



## **CITY COUNCIL REGULAR MEETING AGENDA**

### **Monday, December 23, 2024 at 7:00 PM**

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

---

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF THE 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**
  - A. Ordinance 2024-O-15 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 MAY 6, 2025. (Harding)
- 10. ADOPTION OF RESOLUTIONS**
  - A. Resolution 2024-R-27 DETERMINING IT NECESSARY TO PROCEED WITH SUBMITTING THE QUESTION OF LEVYING AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION TO THE ELECTORS OF THE CITY, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 AND SUBSECTION 5705.19(JJ), AS AMENDED, 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 REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH (Ashley)
  - B. Resolution 2024-R-28 AUTHORIZING AND RATIFYING TRANSFERS AND ADVANCES WITHIN VARIOUS FUNDS OF THE CITY OF BELLBROOK (Cyphers)
- 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**
  - A. Motion to enter executive session for a conference with an attorney for the City concerning disputes involving the City that are the subject of pending or imminent court action.
- 17. ADJOURNMENT**

**File Attachments for Item:**

A. Ordinance 2024-O-15 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 MAY 6, 2025. (Harding)

# RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2024-O-15

December 30, 2024

## City of Bellbrook State of Ohio

### Ordinance No. 2024-O-15

**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 MAY 6, 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. 2024-O-15

December 30, 2024

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, May 6, 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. 2024-O-15

December 30, 2024

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 2025.

	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 2025), 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 30<sup>th</sup> day of December 2024.

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

RECORD OF ORDINANCES

Item A. Section 9, Item

Ordinance No. 2024-O-15

December 30, 2024

AUTHENTICATION:

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

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

APPROVED AS TO FORM:  
Stephen McHugh, Municipal Attorney

**File Attachments for Item:**

A. Resolution 2024-R-27 DETERMINING IT NECESSARY TO PROCEED WITH SUBMITTING THE QUESTION OF LEVYING AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION TO THE ELECTORS OF THE CITY, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 AND SUBSECTION 5705.19(JJ), AS AMENDED, 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 REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH (Ashley)

# RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2024-R-27

December 23, 2024

## City of Bellbrook State of Ohio

### Resolution No. 2024-R-27

**DETERMINING IT NECESSARY TO PROCEED WITH SUBMITTING THE QUESTION OF LEVYING AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION TO THE ELECTORS OF THE CITY, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 AND SUBSECTION 5705.19(JJ), AS AMENDED, 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 REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Bellbrook City Council finds that an additional tax levy in excess of the ten-mill limitation is required for the benefit of the City, 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, 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 valuation, which amounts to twenty-two cents (\$0.22) for each \$100 of the taxable property within the City of Bellbrook, County of Greene, State of Ohio, for a continuing period of time, pursuant to Section 5705.19 of the Ohio Revised Code; and

WHEREAS, pursuant to Section 5705.03 of the Ohio Revised Code, this Council is required to certify to the Greene County Auditor a Resolution requesting the County Auditor to certify certain matters in connection with such a tax levy.

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

Section 1. Pursuant to Section 5705.19 of the Ohio Revised Code, the Bellbrook City Council determines it necessary that an additional tax be levied in excess of the ten-mill limitation for the benefit of this City, 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,



# RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2024-R-27

December 23, 2024

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, 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 valuation, which amounts to twenty-two cents (\$0.22) for each \$100 of the taxable property within the City of Bellbrook, County of Greene, State of Ohio, for a continuing period of time.

Section 2. The territory of the City of Bellbrook is located entirely within Greene County, Ohio. The tax is to be levied on the ballot measure submitted to the entire territory of the City of Bellbrook.

Section 3. Council seeks to have the question of the passage of the tax levy submitted to the electors of the City of Bellbrook at an election to be held on May 6, 2025. If approved by the electors, the tax levy shall first be placed upon the 2025 tax list and duplicate, for first collection in calendar year 2025.

Section 4. Pursuant to Section 5705.03 of the Ohio Revised Code, the Greene County Auditor is hereby requested to certify to this Council, within ten (10) days after receiving this Resolution, the total current tax valuation of the City and the dollar amount of the revenue that would be generated by the number of mills specified in Section I above, and the Clerk of Council is hereby directed to certify forthwith a copy of this Resolution to the County Auditor at the earliest possible time so that the County Auditor may certify such matters in accordance with said Section 5705.03 of the Ohio Revised Code.

Section 5. 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 6. That this resolution shall take effect and be in force forthwith.

PASSED BY City Council this 23<sup>rd</sup> day of December, 2024.

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

AUTHENTICATION:

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

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

**File Attachments for Item:**

B. Resolution 2024-R-28 AUTHORIZING AND RATIFYING TRANSFERS AND ADVANCES WITHIN VARIOUS FUNDS OF THE CITY OF BELLBROOK (Cyphers)

# RECORD OF RESOLUTIONS

Item B. Section 10, Item

Resolution No. 2024-R-28

December 23, 2024

## City of Bellbrook State of Ohio

### Resolution No. 2024-R-28

#### **AUTHORIZING AND RATIFYING TRANSFERS AND ADVANCES WITHIN VARIOUS FUNDS OF THE CITY OF BELLBROOK**

WHEREAS, the City of Bellbrook has adopted Ordinance 2023-O-6 establishing appropriations for the 2024 fiscal year; and

WHEREAS, the 2024 budget had adequate funds appropriated at the fund level to cover the cost of city operations; and

WHEREAS, intra-fund transfers and advances of previously appropriated funds were necessary for payroll and other appropriate expenses of the City in 2024.

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

Section 1. That the intra-fund transfers and/or advances necessary for the operations of the City of certain monies up to amounts not exceeding those shown for the purposes cited in Exhibit A are hereby authorized and ratified retroactively from December 11, 2024, and such authorization applies to any and all such transfers necessary and effected after January 1, 2024.

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 23rd day of December, 2024.

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

#### **AUTHENTICATION:**

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

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

**Resolution 2024-R-28****Exhibit A**

<b>Amount</b>	<b>From Fund</b>	<b>To Fund</b>	<b>Purpose</b>
\$12,500	Water – Streets Personnel 620.21	Water – Administrative Personnel 620.12	Cover Payroll Expenses
\$440,000	Advance 100-12-5800	300-00-4901	Cash Advance for OPWC Project CK10AA
\$108,000	General Cash Transfer 100-12-5800	Police Cash Transfer In 230-00-4901	Cover Payroll and encumbrances