

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

October 14, 2024

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

A. Approval of the September 23, 2024, meeting minutes.

Deferred until next meeting

5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

A. 5 Star School/5 Star Community Day Proclamation

Superintendent Dr. Doug Cozad introduced the Bellbrook-Sugarcreek Schools rating of 5 stars to achieve a 5 Star School-5 Star Community status.

Mayor Schweller read a Proclamation denoting November 14th as 5 Star Schools - 5 Star Community Day.

6. CITIZEN COMMENTS

David Buccalo 126 Lower Hillside. Commented a Village in Ohio violated the Open Meetings law due to a secret vote. He also commented on chicken laws for the City. He noted citizens have asked for permission to have chickens in their yards. He reviewed the City of Xenia's ordinance regarding residential chickens.

Brad Leonard 1765 Sugar Maple Place discussed updating on speeding issues.

7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

8. PUBLIC HEARING OF PROPOSED ORDINANCES

A. Ordinance 2024-O-11 REPEALING IN ITS ENTIRETY AND ENACTING A NEW CHAPTER 440 "COMMERCIAL AND HEAVY VEHICLES" OF TITLE SIX "VEHICLES AND OPERATION" OF PART FOUR "TRAFFIC CODE" OF THE BELLBROOK MUNICIPAL CODE (Greenwood)

Mr. Greenwood read the Ordinance.

Mayor Schweller opened the public hearing at 19:15

Mayor Schweller asked if anyone present wished to speak in favor of the proposed Ordinance.

William Krebs 115 S. Main Street and on Ferry Road. He noted everything stated is correct. He noted he does not like the trucks going on Main Street, as well as on Ferry Road.

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He stated trucks are traveling 65 mph blowing up rocks and dirt. He noted concerns about putting the problem into the Township and both entities should work together.

Deborah Schramm 36 S. Main Street stated she has lived there since 1990 and there were not as many nor as large trucks on Main Street. She stated kids cannot play on the sidewalk and bicyclists are not seen anymore. She added houses on Ferry Road have a large distance between the road and the houses and on Main Street the houses are close.

Pete Fee 27 S. Main Street has lived there for 20 years and noted the increase in traffic of big vehicles has gone through the roof. He noted he cannot even talk on the phone at times. He noted the noise, dust and dirt has increased and the trucks start very early. He has had to move his bedroom to the rear of the house to control the noise. He stated it is a neighborhood street and the trucks have become a nuisance. He mentioned the possibility of setting time frames such as 10-6 and stop Saturdays. He noted it is six days a week and keeps increasing more and more. He noted this is the resident's neighborhood where their homes are.

Mayor Schweller called for anyone else to speak in favor of the proposed Ordinance. Hearing none, Mayor Schweller asked if anyone present wished to speak against the proposed Ordinance.

Collin Ernst, Tipp City Ohio noted he has spent some time monitoring sound levels with a decibel meter. He mentioned road deterioration, which says he has not seen. He also stated he did not know what to say if there were no plans to allow for truck traffic as it has been a route for 41 years. He added re-routing the 6 miles would increase 100 tons of increased CO2 emissions. He provided accident statistics. He noted they spent three days in the park and downtown and felt people were not speeding. He noted there is not a way to pass on costs. He noted Ernst is part of the community attending events and gas tax. He asked that an open mind is kept, and the roadway is critical to their business.

Doug Betz 2760 Ferry Road Sugarcreek Township. He stated he serves the Sugarcreek Township's BZC and was contacted by Barry Tiffany due to a letter being received about truck routes in the City. He noted he understands what is trying to be done, however, putting the traffic into the Township is unrealistic. He noted Ferry Road is not designed to carry the traffic. He inquired about alternatives such as allowing trucks on the South side. He noted concrete has a certain amount of time that it must be delivered additional time would cut off Ernst service area. Barry stated they were shocked and not notified. He asked that an equitable solution is made to benefit the City and Township.

