

**BELLEFONTAINE CITY COUNCIL  
MINUTES FOR TUESDAY, MARCH 14, 2023  
7:30 pm**

**HEARING – 7:00 PM**

Jeremy LeVan of LeVan’s Investments LLC 4198 S. US Hwy 68, West Liberty, is requesting that his 70.013 acre tract (Logan County parcel #'s 15-107-00-00-015-000 & 15-107-00-00-017-000) be annexed to the City of Bellefontaine and be zoned R-3 Multi Family Residence District. It is located in the 1300-1600 block of Ludlow Road along the east side and the 1000 block of TR 181 along the north side.

Andy Clarge, Levan Investments, representing Jeremy LeVan, here with a power point/brief overview of the project. The property is located on the southeast side of Bellefontaine directly south of the Middle and Elementary Schools. Noted the key notes out of the strategic plan for Bellefontaine, that was developed in 2017, that there is a need for single family, townhomes, condos and patio homes. The most important priority were single family homes in the \$200,000 range. (Notes that the survey was in 2017 and construction price has gone up). Shares concept plans for multi-use with single family on the north, patio homes in the middle and townhomes on the south. Two representatives from JDM Development Group are in attendance and have developed single family homes with a variety of units that range from 1500 to 2500 square feet in size with two story, one story, multiple architectural styles. The development is all privately funded, no government subsidies.

Tamara Allison, trustee and owner, with her father, at 1393 CR 1. He has lived at the property for 30 years and is not opposed to the development but concerned about the number of units being built and not having the proper infrastructure for 140 homes. The traffic is a concern with double the number of vehicles going through as well as flooding that has been a concern the entire time he has been living there. The other concern is not with the type of homes shared this evening, but with R3 zoning and to have larger apartments in that area that could be a possibility. Asks council to consider not having it R3 and take into consideration the volume of traffic and speeding of cars that go through there and the flooding in that area.

Jeff Lamb, 1287 TR 181, here with concerns about the traffic on Ludlow and the intersection of 181 which is very dangerous. Not a safe intersection and to take on more traffic it needs to be looked at. Not against the housing, but zoning should be stated to protect from rentals as property values could be jeopardized. Asks council to look out for current property owners. Water shed has always been an issue. It took 30 years for the issue of flooding to be taken care of across from the above mentioned property. Other properties in the area have water shed problems. No culvert in the NE corner which has a huge amount of water. There are a couple of retention ponds that barely contain the problem. Asks for all to consider these problems.

Larry Park, owns property south and west of the development, which 50% of the land area drains towards his property. There is a multitude of water which comes down to TR 181. Four years ago, he found a culvert covered pipe which had been covered up and a telephone pole stuffed in the culvert to keep it from going across the road. Shows the area on the map where his property lies and shows where water lies. Asks that no more water be contributed to the area and directed to his property. Asks to see a set of plans for water. Nothing against the development if the water can be taken care of. Hearings date back to 1891 to 1968 concerning the water shed problems in the area. Mentions Neven Park Ditch, put in for agricultural purposes, which eventually goes into MeKees Creek. Chet Kurtz, City engineer at the time, stated to City Council back then that there would be no more development in the (640 acres) water shed area, due to the cost, because a 60 inch tile replacement would be needed to replace the 10 and 12 inch tile put in in 1911.

Ben Volrath, Chamber of Commerce, Economic Development. The City Strategic Plan shows that housing is a priority. Last Friday, Jeremy Hankins, realtor, shared that only 17 homes were listed for sale. You could not pick a more accurate spot for housing with the land being right next to the school. It is not uncommon for our community to have multifamily intermixed with single family homes in the same area. Great area for homes for attracting developers. Does make sense to have multi family. Appreciates that Council consider this.

*Mayor Stahler asks the City Engineer to address plans to take care of watershed issues*

Stephanie Scott, 1471 County Rd 1, one of two properties that back up to the majority of the land. Was not anticipating having a small city in her backyard but slowly coming to the realization that it will probably happen. Here with concerns of

Ludlow Road traffic. It is so insane she does not feel safe when checking her mailbox. Household members do not back out of driveway without making a 10 point turn to pull out frontways. To drop 150 plus homes is adding a lot of drivers and it is very dangerous. The sheer volume is scary.

Jeff Bauer, JDM Developers hears concerns with water and are working with Choice One Engineering out of Sidney. In this scenario they find the water issue will be better with retention ponds and drainage. Fully ready to work with the city and the city engineer on the water issue. As well as with the traffic. After this step, will fully commit to work with the engineer and traffic.

Jim Bischoff, City Engineer, undeveloped this site has alot of run off. Tonight is the first step of annexation and rezoning. They will then have to go through a full set of construction plans. With a site like this we will evaluate, using critical storm apinologies, preconstruction conditions. Cannot prohibit water from leaving that site but will manage it. They will do retention ponds and land uses that slow down the water. Same with the traffic, once it is determined what the traffic volume will be and the population of the site then will request a traffic study and if needed do improvements such as turn lanes and reduced speed. The annexation will give the opportunity to control these things as we can only control what is in the city. This is just the first step of annexation and rezoning and they must go through a full set of construction plans before they can go on to the next step. As this moves forward, we will go through the review process. Anyone is welcome to come to the office and look at these.

Tim Street, General Manager at Logan County Cooperative. AES serves Bellefontaine. As we look to annex property into the city we are prepared to serve these new homes if it is approved. We have the generation assets that we can serve these new members. We also look for growth for our cooperative in Logan County.

<b>CALL TO ORDER:</b>	Zeb Wagner	<i>Minister</i>
<b>PLEDGE &amp; INVOCATION:</b>		
<b>ROLL CALL:</b>	Lile	<i>First Chair</i>
	Reser	
	Springs	
	Aler -absent	
	Baker	
	DeSomma	
	James -absent	

*Motion to excuse the absences of Mr. Aler and Mrs. James moved by Springs, seconded by Reser* V Ayes

**SUSPENSION READING OF MINUTES:** Moved by Springs, seconded by Reser V Ayes

**CORRECTIONS/ADDITIONS:** none

**ADMINISTRATION REPORTS:**

- Mayor -** Attended a meeting today where statistics were shown of unemployment in Ohio at 4.8, nationwide 4.4 and Logan County 4.2.  
The Cobblestone project in Bellefontaine and Indian Lake are moving forward. Thanks Council for their consideration working with the schools and the community. Also thanks the group of investors.  
Entertained a set of guests last week from Tesla in California, one of many customers of Power Built.  
Hosted the Ohio Rural Water Association which gathers 4 times a year. Hosted this assembly at the Friendly Senior Center.  
Gave the 5<sup>th</sup> and final State of the City.  
Last night attended a meeting to settle a portion of the tif funding that goes to the schools. Have worked with the schools, an outside consultant, auditors from city and county and school treasurer for the past year. The check amount was over \$77,000.00 which the schools will but to good use.
- S/SD -** At the last council meeting President Wagner requested that we look into the potential for any action that we would take in regards to rail safety with the rail that goes through our city. The Ohio Municipal League has also taken up the cause. At the federal level, our US Senators, Brown and Vance, have introduced a bipartisan bill, The Railway Safety Act 2023. OML is asking local communities to support this signing on

to a Congressional letter or to pass a resolution of support. This was sent out to Rules Committee and President Wagner. Asks that this be assigned to committee.  
*President Wagner assigns this to Mrs. James and the Safety Committee. (Mrs. James and Mr. Aler will be contacted, as they are not present this evening)*

Also reached out to Helen Norris, EMA Director, rail emergencies are something they will be examining in depth at future meetings. The Fire Department is looking at rail response training for potentially hazardous situations.

Last several months, have been investigating how other communities administer sidewalk programs. Asks that this issue be assigned to committee.

*President Wagner assigns this to the Mr. Lile and the Sidewalks, Curbs and Parks Committee.*

**Law -**

Following the public hearing this evening, the process started with Council passing a resolution authorizing the city and the township to enter in an annexation agreement. This addressed taxes that would be foregone by the township. After that process the application was filed by the land owner with the County Commissioners who must hold a hearing. The record was then transferred to the city. The next step is for the Planning Commission to publish notice and hold a hearing to consider the annexation. That occurred and the Planning Commission approved it. After that City Council must hold a hearing with 30 days publication after notice, which was the hearing held this evening. The final step, as part of the annexation, is the city stating they want the land. Which obviously brings in any homes paying income tax to the city. It is good to see the city/neighbor land owners come and speak on behalf of themselves which is what we want to have to address future development and find ways to improve their area which is a process that the engineer's office will go through with the developer. Our function tonight is simply to accept the annexation and set a compatible zoning standard with that land. The request is for R3 which stands for multi-family housing which incorporates R1, single family and R2, two family housing. Then back to the beginning, another property owner Tod Johnson who owns 14 acres off of Wren St. which he wants to develop. He is requesting annexation into the city. He will go through the same process as Mr. LeVan is going through. The city has not had large scale annexations in some time and the city administration is excited about the prospect of large scale developments. We do hear the concerns of citizens and engineering will work to address these as much as possible in our legal control.

**Auditor -**

No report

**Police Chief -**

Was sworn in on November 23, 2011. Time has flown and has spent 12 years as Chief of Police and it is time to call it quits. After 28 years of serving the city, proud of accomplishments and what has been done. Forever grateful for everything accomplished through Council and Administration. The city is safer because of it. Still lots to be done. Confident in the abilities of the people who are tasked to handle it from here. It has been an honor serving the community but will move to another chapter of life. Thanks for all the support for the Police Department.

**Fire Chief -**

Not present

**Engineer-**

Madrivern storm project finished with the underground portion today. Restorations of sidewalks start on Monday. Finalizing the annual resurfacing program as well as the Garfield St. sewer and water which will be going out for bids in the next few weeks.

**Parks & Rec-**

The master plan should be wrapped in early May. Will share with Council in early May. It has been a great process to listen to our community and hear the passion and what they are looking for in the community. There were over 500 responses to the survey.  
Registration for spring sports is ongoing.

**Economic Dev-**

No report

**REPORTS OF STANDING COMMITTEES:**

**Finance –**

Explained ordinances on the agenda.

**Rules -**

Explained ordinances/resolution on the agenda.

**Safety -**

No report

**Utilities -**

City of Piqua has released the report, formerly the City of Oakwood Report. Bellefontaine rates #10 from the bottom. Water and sewer are the lowest rates. Piqua is highest rate for water and sewer.

**Streets -**

No report

**Sidewalks, Curbs & Parks -**Attended park board meeting which Mr. Myer covered information in his report.

**Audit –**

No report

**COMMUNICATIONS FROM CITIZENS:** Jeff Lamb, 1287 TR 181, thanks Mayor for the acknowledgement on the issue of water shed and Mr. Stolly for the explanation of what has happened so far. State of Ohio can dictate what happens to our properties. How does it get this far when there are issues that should be addressed before it gets this far. Engineer addressed what will take place but when will property owners see the results for this. City and Townships have control of what happens to our properties. Feels that he does not own his own property. Water shed problems will impact his property. Would like the city to consider other properties to build on. Asks again to consider what can be done and how it is being dealt with.

