

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Regular Meeting  
June 22, 2020

Due to the COVID-19 pandemic the June 22, 2020 City Council Meeting was conducted using Zoom's remote meeting platform.

**PRESENT:** Ernie Havens  
Dr. David Van Veldhuizen  
Forrest Greenwood  
Elaine Middlestetter  
Nick Edwards  
Mayor Mike Schweller

**ALSO PRESENT:** City Manager Melissa Dodd and Matt Gardner LJB Engineer

Mayor Schweller called the 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.

Mr. Edwards made a motion to excuse Mr. Hoke from the meeting. Mr. Havens seconded the motion. The Clerk called the roll. Mr. Edwards, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

**APPROVAL OF MINUTES**

After polling the members of City Council about the regular meeting minutes of June 8, 2020 Mayor Schweller declared the minutes approved.

**MAYOR'S ANNOUNCEMENTS**

Mayor Schweller wished all Bellbrook fathers a belated happy Father's Day.

Mayor Schweller wanted to clarify that the City Council is not interested in selling or leasing any land. Specifically, the approximately 16 acres that was requested to be part of the Bellbrook Mountain project. This land is part of a highly susceptible wellfield protection area. The City cares deeply about the City's water source. The land has never been for sale. The City Manager reached out the requestor to make these facts clear. The correspondence that was sent is currently posted on the City's website. Several comments have been made that City Council rejects Bellbrook Mountain, but this is not the case at all. Council responded solely to the request by the applicant which was for the sale or lease of land. We did not, in any way, evaluate the merits or feasibility of the Bellbrook Mountain project. The applicant has been advised as to the next step in the process which would be to present a plan to the City Planning

**RECORD OF PROCEEDINGS**  
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Board. The Mayor hopes this clarifies the matter and invites anyone who has more questions to contact himself or the City Manager.

**ORDINANCES** – none

**RESOLUTIONS**

Mr. Edwards introduced **Resolution 2020-M A Resolution by Bellbrook City Council to Request the City of Bellbrook’s Share of Funds from the County Coronavirus Relief Distribution Fund and Affirming that Upon Receipt of Such Funds, All Expenditures Therefrom Will be in Compliance with Section 5001 of the Cares Act and Any Other Applicable Laws and Regulations.**

Mrs. Dodd explained that this step is required for the City of Bellbrook to be able to receive their share of funds. After passage, this resolution will be submitted to Greene County and the state of Ohio. The Greene County auditor sent information outlining how the amount each municipality would receive was determined and how it would be distributed. They determined that everyone would receive the equivalent of the amount of local government fund allocation from 2019. The Bellbrook should receive approximately \$80,000. Guidance on how to utilize the money is included in the agenda packet. Unfortunately, revenue replacement is not an allowable use. Staff is looking into the best ways to use this money. Technology and telecommunications are areas that has been identified. We are looking into possible grants for local businesses closed by the pandemic. That is a little more difficult because the county is also going to give out grants and we need to ensure that we don’t duplicate efforts. There is still a lot of research to be done.

Mr. Edwards made a motion to adopt **Resolution 2020-M A Resolution by Bellbrook City Council to Request the City of Bellbrook’s Share of Funds from the County Coronavirus Relief Distribution Fund and Affirming that Upon Receipt of Such Funds, All Expenditures Therefrom Will be in Compliance with Section 5001 of the Cares Act and Any Other Applicable Laws and Regulations.** Dr. Van Veldhuizen seconded the motion. The Clerk called the roll. Mr. Edwards, yes; Dr. Van Veldhuizen, yes; Mr. Havens, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mayor Schweller, yes. The motion passed 6-0.

Mrs. Middlestetter read **Resolution 2020-N – A Resolution Establishing a New Special Revenue Fund Titled “Local Coronavirus Relief Fund”.**

Mrs. Dodd explained that this fund is where the CARES Act money would be administered.

Mrs. Middlestetter made a motion to adopt **Resolution 2020-N – A Resolution Establishing a New Special Revenue Fund Titled “Local Coronavirus Relief Fund”.** Mr. Greenwood seconded the motion. The Clerk called the roll. Mrs. Middlestetter, yes; Mr. Greenwood, yes; Mr. Havens, yes; Dr. Van Veldhuizen, yes; Mr. Edwards, yes; Mayor Schweller, yes. The motion passed 6-0.

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Regular Meeting

June 22, 2020

## CITY MANAGER UPDATE

The City Manager announced that Bellbrook Sugarcreek Parks District will be appointing a new commissioner by September 30, 2020. Any Bellbrook citizen is encouraged to apply. All of the information and the application are available on the Parks District webpage.

The city received word from the Greene County Court that they dismissed the appeal from the property owner of 7 W Franklin Street. The owner, Greg Dart was appealing the decision of the Property Review Commission made on November 19, 2019. Even with the dismissal of the appeal, the city had to spend \$12,000 to have our attorney respond to the court.

The Fraternal Order of Police (FOP) negotiations are taking place this week. The Sergeants and the officers have two different representatives so there will be two different contracts this year. The current contract expires July 31, 2020. An extension was considered due to COVID-19. Council will be notified of the progress.

Bellbrook and Xenia were contacted by the Greene County Water Department to discuss water system upgrades, softening, and expansion. We have no need for these to purchase these services from another provider at this time.

Mr. Greenwood asked the City Manager about any additional development in the city that could affect our water department needs. Mrs. Dodd answered that there is still development in The Landings, Redwood Living, and a few sites still in Highview Terrace. Other than those she did not know of any.

The second Farmer's Market of the season is scheduled for Saturday June 27 from 10 AM until 1 PM. The booths will be spaced every-other parking space to allow for social distancing. There are several new vendors joining. The Farmers Market takes place the second and fourth Saturdays of the month.

Mrs. Dodd reported that the June receipts from the gas tax showing the first significant dip in usage that we have seen. January through May average was \$34,000 while June was \$24,000 which is about 27% lower. But to compare, the five-month average from 2019 was \$21,000 per month.

Mrs. Middlestetter shared a question from a resident who asked how the gas tax amount is calculated. Mrs. Dodd answered that it comes from gasoline sales and will look into how our share is computed. The city also receives money from motor vehicle registrations. The city will probably see a dip in these funds also due to temporary closure of the BMV. But this will be made up when people are able to renew their registrations.

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Regular Meeting  
June 22, 2020

**OLD BUSINESS**

- LJB Presentation – Matt Gardner, Civil Engineer with LJB.

The City Manager explained that the project will be put out for bid. Then Council will have a work session to go over the bids and choose a contractor by resolution.

Mr. Gardner began with an explanation of the cause of the collapse of the N Belleview Drive and culvert. On March 20, 2020 approximately two and a half inches of rain fell in a very short amount of time which resulted in between a 100-year and 500-year flood event. LJB was contracted to design the replacement.

He explained that Possum Run is a FEMA regulated stream which means that a hydraulic study is required. A culvert cannot cause water up or downstream to rise (defined by a two-year rain event as the list). The stream was analyzed at different points from Cloy Road to Little Sugarcreek Road.

It is recommended to build a concrete arch with a six-foot rise with a wider span of 28 feet. This will eliminate the potential for clogging like the two pipes allowed. And the pipe will be concrete instead of corrugated pipes before. The life cycle on a concrete culvert should be 100 years long. The plan is to create a full-height headwall on both sides. This will flatten the grade out from the road so that no guard rail will be needed. There will be enough space to add a sidewalk in the future.

Geotechnical borings showed that the bedrock is high in this area which saves money. Greene County Sanitary has a sanitary line underneath N Belleview Drive and the creek so they worked together to ensure no damage would be done by the new culvert. The new culvert will be a three-sided structure placed on top of the concrete foundation.

