

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Special Meeting
March 27, 2020

PRESENT: Ernie Havens (via ZOOM)
Dave Van Veldhuizen (via ZOOM)
Forrest Greenwood (via ZOOM)
Elaine Middlestetter (via ZOOM)
Nick Edwards (via ZOOM)
Mayor Mike Schweller

ALSO PRESENT: City Manager Melissa Dodd

Mayor Schweller called the special meeting to order at 7:00 pm.

ROLL CALL

Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes.

MAYOR'S ANNOUNCEMENTS

Mayor Schweller began the meeting by explaining the use of the Zoom application to host and record this special meeting due to the COVID-19 health precautions recommended by the U.S. and Ohio General Legislature.

The Mayor listed the steps the City was taking to ensure health and safety which includes the closing the city buildings and museum to the public until the Stay-at-Home Order is lifted. Emergency services are still working including the Police Department, Fire Department and Service Department. In an emergency residents are still to call 9-1-1. He encouraged citizens to use the local resources listed on the website and to look out for the elderly population.

Mayor Schweller signed a Declaration of Emergency on Monday, March 23. This will assist the city in receiving help from FEMA if it becomes available.

The Resolution being heard tonight involves the bridge and culvert collapse on N Belleview Drive on March 21 was caused by heavy rainfall. The process for the repair begins with getting engineering and design specifications so that the project can be put out for competitive bidding as soon as possible. The Resolution on the agenda for tonight is there to add transparency to the process. The City Manager has a spending limit of \$50,000. The estimate from LJB, Inc. is under that amount, but the Council will vote on the Resolution authorizing the City Manager to sign the contract and begin the process.

The other item on the agenda is the selection of a new Council member to fill the seat vacated by Tim Taylor. The Bellbrook Charter requires that this be done within 60 days of the vacancy which would be on March 28. If the position is not filled, the Charter would require the city to pay for a special election. The Council has interviewed six candidates for the position and will vote during tonight's meeting.

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Mayor Schweller added that this pandemic can be causing hardships for our citizens but reminds us that Bellbrook is small town friendly and there for each other. He will continue to work closely with the City Manager to ensure that essential City operations continue smoothly.

Note: A few minutes were spent handling technical issues with the videoconferencing.

NEW COUNCIL MEMBER SELECTION

The Mayor opened the floor for nominations.

Mr. Edwards nominated Dona Seger-Lawson. The nomination did not receive a second from any Council member.

Mr. Havens nominated T.J. Hoke. Mrs. Middlestetter seconded the nomination. The Clerk called the roll. Mr. Havens, yes; Mrs. Middlestetter, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mr. Edwards, no. Mayor Schweller, yes. T.J. Hoke is appointed with a vote of 5 to 1 to fill the vacant Council seat through December 31, 2023.

RESOLUTIONS

Dr. Van Veldhuizen read **Resolution 2020-G A Resolution by City Council Authorizing the City Manager to Enter Into a Contractual Agreement with LJB, Inc. for Engineering and Design Services Related to the Collapse of a Large Culvert and Roadway on North Belleview Drive North of Beryl Drive for an Amount Not to Exceed Forty Nine Thousand Nine Hundred and Twelve Dollars (\$49,912).**

The City Manager Mrs. Dodd explained that on March 20, 2020 heavy rainfall caused the collapse of the culvert and roadway on N Belleview Drive. To clarify, the contract is for an amount that is less than the City Manager's spending threshold is \$50,000 and this contract is below that. To be open and transparent this resolution is being brought before Council and the residents. Approval of this resolution will allow a timely start to the project. The engineering and design specifications are needed to put the job out to bid. The proposed schedule from LJB allows the preliminary work done by May 8 and the final design complete by June 1. This allows it to go out to bid on June 5. Final selection of the contractor could be complete in July with construction beginning. Construction should take 90 days at most. Mrs. Dodd wanted it noted that the \$49,912 quote is the most it could cost allowing for worst case scenarios and several design items including driveway work and geotechnical borings that might not be needed. The actual cost could come in less. A hydraulic study is included because Possum Run is a FEMA studied stream. She stressed that the proposal includes a study of the impact to the culvert that is further downstream as explained on page 8 of the proposal.

Mayor Schweller stated that LJB and Vectren provided very quick responses. He asked that the contract with LJB be clarified that the cost of the work would include "an amount not to exceed \$49,912."

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Mrs. Dodd added that debris including very large pieces of the culvert were moved downstream onto some residents' properties. The Service Department along with a contractor with specific equipment worked quickly to clean up the debris.

Mr. Greenwood asked if LJB will present the design plans to Council. Mrs. Dodd said that will be arranged.

Mr. Edwards commented the City Manager, Mayor, and Service Director for working so quickly on this situation. He added that it is fortunate that there is another egress from the neighborhood.

Mrs. Middlestetter echoed the commendations for staff.

Mr. Havens said that he was also impressed with responsiveness. He did express surprise that the 72" pipes could not handle the water. He opined that possibly some large logs could have been part of the problem. He believes that the City should look at stream maintenance. The City Manager explained that the Service Department has a program of maintenance during rain events.

Mr. Havens also expressed concern with the \$49,000 cost of the engineering designs. He said he believed other companies might have other opinions on how to complete the repairs. He stated that he does not think this is an urgent problem that requires immediate action and that other engineering options should be considered. Mayor Schweller asked if the City Manager would be able to reach out to other companies.

Mr. Havens also said that it is likely that construction companies might have engineering firms that they work with and that these might not be as expensive. He repeated that he does not see a need to rush as he does not believe that road is critical. He added that this was not budgeted for and worries where the money will come from. The City Manager explained that one component is that a hydraulic study must be done of the FEMA studied stream by an engineer. She agreed that she could reach out to another engineering company, but it would still require a hydraulic study.

Mr. Havens asked for more information on what a hydraulic analysis is. Mrs. Dodd explained she is not an engineer and so a simple explanation is a study of water movement including the sources and the impact to the environment so that an adequate structure be built to handle it. Mr. Havens asked why that was necessary and Mrs. Dodd reiterated that Possum Run is a FEMA studied stream with certain requirements that will affect the new structure. If the City were to bypass those steps and requirements we could be held liable for any issues in the future. Mr. Havens asked where that requirement is written. Mrs. Dodd stated that LJB could answer that question.

Mrs. Middlestetter explained that LJB has been the City's engineering company for years and has done many projects for the City. She added that they are responsible and the costs have been reasonable and she is in favor of contracting with them for this project. Mayor Schweller agreed.

Mr. Edwards asked if the street collapse will affect the Police and Fire Department response times. He added that this could be an urgent issue to residents in that neighborhood. Mrs. Dodd answered that she has not asked about this but fortunately there is an alternate way to be able to reach all

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properties. Mrs. Middlestetter stated that Belleview takes some of the traffic off of Little Sugarcreek Road and it impacts the school buses.

Mayor Schweller asked if Council wanted to table the resolution for this meeting. Mrs. Middlestetter answered that she would like to proceed and vote on it.

Dr. Van Veldhuizen added that he believes the fact that the City has used LJB for years and there is public trust with them is comforting. He stated during normal times it might make sense to make inquiries with other companies, but with the time issues he believes it makes sense to go with the company the City has been using. Dr. Van Veldhuizen added that Mr. Havens' question about the cost being 10% of the project cost is a typical cost comparing it with projects Dr. Van Veldhuizen has overseen with the Army Corp of Engineers. He asked the City Manager if she has an idea of what the total cost of the repair will be. Mrs. Dodd answered that her guess would be \$400,000 to \$500,000.

Mr. Havens explained that his thought would be a total of \$300,000 to \$400,000 making the \$50,000 quote for engineering high. He added that he is always suspicious when a quote comes in conveniently close to the highest amount allowed.

Mr. Greenwood commented that the Clys extension has caused an increase in the water runoff that Bellbrook has to deal with. Looking at the situation comprehensively from Clys Road down to the Little Miami River, something might need to be done to slow the water flow. He added that these kind of heavy rain events will be more common in the future. The effected bridge is a small part of that so should the new bridge be a concern? Miami Valley Regional Planning might be a source of information.

Mrs. Middlestetter added that the Little Miami Watershed Network has been looking into how more development has affected the waterways leading to rain events having more force and impact. Bellbrook is the lowest point in Greene County. Mayor Schweller added that many trees and debris are being washed into the stream causing damage. One theory is that a dead tree had gotten wedged into the culvert adding to the problem. Mr. Havens agreed with that issue.

The Mayor asked Council if they wished to proceed or to table the issue. Mrs. Middlestetter, Mr. Edwards, and Dr. Van Veldhuizen wanted to proceed. Mr. Havens and Mr. Greenwood wanted to table the issue. The Mayor asked if there was a motion to adopt the resolution.

Mr. Edwards made a motion to adopt **Resolution 2020-G A Resolution by City Council Authorizing the City Manager to Enter Into a Contractual Agreement with LJB, Inc. for Engineering and Design Services Related to the Collapse of a Large Culvert and Roadway on North Belleview Drive North of Beryl Drive for an Amount Not to Exceed Forty Nine Thousand Nine Hundred and Twelve Dollars (\$49,912)**. The motion was seconded by Mrs. Middlestetter. The Clerk called the roll. Mr. Edwards, yes; Mrs. Middlestetter, yes; Mr. Havens, no; Dr. Van Veldhuizen, yes; Mr. Greenwood, no; Mayor Schweller, yes. The motion passed 4-2.

CITY MANAGER REPORT

Mrs. Dodd announced that three special webpages to COVID-19 information. These are pages for Announcements, City Services, and Community Resources. These will be updated as needed. The Chamber of Commerce website crashed temporarily.

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All Board and Commissions meetings are cancelled at this time.

No water service customers will be cut off during this pandemic.

The City Manager warns citizens to be aware of scams that have already started.

COMMENTS

Mayor Schweller followed up that President Trump just signed the CARES Act and reminded citizens that the Social Security Administration and the IRS only contact citizens by mail, never by phone or email.

Mr. Greenwood asked if local businesses are complying the essential business rules. Mrs. Dodd said that most are complying and it is taking time for everyone to figure out the guidelines. He also asked her if the City was enforcing the curfew. The City Manager said that it has not been a big problem yet. The City is encouraging the first responders to try and limit their contact with the public to the extent possible.

ADJOURN

Being no further business to come before the Bellbrook City Council, Mayor Schweller declared the regular meeting adjourned at 8:35PM.

Michael W. Schweller, Mayor

Pamela Timmons, Clerk of Council