

Brookville City Council
Regular Meeting
March 19, 2019

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on March 19, 2019 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Fowler, Kirklin, Letner, Schreier, Wilder and Zimmerlin; Police Chief Jerome, Fire Chief Fletcher, Finance Director Keaton, Law Director Stephan, City Manager Burkholder, and Clerk Wheeler were present.

Roll Call by Clerk Wheeler.

Law Director Stephan requested an additional Executive Session per ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. He stated particularly to consider the resignation of an Official and the appointment of an Official.

Motion by Zimmerlin, second by Kirklin to approve the Agenda as amended. All yeas, motion carried.

Motion by Schreier, second by Fowler to approve the Special Meeting Minutes of March 5, 2019 and the Regular Council Meeting Minutes of March 5, 2019. Motion carried with 6 yeas and 1 abstention. Member Zimmerlin abstained.

Mayor Seagraves stated he has been looking forward to tonight to recognize Dave Monnin, former Park Board President. He thanked Dave Monnin for over 30 years of service to the City of Brookville and all he has done for the parks over the years. He stated he can't personally thank Mr. Monnin enough.

Mayor Seagraves presented Dave Monnin with an award of recognition for his years of service to the City of Brookville.

Members of Council and the audience congratulated and thanked Dave Monnin.

Gale Colston, of 205 North Wolf Creek Street, requested Council approval for the 2019 Pink Ribbon Girls Breast Cancer 5K Walk. She informed this year will be the 10th Annual Walk on Saturday, September 28, 2019. She informed all money raised from the event stays local. She informed the Walk will start at the High School again this year and with a similar route as last year and as provided on the map included in the Community Event Form.

Motion by Kirklin, second by Zimmerlin to approve the 10th Annual Breast Cancer Walk on Saturday, September 28, 2019 with the event being held at the High School and with a similar route as last year and as provided on the map included in the Community Event Form. All yeas, motion carried.

Ms. Colston thanked Council. She informed last year the Brookville Walk raised over \$50,000. She informed it is the largest one day community event within the Pink Ribbon Girls chain.

Motion by Kirklin, second by Schreier to enter into Executive Session per ORC 121.22 (G)(1) to consider the resignation and appointment of an official. All yeas, motion carried.

Motion by Schreier, second by Wilder to enter into Executive Session per ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Motion carried with 6 yeas, 1 abstention. Member Kirklin abstained.

Motion by Fowler, second by Zimmerlin to enter back into Regular Session. All yeas, motion carried.

Mayor Seagraves informed there were two forms of business that took place in tonight's Executive Session. He informed Council Member Anne Kirklin has resigned effective immediately. He informed she has some personal issues and has requested to step down.

Motion by Schreier, second by Zimmerlin to accept the resignation of Anne Kirklin from City Council as of March 19, 2019. All yeas motion carried.

Mayor Seagraves stated Anne Kirklin has been on Council several years and did a fantastic job. He stated she loved serving and really enjoyed helping in the parks and as the Park Board Liaison. He stated sometimes life is short and her focus right now needs to be elsewhere. He wished Anne Kirklin the best.

Mayor Seagraves informed the second Executive Session involved City Manager Gary Burkholder who has tendered his resignation. He thanked Manager Burkholder for all of his hard work and effort and everything he has done for this community over the last few years. He thanked Manager Burkholder for all of the hard grunt work that had to get done to get us where we are today.

Manager Burkholder thanked City Council, Staff and the community. He stated he truly enjoyed everyday.

Motion by Zimmerlin, second by Fowler to accept the resignation of Gary Burkholder, City Manager and the Termination of Employment Agreement. All yeas, motion carried.

Motion by Letner, second by Wilder to appoint Finance Director Keaton as acting City Manager. All yeas, motion carried.

Mayor Seagraves temporarily excused Law Director Stephan and Finance Director from the Meeting.

Fire Chief Fletcher reminded tomorrow is a statewide tornado drill across Ohio and the City of Brookville will participate at approximately 9:50 a.m. tomorrow morning. He encouraged everyone to practice their personal or business plan for tornado activity. He stated as always the Fire Department is willing to assist anyone with advise on what might be the safest area of a home during a tornado.

Fire Chief Fletcher reported the Carbon Monoxide program is up and running. He reminded the Fire Department received donated Carbon Monoxide detectors and the Fire Department will install them for anyone in need of one.

Member Zimmerlin asked for an update on the heavy rescue unit.

Fire Chief Fletcher informed the heavy rescue unit is back from having the collision damage repaired and is now waiting to go into the final aluminum fabricator located in Springfield. He informed it will go to their facility this Friday for completion.