**INTRODUCTION OF ORDINANCES:**

**1. ORDINANCES FOR 1ST READING**

- 23-11 A. AN ORDINANCE AUTHORIZING THE SERVICE SAFETY DIRECTOR AND POLICE CHIEF TO HIRE ONE FULL-TIME TEMPORARY DISPATCHER FOR THE POLICE DEPARTMENT FOR 2023 EMPLOYMENT AND DECLARING AN EMERGENCY. **FINANCE**  
 3RR- Moved by Baker, seconded by Springs V Ayes  
 Passage-  
 Adoption-
- 23-12 B. AN ORDINANCE AUTHORIZING THE SERVICE SAFETY DIRECTOR AND/OR POLICE CHIEF TO ACCEPT A \$5,000 GRANT AWARD FROM WAL-MART AND DECLARING AN EMERGENCY. **FINANCE**  
 3RR- Moved by Baker, seconded by Springs V Ayes  
 Passage-  
 Adoption-
- 23-13 C. AN ORDINANCE AUTHORIZING THE SERVICE SAFETY DIRECTOR AND/OR FIRE CHIEF TO APPLY FOR AND ACCEPT A \$3,000 GRANT AWARD FROM WAL-MART AND DECLARING AN EMERGENCY. **FINANCE**  
 3RR- Moved by Baker, seconded by Springs V Ayes  
 Passage-  
 Adoption-
- 23-14 D. AN ORDINANCE APPROVING AND ADOPTING UPDATES TO THE CITY OF BELLEFONTAINE EMPLOYEE HANDBOOK AND DECLARING AN EMERGENCY. **RULES**  
 3RR- Moved by Reser, seconded by Lile V Ayes  
 Passage-  
 Adoption-
- R23-15 E. A RESOLUTION AUTHORIZING THE MAYOR AND/OR SERVICE SAFETY DIRECTOR TO EXECUTE AN ANNEXATION AGREEMENT WITH LAKE TOWNSHIP IN CONNECTION WITH INTENTIONS OF TOD JOHNSON ET AL TO FILE A PETITION TO REQUEST THE ANNEXATION OF APPROXIMATELY 15.071 ACRES OF LAND INTO THE CITY OF BELLEFONTAINE FROM LAKE TOWNSHIP. **RULES**  
 Adoption- Moved by Reser, seconded by Lile V Ayes
- 23-16 F. AN ORDINANCE ACCEPTING APPLICATION FOR ANNEXATION OF CERTAIN TERRITORY/ REAL ESTATE TO THE CITY OF BELLEFONTAINE, OHIO OWNED BY LEVAN INVESTMENTS

LLC, LOCATED ON COUNTY ROAD 1 ADJACENT TO THE CITY OF BELLEFONTAINE, OHIO, ESTABLISHING ZONING CLASSIFICATION THEREFORE, AMENDING THE ZONING MAP AND DECLARING AN EMERGENCY. **RULES**

3RR- Moved by Reser, seconded by Lile V Ayes  
Passage-  
Adoption-

**2. ORDINANCES FOR 2ND READING**

23-07 A. AN ORDINANCE MAKING PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023 AND DECLARING AN EMERGENCY IN THE CITY OF BELLEFONTAINE, OHIO. **FINANCE**

3RR- Moved by Baker, seconded by Springs V Ayes  
Passage-  
Adoption-

23-08 B. AN ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE SAFETY DIRECTOR AND/OR FIRE CHIEF TO APPLY FOR AND ACCEPT 2020 ASSISTANCE TO FIREFIGHTERS GRANT FUNDING FOR A FIRE/RESCUE PUMPER TRUCK AND DECLARING AN EMERGENCY. **FINANCE**

3RR- Moved by Baker, seconded by Springs V Ayes  
Passage-  
Adoption-

23-09 C. AN ORDINANCE AMENDING THE BELLEFONTAINE CITY COUNCIL RULES REGARDING FACIAL COVERINGS AND RECORDING DEVICES AT COUNCIL MEETINGS AND DECLARING AN EMERGENCY. **RULES**

3RR- Moved by Reser, seconded by Lile V Ayes  
Passage-  
Adoption-

**3. ORDINANCES FOR 3RD READING**

23-03 A. AN ORDINANCE AMENDING THE CLERICAL WORKERS PAY SCALE TO REMOVE THE MUNICIPAL COURT CHIEF BAILIFF AND DEPUTY BAILIFF FROM SAID SCALE AND DECLARING AN EMERGENCY. **FINANCE**

Adoption- Moved by Baker, seconded by Springs V Ayes

23-04 B. AN ORDINANCE PROVIDING FOR COMPENSATION FOR THE MUNICIPAL COURT CHIEF BAILIFF POSITION AND DECLARING AN EMERGENCY. **FINANCE**

Adoption- Moved by Baker, seconded by Springs V Ayes

23-05 C. AN ORDINANCE PROVIDING FOR COMPENSATION FOR THE MUNICIPAL COURT DEPUTY BAILIFF POSITION AND DECLARING AN EMERGENCY. **FINANCE**

Adoption- Moved by Baker, seconded by Springs V Ayes

**COMMUNICATIONS FROM CLERK:** none

**COMMUNICATIONS FROM COUNCIL:** Mayor Stahler thanks Chief Standley for his 28 years of service. President Wagner a reminder of a correction on the Ethics Disclosure date of April 3<sup>rd</sup>.

**ADJOURNMENT** – 8:02 pm moved by Lile, seconded by Reser

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Bonnie Campbell, Clerk of Council

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Zeb Wagner, President of Council