John Baldino 2432 Ferry Road Sugarcreek Township stated the Ordinance is not in the best interest of the community. He criticized some of the comments about the ordinance and the survey. He noted businesses will be impacted as they have invested in land, equipment and operations and feels they will take actions to sue. He stated the proposed Ordinance will not have the impact intended.

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Yance Mills 2518 Ferry Road Sugarcreek Township. Thanked for a forum to be able to speak. He noted the decision will make some happy and some not happy. He noted he and his family enjoy having a horse farm in a quiet and clean area. He noted the choice will have a direct benefit to the residents of Bellbrook but discriminate against residents on Ferry Road. The constant traffic would remove the quiet that his family enjoys. He stated there is not economic impact for the people of Sugarcreek but will impact them. He wants to be able to enjoy life as he and his wife earned.

Keith Cunningham 2115 Ferry Road Sugarcreek Township. He stated it has all become very complicated. He states this is being directed directly to Ferry Road businesses and families, such as his family being denied making a living. He stated he would like the Council and Sugarcreek Township to have a meeting before any decisions are made.

Bernadette DiSalvo 2414 Ferry Road Sugarcreek Township and owner of Sugarcreek Bird Farm. Stated it is unfair to single out businesses. Does not want the noise increased 50% to her home and not safe to have the traffic turn down her road.

Paula DiSalvo 108 S. Main Street 2365 and 2389 Ferry Road Sugarcreek Township. She stated she asked prior to the meeting if questions could be asked and was told yes, but the Mayor indicated the hearing was for statements and not questions. She noted there is no attention being paid to the speeding and traffic in Sugarcreek Township. She noted the timeframe suggestion was good. She added business has changed and restricting hours would be difficult. She noted she is not for changing the routes for trucks.

Judd Powell, 2113 Ferry Road Sugarcreek Township, also owner of Tom's Mulch. He stated that they were under the impression that they would be able to ask questions at this time. Mayor Schweller stated this was an open discussion meeting. Mr. Powell mentioned the signage of the no truck route and where it was going to be placed. He also mentioned a meeting needs to be set up between the Council and Sugarcreek Township before any decisions are made.

Phillip Gallagher 2482 Ferry Road Sugarcreek Township noted he does not understand why there needs to be a vote tonight. He stated it is going to cause a lot of issues for a lot of folks and the Council and Sugarcreek Township and the businesses need to work together to solve the issues.

Phill Gallagher Jr. 2500 Ferry Road Sugarcreek Township states he understands that Bellbrook is wanting to promote business to the downtown area but feels that trucks are the business because if trucks aren't rolling there is no business getting done. He questioned the way the online survey was worded.

Mike Bakan 2790 Ferry Sugarcreek Township spoke of all the safety hazards, conditions of road, and traffic conditions that are going to come with the truck route change to Ferry Road, also around Sugarcreek Reserve area and Wilmington Pike.

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Jeremiah Schaaf 4483 Ambridge Lane stated the unintended consequences that is going to come out of it when Council kills the truck route is his main concern.

Shannon Moeller 2853 Ferry Road Sugarcreek Township states that the outreach was lacking on the truck route change and any hard data given to support the decision of change. She has concerns of all the traffic and safety around Sugarcreek Reserve.

Dan Ernst 2181 Ferry Road Sugarcreek Township states that trucks are essential in everyday life in business. Speaks that Ernst is there to serve the demand of the community not to cause issues. He feels there needs to be more data collected and discussed between all parties involved before ordinance is voted on.

Rick Wooldridge 2916 Pine View Drive Spring Valley, Ohio states how Council are elected officials and how this is going to affect your support from residents. Mayor Schweller irritated that delivery destinations within the city are not in the ordinance, that it is just the pass thru changes to North Main and South Main.

STAFF REPORT:

Mr. Schommer highlighted information from previous discussions and meetings. He noted that there have been several public meetings where the ordinance has been discussed and there were not a whole lot of questions brought forth. The revitalization of the downtown area has been ongoing and the issue of making it a walkable area brings on the factors of all kinds of safety and all types of traffic through out the downtown area. The Council's goal has been to address specifically truck traffic as well as pedestrian traffic. The ordinance is just to remove North Main and South Main from the through traffic only.

COUNCIL COMMENTS:

Mr. Ashley made comment that the City Manager delivered a letter to Barry Tiffany at the beginning of the summer, that talked about collaboration with the Township and no contact was made back to the Council.

Mr. Hoke commented on the comments that were brought to the Council. Noted that the goal of the ordinance was reported back in minutes in 2020. He mentioned that on a weekly or daily basis there has been items cleaned from the roadway by the Service Department, one in particular was on July 19, 2024, after the new asphalt pavement of the street a concrete truck had to be towed, and the back shoot was left open causing a stream of concrete dumped on the new asphalt. Mr. Hoke gave an example from the GPS Mapping system that from a 30 minute or 25-mile radius from the 675 ramp to the Spring Lakes location on Ferry Rd. adds on an extra 2 minutes from going around Bellbrook as there are already 30% of the trucks taking alternate routes. He feels that we are doing what's best for the Bellbrook residents.

Mr. Greenwood commented on Ernst's comments of staying within the 30 minutes of having concrete on the trucks. He commented on the use of the street sweeper being used a lot on the Main and Franklin intersection because of debris left on the roadways. He stated he has an

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obligation to the residents of Bellbrook and their safety as things grow and change in and around Bellbrook.

Public Hearing was closed by Mayor Schweller at 21:09

Mayor Schweller asked the Council if they would like to table the vote and reach out to the Township for a joint meeting to discuss the concerns.

Mr. Ashley commented that it is a touchy subject and unfortunately Council doesn't represent the Township. The council has an obligation to the Bellbrook residents. He stated he wanted to see a collaboration with the Township.

Mrs. Cyphers, Mr. Greenwood, Mr. Harding, noted they agreed with Mr. Ashley.

Mr. Hoke stated that everyone wants a safe and decent place to live and not opposed to a compromise and a discussion.

Mr. Havens stated he is not opposed to a meeting, but the ordinance is in the best interest of the residents that he represents. Mr. Havens mentioned that Ferry Road residents need to talk to their trustees about their concerns for their peace and tranquility.

Council agreed to give Township Trustee's 2 weeks to set up a meeting and no voting tonight

9. INTRODUCTIONS OF ORDINANCES

None

10. ADOPTION OF RESOLUTIONS

None

11. OLD BUSINESS

None

12. NEW BUSINESS

A. 2025 Budget Process

B. Speeding vehicles and targeted mitigation discussion

C. Animal Ordinance Review

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13. CITY MANAGER'S REPORT

Mr. Schommer provided updates on various topics including:

Officer swearing scheduled for tonight is postponed until October 28th

Additional interviews for the Fire Department are ongoing to fill the open position

Opening in Service Department will provide additional interviews for the position

Park district has an opportunity to make some improvements to the quad baseball diamonds in Sackett Wright Park. They are requesting the ability to have the actual land transferred to their ownership in order to move forward. Currently the City's parcel is part of the baseball fields.

Safe the Date for the Patriot John Bigger rededication November 1st at noon at Pioneer Cemetery

14. COMMITTEE REPORTS

A. Safety Committee

Mr. Hoke mentioned Ohio Collaborative will be here to inspect and credit the Police Department on Tuesday, October 22nd. The City is waiting on Motorola radio transfer from Xenia Police.

B. Service Committee

November is hydrant flushing from the 4th – 8th between 8 - 3

C. Finance/Audit Committee

None

D. Community Affairs Committee

None

15. CITY OFFICIAL COMMENTS

Mr. Ashley commented that the Planning Board had a meeting last week and wanted to publicly thank Mr. Schommer and Michaela Grant for their professionalism.

Mr. Greenwood agreed with Mr. Ashley's comment

Mr. Hoke reminded the audience of Spellbrook on October 26th. Also had a question on animal trapping, it is illegal.

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16. EXECUTIVE SESSION

None

17. ADJOURNMENT

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

Michael Schweller, Mayor

Robert Schommer, Clerk of Council