Police Chief Jerome reported the Brookville Police Department handled 125 Incidents year-to-date, compared to 103 during this same time last year. Police Chief Jerome reported Citations are up a total of 2 Citations year-to-date, for a total of 99 Citations issued year-to-date. There were 145 traffic stops for February compared to 193 during February 2018.

Police Chief Jerome informed last week his Department hosted a two day street cop training class with almost 60 people from all over the country who attended. He informed they used the new fire station to host the event. He stated it is great to have that type of facility to host these type of events and he looks forward to having future events.

Mayor Seagraves had no report.

In Old Business,

Member Letner informed the Montgomery County Engineer was recently out again to look at the pedestrian bridge in Golden Gate Park.

Service Superintendent Homan informed the Engineer was out to look at a few things and she gave him some direction on how to position the welds. He informed she had good information and insight to give and will help give better direction to the guys doing the project.

Member Letner asked if he thinks the idea is still doable?

Service Superintendent Homan stated absolutely. He informed the County Engineer stated she would be happy to come back out again or help with any questions. He stated he is hoping to see the creek level go down though soon.

Member Letner stated with the donation received, there should be little money out of pocket from the City needed.

Mayor Seagraves stated the donations received are greatly appreciated.

Service Superintendent Homan stated it will be a good project and the guys in the Service Department are excited.

Motion by Fowler, second by Schreier to approve the rehabilitation of the existing pedestrian bridge in Golden Gate Park at a cost not to exceed \$10,000. All yeas, motion carried.

Law Director Stephan provided an update on the property at 692 Vine Street. He informed the City obtained a court order authorizing us to remove the accessory buildings that are a nuisance on the site. He stated the City is looking to move forward on it. He informed this process has prompted Tax Ease Ohio to move forward with the tax foreclosure and the property has been sold in a tax foreclosure sale. He informed Zoning Officer Snedeker did talk recently with the new owner and is hopeful the new owner will remodel and bring it back into productive use.

Member Wilder stated she knows a lot of neighbors were sick of the wild animals and the condition of the building.

Member Letner stated it is good to see them breaking ground at the old BP Station site.

Finance Director Keaton reminded the City of Vandalia Income Tax Department will once again have representatives at our City Building to assist our residents with the preparation of the local income tax returns, at no charge. She informed the representatives will be in the office on Friday, March 22 from 8:00 a.m to 4:30 p.m. and again on Saturday, March 23 from 8:00 a.m. to noon.

Mayor Seagraves informed proposed Ordinance No. 2019-02 was tabled at the March 5th Council Meeting.

Motion by Schreier, second by Wilder to read proposed Ordinance No. 2019-02. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the first reading of proposed Ordinance No. 2019-02 entitled, "AN ORDINANCE ESTABLISHING A STORM WATER MANAGEMENT UTILITY IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

In New Business,

Motion by Wilder, second by Zimmerlin to read proposed Ordinance No. 2019-03. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to accept the first reading of proposed Ordinance No. 2019-03 entitled, "AN ORDINANCE LEVYING ASSESSMENTS FOR THE CUTTING AND REMOVAL OF WEEDS, VINES, GRASS AND/OR VEGETATION DURING THE YEAR 2018 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Service Superintendent Homan explained the Hazard Mitigation Program is through FEMA that deals with blighted properties that have experienced frequent flood damage. He informed the grant program is to purchase and demo these damaged properties in flood plains to eliminate them and turn the area back into green space. He informed the grant program funds 75% of the cost through FEMA, 12.5% through the State of Ohio and the Municipality covers the remaining 12.5%. He informed he has been researching possible grants that could help us cover our 12.5% portion. He stated the current stage is a pre-application due March 22, 2019 and includes cost estimates, appraisal values and a few other items. He stated the total for the application has to save FEMA money in the end.

Mayor Seagraves stated this is another action that will show Montgomery County Soil and Water that we are serious.

Member Schreier asked if there is any idea what our 12.5% would look like without any additional grants?

Service Superintendent Homan informed it would be estimated to be around \$34,000. He informed the total project cost has been estimated at \$271,000.

Motion by Zimmerlin, second by Fowler to approve the submission of the pre-application for the Hazard Mitigation Grant. All yeas, motion carried.

Mayor Seagraves informed the roof on the Leiber Center is beyond repair and leaking severely. He informed he knows one quote has been received. He stated the roof needs repaired soon and we probably need to obtain three total quotes for review.

Service Superintendent Homan informed he has been told this is the original roof on the building. He described the shingles are extremely brittle and have been patched several times, which is obvious of the multiple colors of shingles that have been used.

Member Fowler asked who gave the quote and if they are a local company?

Service Superintendent Homan informed Campbell's Roofing out of Dayton provided the estimate. He informed they have done great work for us in the past with great prices and really have a good track record with us.

Member Fowler asked if he could reach out to some local companies for quotes?

Service Superintendent Homan stated he would.

