

Brookville City Council
Regular Meeting
February 19, 2019

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on February 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, Law Director Stephan, City Manager Burkholder, and Clerk Wheeler were present. Finance Director Keaton was absent.

Roll Call by Clerk Wheeler.

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

Motion by Schreier, second by Kirklin to approve the Special Budget Work Session Meeting Minutes of February 5, 2019 and the Regular Council Meeting Minutes of February 5, 2019. All yeas, motion carried.

Shawn Cobb, Rumpke Service Manager, informed he would like to address some of the recent concerns with Brookville's trash service. He stated he and a few other Rumpke representatives met last week with the City Manager and the Law Director. He informed they have since changed their process with their dispatch services, the route drivers are to be checking in at the City Offices daily, they are running the GPS daily to make sure the right areas are being covered, and they have verified and updated their route maps. He stated Rumpke would like to be on the right path in moving forward with the City of Brookville.

Manager Burkholder informed Council received a copy of the letter he sent to Rumpke as a follow up to their meeting last week. He informed he had an opportunity to speak with the route driver and received feedback on some of the challenges they have had. He informed he investigated some of the most recent complaints received and spoke with citizens to get more information on their issues. He reported he received a letter from a resident suggesting Council revisit the idea of eliminating trash pickup in the alleys because the trash trucks cannot make it through some of the narrow alleys. He stated Council has received a copy of this letter.

Manager Burkholder stated the recent Rumpke Meeting was a productive Meeting. He informed he did learn other trash carriers did cancel due to the recent cold weather, but Rumpke was still out trying to run their routes. He informed Rumpke has made a change to the route on Arlington Road because the road was divided on Rumpke's routes and causing confusion. He stated if a resident is missed, please let the office know as soon as possible, do not wait days to report a missed stop.

Member Kirklin asked Mr. Cobb if he has driven the routes?

Mr. Cobb stated yes.

Member Kirklin asked if there are areas other than alleys that present problems or challenges?

Mr. Cobb stated he is not 100% sure, but would be happy to research it further and report back.

Manager Burkholder informed he suggested our employees who used to run the trash routes could give advice or suggestions to Rumpke. He informed communication was also discussed, which is why Rumpke is to check in on a daily basis and if they are running behind, the driver is to call in before the City Office closes for the day.

Member Kirklin stated she looks forward to the services being improved and communication being more proactive than reactive. She stated the City should learn of challenges from Rumpke

and not an angry citizen. She thanked him for Rumpke's partnership and his engagement to resolve issues and move forward.

Mayor Seagraves stated the biggest thing is communication between the residents, the City and Rumpke and he wants to assure the residents their trash will be picked up. He stated one problem has been some of the same people repeatedly missed.

Mr. