), including but not limited to the following text: “farm animals commonly raised for food, food production, or other agricultural purposes, including, but not limited to, cattle, sheep, goats, swine, poultry, and captive deer. “Livestock” does not include invertebrates, amphibians, reptiles, domestic pets, animals for use in laboratories or for exhibition, or other animals not commonly raised for food or food production.”

**Nondomestic animal.** The definition of nondomestic animal is the same as set forth in Ohio Revised Code Section 941.01 (G), including but not limited to the following text: “any animal that is not domestic, including at least nonindigenous animals and animals usually not in captivity.”

**Pet.** The definition of pet is the same as set forth in Ohio Revised Code Section 961.01 (D), including but not limited to the following text: “an animal that has been adapted or tamed to live in intimate association with or for the pleasure or advantage of people and includes but is not limited to dogs, cats, birds, rabbits, and hamsters.” Pets are not considered to be animals used for livestock or agricultural purposes.

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<sup>1</sup>Cross reference(s)—Driving animals upon roadway, see Secs. 404.05; Animals in parks, see Secs. 1062.08, 1062.09.

**Poultry.** The definition of poultry is the same as set forth in Ohio Revised Code Section 941.01 (H), including but not limited to the following text: “any domesticated fowl kept in confinement, except for doves and pigeons, that are bred for the primary purpose of producing eggs or meat for human consumption. “Poultry” includes chickens, turkeys, waterfowl, and game birds.”

**Service animal.** The definition of service animal is the same as set forth in Ohio Revised Code Chapter 3344-79 Rule 3344-79-02 (A) (2), including but not limited to the following text: “any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability and meets the definition of “service animal” under the Americans with Disabilities Act (“ADA”) regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability.”

**Small livestock.** Small livestock is defined as rabbits and poultry species, excluding roosters, geese, peafowl, turkeys, ostriches, and emu.

### **Secs. ~~618.01~~, 618.02. Reserved.**

Editor’s note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.01, 618.02 which pertained to: dogs and other animals running at large; nuisance, dangerous and vicious dogs; hearings; abandoning animals; respectively; and derived from the 1985 Codified Ordinances.

### **Sec. 618.03—618.06. Reserved.**

### **Sec. 618.07. ~~Barking or howling dogs~~ Nuisance animal noises.**

- (a) No person shall keep or harbor any ~~dog~~ **animal** within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who allows any ~~dog~~ **animal** habitually to remain or be lodged or fed within any dwelling, building, yard or enclosure, which he or she occupies or owns, shall be considered to be harboring such ~~dog~~ **animal**.
- (b) No person shall be convicted under division (a) of this section unless the noises created by such ~~dog~~ **animal** ~~are~~ **is** heard or detected by at least one or more residents in the vicinity or a City police officer.
- (c) Whoever violates this section is guilty of a minor misdemeanor.

### **Secs. 618.08—618.11. Reserved.**

Editor’s note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.08, 618.09, 618.095, 618.10, 618.11 which pertained to: registration of dogs required; hindering capture of unregistered dog; dogs required to wear tags; unlawful tags; rabies quarantine; respectively; and derived from the 1985 Codified Ordinances and Ord. Ord. 80-15, passed 10-13-80.

### **Sec. 618.12. Hunting prohibited.**

- (a) The hunting of animals or fowl within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means, **except as provided in the Bellbrook Zoning Code**. However, nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

- (b) Whoever violates this section is guilty of a minor misdemeanor.

### **Sec. 618.13. Nuisance conditions prohibited.**

- (a) No person shall harbor, keep or maintain an animal in such a manner as to be injurious to the health, comfort or property of individuals or the public.
- (b) No owner, keeper or harbinger of any dog or animal approved and/or licensed by the Ohio Department of Natural Resources shall fail at any time to do either of the following:
- (1) Keep the animal physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision or secure enclosure to prevent escape.
  - (2) Keep the animal under the reasonable control of some person.
- (c) Subject to division (a) of this section, and without in any way limiting the applicability thereof, any of the following acts committed in connection with the harboring, keeping or maintaining of an animal shall constitute maintenance of a public nuisance and is hereby prohibited:
- (1) Permitting offensive or obnoxious odors to be released and carried to the property of another; or
  - (2) Permitting **loud, offensive and regularly repeated barking, or howling or unreasonably loud and disturbing noises** by an **dog animal**.
- (d) Any violation of ORC Chapter 955 within six months of a previous violation thereof shall be a prima-facie violation of this section.
- (e) The Municipal Attorney may proceed by civil action in any court of record to obtain an abatement order under this section.
- (f) Whoever violates any of the provisions of this section is guilty of maintaining a public nuisance, a misdemeanor of the fourth degree. The penalty shall be as provided in ORC Chapter 2929. In addition to imposing the appropriate punishment the court shall order such nuisance to be abated.
- (Ord. 78-16, passed 4-24-78; Ord. 99-10, passed 8-9-99; Ord. No. 2014-6 , § 1, 9-8-2014; Ord. No. 2017-3 , § 1, 3-27-2017)

### **Sec. 618.14. Impounding and redemption.**

A police officer or Animal Warden contracted with or hired by the Municipality, or any other person appointed by the Manager, may pick up and impound any dog, licensed or unlicensed, or any other animal found running at large on any street or on any public or private property within the Municipality. Such officer, Animal Warden or other person shall have the right to go onto private property to capture the dog or other animal. ~~The dog or other animal shall be released to the owner or to the person entitled to the possession of the same upon payment by the owner or such other person to the Municipality of a pick-up fee of ten dollars (\$10.00) for the first offense and twenty-five dollars (\$25.00) for each offense thereafter.~~ If the dog has been placed in the County Dog Pound, the owner shall **also** be required to pay charges assessed by the County.

(Ord. 78-17, passed 4-24-78)

### **Sec. 618.15. Certain animals prohibited.**

- (a) No person shall keep within the Municipality any **horse, cow, pig, goat, or chicken** **agricultural animal or livestock, nor any animal used for agricultural or livestock purposes,** on any parcel

of property, except in agricultural zoning districts on parcels **with a minimum** of five acres **or as provided in the Bellbrook Zoning Code.**

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 2007-4, passed 8-27-07; Ord. 2010-7, passed 9-13-10)

### **Sec. 618.16. Dead animals.**

(a) When any animal dies in the possession of any person in the Municipality, no such person shall fail to remove such animal or cause the same to be removed outside the limits of the Municipality or to be buried, so that the same does not corrupt the air or cause any injury to the health of any other person in the Municipality.

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 118, passed 2-19-36; Ord. 74-38, passed 11-11-74)

### **Secs. 618.17, 618.18. Reserved.**

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.17, 618.18 which pertained to: dogs with blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog; animal fights; respectively; and derived from the 1985 Codified Ordinances.

### **Sec. 618.19. Dangerous, wild and undomesticated animals or pets prohibited.**

(a) For the purposes of this section, a household pet is a dog, cat or other species of animal, fish, fowl, amphibian or reptile which is normally deemed to be tame and domesticated or which is commonly kept as a pet inside a residence.

(b) A wild, dangerous or undomesticated animal is an animal that is not defined as a household pet and that would be ordinarily confined to a zoo, farm or the wilderness, or that otherwise causes fear to the general public.

(c) No person shall harbor, maintain or control a wild, dangerous or undomesticated animal within the City.

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(Ord. 2007-4, passed 8-27-07)

### **Sec. 618.20. Reserved.**

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed § 618.20, which pertained to dangerous and vicious dogs, and derived from the 1985 Codified Ordinances.

### **Sec. 618.21. Beekeeping.**

The keeping of bees in residential areas is permitted under the following conditions:

(a) Definitions.

(1) *Bee* means any stage of any species of the genus *Apis*.

- (2) *Hive* means any modern frame hive, box hive, box, barrel, log gum, skep or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.
- (3) *Colony* means any hive and its equipment, including bees, combs and brood.
- (4) *Equipment* means any used hives or parts thereof, used frames, used honey houses, used tools, used machines, or used devices employed in the handling or manipulation of bees, honey, or beeswax, or any used container for honey or beeswax.
- (5) *Swarm* means a population of bees that is not permanently established.
- (6) *Beekeeper* means the person who takes care of and/or registers the apiary where the honey bee colonies are kept.
- (b) In order to have beekeeping privileges within the City, all beekeepers are required to maintain and register their hives as set forth in ORC Chapter 909 Apiaries.
- (c) All beekeepers are required to register with the City, setting forth the location of their hives and number of colonies of bees.
- (d) Any lot used for beekeeping must have a minimum size of 14,000 square feet. There shall be no more than two hives established on any lot used for beekeeping, except two additional temporary hives are allowed for hive separation or new swarm establishment purposes. Such temporary hives shall be removed from the property within two weeks.
- (e) Hives shall be placed in the rear yard of the property and in no case shall the hives be closer than 30 feet from a public or private street, sidewalk or roadway. In no case shall the hives be closer than 25 feet to an abutting property line.
- (f) A fresh water source shall be maintained within 15 feet of the hives.
- (g) The owner of the hive(s) must be a resident in a dwelling located on the same lot on which the hive(s) are registered. Hives are only permitted on lots with single family residential units located on them.
- (h) The maintenance of each colony shall meet the following conditions:
  - (1) Colonies shall be maintained in readily movable frame hives.
  - (2) Each hive must conspicuously display the Apiary Identification Number assigned pursuant to ORC Chapter 909 on no less than the base and the box. The identification number shall be on a side that is visible without moving or lifting of said hive.
  - (3) Adequate space shall be maintained in the hive to prevent overcrowding and swarming.
  - (4) Colonies shall be re-queened following any swarming or aggressive behavior or seized and destroyed without remuneration.
- (i) A certificate or permit providing the privilege to keep bees within the City may be provided by the City to a beekeeper once it is established that the necessary requirements outlined in this section are satisfied.
- (j) (1) Beekeeping privileges may be revoked from any property by written notification to the property owner by the City. Revocation must be done with cause, however, the cause needs not to be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. The City may revoke beekeeping privileges for any condition or combination of circumstances that jeopardizes, endangers or otherwise constitutes an actual, potential or perceived menace to public health or safety. Once beekeeping privileges have been revoked on a particular property, such privilege may be reestablished only upon written request. Additionally, a permit or certificate may be revoked by the City due to a failure to satisfy any of the requirements of this section.



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- (2) A perceived menace to public health may also include, but is not limited to:
- A. Written documentation over a medical doctor's signature certifying that the medical condition caused by bee stings to a resident of an abutting property would constitute a higher than normal health hazard will constitute sufficient cause to withdraw beekeeping privileges from any specific property.
  - B. Abnormally aggressive behavior by bees defending their hive beyond the property lines may constitute sufficient cause to withdraw beekeeping privileges from any specific property.
- (k) The City may revoke a beekeeper's privilege to maintain hives within the City by revoking the beekeeper's permit or certificate. If such revocation occurs, the permit holder will be given an opportunity for a hearing before the City Council to determine whether cause exists for revoking the beekeeping privileges.

(Ord. 2010-7, passed 9-13-10)

**File Attachments for Item:**

A. Appointment of Representative to the Greene County Board of Health.

## D. Todd Dudley

1096 Berryhill Road  
Bellbrook, OH 45305

(513) 288-9115 (cell)  
[dtdudley34@outlook.com](mailto:dtdudley34@outlook.com)

### EMPLOYMENT

**City of Cincinnati Health Department, Cincinnati, Ohio**

7/12-Present

**Senior Environmental/Safety Specialist**

- Manage the reporting and investigation of injuries for the Departments of Transportation and Public Services.
- Provide effective safety training to leadership and frontline employees.
- Perform job-site safety audits.
- Provide job hazard analysis evaluations for each job duty of the front-line employee.
- Perform facility audits to help maintain a safe and healthy work environment.
- Perform program audits by department as related to the City's Administrative Regulation for Safety.
- Provided guidance and support for response and policy during the COVID-19 pandemic to include setting up front-line rapid testing sites and up-to-date recommendations to employees for personal protective equipment.
- Ensure the city's respiratory protection program meets OSHA standards. Provide fit-testing to each employee that wears a respirator using Porta-Count test equipment.
- Support Risk Management during employee open enrollment for health benefits.

**Environmental/Safety Specialist**

- Manage and Coordinate the City Readiness Initiative Grant for the City of Cincinnati.
- Assist in the Public Health Emergency Planning Grant for the City of Cincinnati.
- Coordinate with all staff of the Health Department to meet grant deliverable in training and education.
- Provide training presentations for a variety of emergency related topics such as IS-200, Radiological Awareness and general personal emergency planning.
- Manage and set-up the Health Department Operation Center when needed.
- Provide exercises that are HSEEP compliant.
- Active member in several emergency related committees such as the Tri-state Medical Reserve Corps and Emergency Response Coordinators.
- Respond with specialized team the Cincinnati Monitoring Detection Team
- Respond to the Hamilton County EOC when needed.
- Participate in the CDC Bio-watch program.
- Coordinate Safety committee for the Health Department and participate on safety committees from other satellite offices.
- Submit injury reports to the City-wide database.
- Ensure proper training for new employees with regards to NIMS, Blood-borne pathogen, and hazard communication

**Sharonville City Health Department, Sharonville, Ohio**

11/07-7/12

**Director of Environmental Health/Emergency Preparedness Coordinator**

- Manage and participate in all aspects of state mandated programs to include food safety, manufactured home parks, pools, and rabies control.
- Submit yearly cost methods to the State for the food program.
- Submit monthly Board of Health Reports.
- Act as liaison to the community, educating the public about services provided by the Health Department.
- Manage all aspects of the Public Health Emergency Preparedness Grant and Cities Readiness Initiative as subcontracted to the City of Sharonville.
- Submit yearly departmental budget reports.
- Supervise public health employees to include seasonal interns.

**Hamilton County General Health District, Cincinnati, Ohio**

8/00-11/07

**Public Health Emergency Response Coordinator**

- Managed the Public Health Infrastructure (PHI) Grant for Hamilton County General Health District to include submission of quarterly budget requirements.
- Coordinated with other Local Health Departments in their participation as subcontractors under the PHI Grant
- Managed employees to meet PHI grant requirements and deliverables.
- Submitted annual PHI grant proposal to Ohio Department of Health.
- Submitted deliverables to the Center for Disease Control's City Readiness Initiative (CRI) for Hamilton County.
- Initiated Organizational Committees and Groups to improve emergency preparedness for all jurisdictions within Hamilton County.

**Registered Public Health Sanitarian II, Program Manager**

- Managed personnel and performed inspections to meet state mandates for programs such as mobile home parks, pools, rabies, schools, mosquitoes, and camps.
- Fulfilled state funding and divisional budget requirements for food program.
- Acted as liaison for public education in indoor air quality, West Nile Virus disease prevention, and rabies control.
- Implemented the indoor air quality program "Tools for Schools" at local school districts to meet state performance criteria for grant funding.

**Fernald Environmental Management Program Intern, Ross, Ohio**

8/99-8/00

- Planning of nuclear waste disposition and environmental remediation within applicable federal regulations.

**The Columbus Health Department, Columbus, Ohio**

8/95-08/99

**Registered Public Health Sanitarian I**

- Coordinated and participated in several Chemical Emergency Preparedness Advisory Council (Franklin County LEPC) committees.
- Developed agendas, initiated special projects, and directed volunteers for multiple LEPC committees.

- Disseminated public health and chemical emergency information to the public.
- Performed Environmental Phase I and II Site Assessments following ASTM guidelines.
- Provided guidance and expertise for removal of UST's by city agencies.
- Performed infectious waste inspections of large and small quantity generators.

**United States Marine Corps, Honorable Discharge.**

6/87-9/89

## **EDUCATION**

### **MBA**

Wright State University, Dayton Ohio

2013

### **B.S. Biological Sciences**

Wright State University, Dayton Ohio

1994

## **REGISTRATIONS AND CERTIFICATIONS**

Associate Safety Professional (ASP) 2018-present

Authorized Instructor, Occupational Safety and Health Administrative (OSHA) 10

Registered Sanitarian, State of Ohio. 1996-2021

## **SERVICE**

Hamilton County LEPC, Member, 2009-present.

Cincinnati Monitoring Detection Team, Member, 2006-present.

Tri-State Medical Reserve Corps Committee, Member, Secretary, 2007 -2019

Participated as a Working member of CEPAC (Franklin County LEPC) 1995-1999

# Melissa S Bennett DNP, APRN, GCNS-BC, NEA-BC, EBP-C

1157 S Alpha Bellbrook Rd., Bellbrook, OH 45305 \$ C 937-689-9115 \$ msbennett515@gmail.com

## Clinical Operations & Nursing Education Leader

Empowering, solution-oriented and data-driven clinical leader. I have extensive experience improving the quality, delivery and affordability of health care, in the acute care, long term care, long term acute care (LTACH) and Medicare Advantage program arena. I am skilled at developing, inspiring and leading teams focused on problem-solving and innovation over multiple geographic markets.

**Core Strengths:** Clinical Operations Recruitment & Retention Business Development HR Compliance Leadership Development Data Analysis Revenue Enhancement Quality Processes Expense & Labor Management Joint Commission Accreditation Performance Management Nursing Education Curriculum Development

## CAREER PROGRESSION

### Regional Director of Nursing Professional Development & Education, Bon Secours Mercy Health Nov, 2019 -- present

- Oversee education, orientation and nursing professional development programs in Cincinnati, Kentucky, Lima, Springfield and Toledo markets
- Supervise Nursing Professional Development Coordinators (Educators) in acute care, critical access and freestanding emergency centers
- Collaborate with leadership to identify and develop clinical education, orientation and professional development Faculty, American College of Education, Indianapolis, IN April, 2019 – present

- Work with BSN, MSN, and EdD in nursing leadership students in distance learning, online format
- Curriculum development for MSN and EdD / EdS nursing courses including nursing leadership and administrative tracts, and healthcare education and simulation tracts (5000 & 6000 level courses)