Member Schreier asked if the condition of the roof was caused by a certain event where we could file an insurance claim or if the damage is just depreciated?

Finance Director Keaton informed the damage on the roof is depreciated.

Motion by Zimmerlin, second by Fowler to obtain three estimates for replacement of the Leiber Center roof. All yeas, motion carried.

Bonnie Cordes, Park Board President, informed Park Board had a great meeting last week. She informed the Park Board will receive a \$500 donation from the Optimist Club as a result of the recent Adult Easter Egg Hunt and the 50/50 raffle. She informed the money will be used for a project at the park and the Optimist Club would also like to donate a day of their time to do work on a project at the park.

Mrs. Cordes reminded the Annual Community Park Cleanup is scheduled for Saturday, April 13, 2019 from 10:00 a.m. to noon.

Mayor Seagraves thanked Dave Monnin again for all his years of service.

Member Letner asked Mr. Monnin what he feels was his biggest accomplishment in the parks?

Mr. Monnin stated the addition of the sea wall around the pond at Golden Gate Park.

Mayor Seagraves stated the addition of the soccer complex at Westbrook Park was a great success.

Member Letner stated so was the castle playground at Golden Gate Park.

Member Schreier, Planning Commission Member, informed the next Planning Commission Meeting is scheduled for March 21, 2019.

Mayor Seagraves thanked audience members for attending tonight's Meeting.

Tonya Hurst, of 248 East Westbrook Road, stated she read about the recent Storm Water Meeting in last week's Brookville Star. She informed she purchased her home in 2017 and her issues first started after a big rainfall in November 2017. She stated after that rain event, she reached out to Service Superintendent Homan and he came and looked at her property and said there was no drain to tie into and suggested she contact Stephan Bridenbaugh with Montgomery County Soil and Water, so she did. She informed Mr. Bridenbaugh came out to evaluate her property and the surrounding area and provided her with some recommendations to help with the problems. She described she has a sloped driveway and the water runs into her garage so she had a channel drain installed in front of her driveway and pipes going from her side yard to her back yard to help collect the water. She stated during heavy rains, her system can't keep up. She stated there is a ton of rain water that comes from the road onto her driveway. She asked if the City can help in anyway? She asked what can she do and what can't she do in this situation. She stated she needs help.

Ms. Hurst informed during Mr. Bridenbaugh's visit to her home, he informed her that her watershed boundary was 1.6 acres even though her lot size is only .75 of an acre. She stated she has tried everything, but nothing seems to fix the problem. She stated she noticed when reading the Minutes of the last Council Meeting, there was a lot of focus on Wolf Creek, but she is asking for focus everywhere because there are many issues throughout the City and not just on Wolf Creek.

Mayor Seagraves stated the purpose of the Storm Water Utility Fund is to allow the City to evaluate and try to address issues throughout the City. He stated he thinks it will be alarming to residents once an I and I Study is done because there are a lot of older homes in Brookville and

the systems are all tied into the sanitary system and it will be up to the residents to pay to have their lines corrected.

Ms. Hurst stated she has no issue with doing things to make improvements, but we can't keep putting money into things that do not work.

Mayor Seagraves asked for Service Superintendent Homan to revisit Ms. Hurst's property.

Service Superintendent Homan explained where Ms. Hurst is located there is no storm line, there should be but there isn't. He stated the area needs engineered, there is no right of way and there needs to be some sort of channeling, curbs and catch basins. He stated some of the older areas in town do not have storm lines, so those people are actually tied into the sanitary system which then runs into the Waste Water Treatment Plant. He described in those cases, that means the rain water is coming into the plant and we are paying to treat rain water that does not need to be treated, which then over runs the system.

Mayor Seagraves informed Ms. Hurst she is not alone and other people are also experiencing similar issues to her.

Ms. Hurst stated the water from these fast rains are coming into her garage, which is a problem.

Mayor Seagraves stated the frozen ground intensifies the flooding issues.

Ms. Hurst stated she is trying everything and is just asking for more help.

Mayor Seagraves stated the importance of this conversation is to remind everyone the problems the City has. He stated Brookville is an older community and these rain events seem to be happening more and more which makes the issues the City has really stand out and the City needs to decide what direction to go in.

Allen Thrush, of 30 Gaines, asked if a new Flood Plain Administrator has been appointed yet?

Law Director Stephan advised the City Manager is the Flood Plain Administrator and since Finance Director Keaton was appointed tonight as acting City Manager, she would be the new Flood Plain Administrator.

Tonya McKown, of 226 South Wolf Creek Street, asked what addresses will be included in the grant application?

Service Superintendent Homan informed four addresses on South Wolf Creek Street.

Ms. Hurst informed she has estimates to do work to her property, but wants to work with the City to come up with a solution and doesn't want to keep putting money into the same thing over and over again.

Adam Blevins, President of the Brookville Chamber of Commerce, thanked Dave Monnin for all he has done for the City over the years. He informed he wanted to reach out from the Chamber of Commerce to give a donation of \$2,500 towards the roof on the Leiber Center. He reminded the Chamber is also holding \$2,500 for the City from the Community Picnic to be used towards the park. He stated that makes a total of \$5,000 from the Chamber that can be used for the roof on the Leiber Center.

Kim Cheatham, of 565 Adrian Court, stated if you Google the City of Brookville, old Council Member information shows up that is not accurate.

Mayor Seagraves stated that can be looked into.

Ms. Cheatham stated at the last Council Meeting Margo Cantrell received an award. She asked what did previous Council Members get?

Mike Duncan, of 879 Dorothy Lane, informed he received a Proclamation.

Bruce Garber, of 434 Sycamore Street, thanked Council for looking into the phone issue he had previously brought up. He informed he checked with DP&L on the water tower and they put in the transformer and cabling on March 5 and 6, so once the inspection is released then DP&L can set the meter and get the power running on site.

Service Superintendent Homan informed the inspection was released about six weeks prior to the transformer being set. He informed he has been told crews have been tied up with recent wind damage, but the meter should be installed this week.

Mr. Garber stated he is happy to see the Old Hickory Restaurant has been a great success, but in the evening people are parking all over and it isn't good for the traffic flow. He asked if a traffic study could be done and then maybe the curb from the stop sign at Sycamore Street right in front of Old Hickory could be painted yellow?

Police Chief Jerome stated he can look at the area.

Mr. Garber stated traditionally in the past, the Street M&R Fund within the General Fund was the fund used for street maintenance and some of those items were described as what the Storm Water Fund would be used for.

Finance Director Keaton informed there is still a Street M&R Fund and money from that fund has been used in the past to help with street maintenance. She informed if a Storm Water Utility Fund is implemented, it would be an enterprise fund and a portion of payroll, maintenance, and capital improvements that are related to storm water would not have to come from the Street Fund anymore.

Mr. Garber stated there was a water rate increase last year and again this year and then this storm water fee. He stated that is a lot of money to ask from residents in a short period of time. He stated in the old days if a tree fell in Wolf Creek the Service Department would just go out and clean it up. He stated maybe that is part of the problem of the need for cleanup of log jams in Wolf Creek.

Service Superintendent Homan explained part of the big problem is the aged and dead ash trees falling into the creek at a rapid pace. He described there are some massive log jams in the creek between Westbrook Road and Heeter Road, which are not within the City limits, which is why Soil and Water is working on trying to clean up the log jams in that area. He stated that area is down stream from us, but directly affects us. He informed the Service Department has cleaned up approximately five or six trees from the creek in the last few months where they have had access and have received permission from the land owner to clean up.

Mr. Garber stated the rate increases plus the storm water utility fee add up to a lot.

Mr. Duncan stated he knows storm water is a problem. He stated in the past storm water came from the General Fund and he thinks Council is sending an impression by creating a Storm Water Fund, they can't pass a levy and are looking for a back door way to get more money in the General Fund. He stated Council needs to watch what they are doing and they need to get citizens involved.

Mayor Seagraves stated that is why the Blue Ribbon Committee is being organized.

Mr. Duncan stated the new City Manager needs to have a financial and personal stake in this town, they need to have property or a family in this town.

Tonya McKown, of 226 South Wolf Creek, stated the Caller ID for the City does not show as the City of Brookville. She stated it shows as Prostratus and she recently thought she was receiving a telemarketer call instead of a call from the City.

Finance Director Keaton commented the City is aware of this and is working on a solution.

Ms. McKown asked if the General Fund has been used for storm water in the past?

Mayor Seagraves informed yes. He stated the City is not trying to back door anyone when it comes to funding, but the concerns are so overwhelming with the crisis on storm water. He stated there have been massive storm water issues and we cannot deplete the General Fund. He stated we need a revenue source in order to generate money and most communities either have or are looking at creating a Storm Water Fund designated only to storm water issues. He stated the City needs to identify priority areas to be addressed and that can't be done without funding.

Ms. McKown asked if anyone has been interested in the Payless building?

Mayor Seagraves informed the City received a call five minutes before the news hit the media and their staff was informed about the closing of Payless. He informed their process has begun and we are given periodic updates and it is up to the owner of the building to market the building and they can't do much until Payless has left. He informed Montgomery County Economic Development is on this and the City is very hopeful. He stated from the City's perspective we have done all we can do.

Motion by Zimmerlin, second by Fowler to adjourn. All yeas, motion carried.



Meghan Wheeler, Clerk of Council



David Seagraves, Mayor