Mr. Gardner added that there is approximately 75 feet of roadway to repair. It was noted that the ends of the culvert extend slightly past the right of way. The work can be completed with work agreements or the city might consider including these so that there would never be the chance of problems in the future.

The headwall is a foot higher to keep a mower from slipping. Distance of 17 to 25 feet from the street to the headwall. The plan maintains the existing curve of the road. There are also utilities running through the culvert.

The cost estimate is for \$420,000 for the entire construction and materials. The timeframe most likely will have the construction completed late September which is just slightly into the school year.

Mayor Schweller asked about the cost and referred to an earlier meeting that mentioned \$300,000. Mr. Gardner explained that the \$300,000 is just for the cost of the actual culvert. The remainder is the cost of labor and other construction to complete the project.

Mr. Greenwood asked if future development could affect the water volume. Mr. Gardner explained that standard building procedures require developers to mitigate effects to runoff.

# RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Regular Meeting

June 22, 2020

Mr. Greenwood asked about regular inspections saying that he saw large rust holes in the pipes. Mr. Gardner said that standard maintenance should require inspection every couple of years. The previous bridge was built in 1988. Reports said it was in decent shape. A combination of clogging debris and embankment saturation were most like reasons for the collapse.

Mr. Havens stated that the bridges up and downstream are concrete with I-beams and asked why this structure was presented instead? Mr. Gardner explained that the one on Clyo has a much larger span and needed the extra support. Concrete is less expensive

Mr. Havens made a motion to put the **N Belleview Culvert project out to bid**. Mr. Greenwood seconded the motion. The Clerk called the roll. Mr. Havens, yes; Mr. Greenwood, yes; Dr. Van Veldhuizen, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mayor Schweller, yes. The motion passed 6-0.

## **NEW BUSINESS**

- Tax Budget and 2021 Reporting

The City Manager presented the current tax budget estimate. Due to COVID-19 the state waived the usual requirement for reporting. The city was only required to complete a shortened report. Bellbrook is mostly on track.

Mrs. Dodd also explained the 2021 financial summary that was included in the packet. The first five months look like things are mostly on track.

## **COMMITTEE REPORTS**

**Service** – Mr. Greenwood reported that the Service Department has been busy with mowing and trimming around the city. He explained that the Miami Conservancy sent out information on PFAS. There is a new method of testing for contaminants. It is being discovered that PFAS from many common products are being found in aquifers and treated drinking water. The Bellbrook water system is very proactive in our water safety.

**Safety** – Mr. Greenwood reported that the Police activity has increased some due to people getting out more. The Fire Department never slowed down.

**Finance** – none

**Community Affairs** – none

## **COMMENTS**

Mr. Greenwood commented that he was glad that the Black Lives Matter protest on Saturday was peaceful. The Police distributed water. He wanted to say that he and Council have received comments

**RECORD OF PROCEEDINGS**  
Minutes of Bellbrook City Council Regular Meeting  
June 22, 2020

from residents Meredith Brinegar, LaKisha Taylor and Don Walsh. He and Council will be responding to them.

Mr. Havens thanked Mr. Gardner for the presentation. He encourages people to follow safety precautions as the start leaving their homes more.

Mrs. Middlestetter shared that there will be a fundraiser on Friday at BellHOP Café.

Dr. Van Veldhuizen shared that he has had a couple of residents ask him why the City and the Township have their own Fire and Police Departments.

Mr. Edwards expressed his relief that work to repair N Belleview Drive will be done soon. He took a ride with a Police officer and saw that having to go around the closed road adds about eight minutes to the response time.

**ADJOURN**

Being no further business to come before the Bellbrook City Council, Mayor Schweller declared the regular meeting adjourned at 8:26 PM.

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Michael W. Schweller, Mayor

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Pamela Timmons, Clerk of Council