### Chief Nursing & Clinical Officer, LifeCare Hospitals of Dayton 2014 -- 2019

- Responsible for 24/7 clinical operations of nursing, wound care, respiratory therapy & rehab services including ICU, HOU, Med-Surg levels of care, staffing & labor expense management and education
- Achieved Joint Commission Disease Specific Center of Excellence certification in Pulmonary Care--2019
- Reduced turnover from 19% to 7% annually and eliminated contract labor
- Introduced neutron patency device resulting in reduction of cath flo expense and zero CLABSI for 6 months
- Implemented female external catheter and Urine Culture Stewardship with Medical Staff
- Interim Quality Director in 2014 & 2016

### Director of Clinical Operations / CNO Equivalent, Daniel Drake Hospital 2012 – 2014

- Responsible for 24 /7 nursing services including Procedure area, Outpatient Wound Clinic, staffing & education in 166 bed LTACH
- Launched Progressive Clinical Care Nurse (PCCN) certification preparation & RN to BSN support group
- Participated in development and expansion of satellite LTACH unit into Christ Hospital with novel staffing model

### University of Cincinnati College of Nursing, Adjunct Faculty 2013 - 2015

### Director of Clinical Operations, United Health Group, Evercare 2007 – 2012

- Responsible for five geographic markets: Cincinnati & Dayton; New development: Springfield, Columbus and Indianapolis including HEDIS and NCQA metrics; NP labor & productivity; medical expense for all.
- Annual revenues of \$55m with 43 direct and indirect reports, and 2500 members
- Launched risk stratification process in vulnerable populations with home NP visits to reduce hospitalizations
- Developed library of CE programs which could be presented by NPs to business partners

Executive Director / Administrator, Bellbrook Rehab & Healthcare 1995 – 2007

- Initiated and maintained JCAHO accreditation with high acuity ventilator weaning program
- Increased and maintained patient satisfaction > 85%
- Full P&L responsibility--\$6m annual revenue, casemix & revenue enhancement, marketing & census development, case management and insurance authorizations, expense management, AP and AR management, payroll & labor management, survey preparedness & regulatory compliance, risk management and HR management
- Mentored Administrators-in-Training

Clinical Instructor, RETs Technical College 2005 – 2007

- Supervised and evaluated clinical component of 12 – 15 LPN and RN students focused on wound care, trach care, med administration and documentation of clinical care.

Vice President Clinical Services, Integrated Health Services 1990 – 1995

- Developed clinical services department including nine regional nurses serving 63 facilities with 5700 LTC beds and 200 LTACH beds
- Developed & implemented Regional Minimum Data Set (MDS) resource RNs
- Coordinated successful turnarounds in 14 nursing centers to achieve regulatory compliance
- Implemented clinical transition plans for onboarding groups of 4 – 21 nursing facilities

Staff Nurse, Support Services, Upper Valley Medical Center 1994

Staff Nurse, The Ohio State University Medical Center 1985 - 1986

Director of Nursing, ADON, Supervisor, C.N.A, Arbor Healthcare 1983 – 1990

**EDUCATION**

Fuld Institute Evidence Based-Practice Immersion (OSU)

Doctor of Nursing Practice (DNP), Wright State University

Executive Clinical Leadership Development Program, United Health Group

BSN & MSN, The Ohio State University

ANCC certified as a Gerontological Clinical Nurse Specialist—current

ANCC certified as a Nurse Executive-Advanced—current

Prescriptive Authority & Advanced Practice Registered Nurse, Ohio—current

ANCC Item Writer & Field Tester for Gerontological CNS exam

ACLS & BLS certification current

**ORGANIZATIONS**

American Nurses Credentialing Center--Pathway to Excellence appraiser, 2014 – present

Conference presenter: Workplace Violence Prevention, June & October 2022, Ohio Hospital Association

Ohio Board of Nursing, Advisory Council—Education, 2016- 2019

Fortis College—Advisory Board member

Dayton Area Nursing Educators (DANE) member

Life Essentials—volunteer guardianship program—2010 - 2018

Honorable Mention award at American Medical Director Association Annual Conference 2014, Poster presentation: *CPR Decision Making*

Conference presenter--Ohio Health Care Association (OHCA), Facility Standards Council & Nursing Council 2010 – 2012

American College of Health Care Administrators, 1997 – 2006

Preceptor for various affiliated nursing programs—RN to BSN; BSN; MSN

ANA / OH-RN / ANPD / GAPNA / OOAPN member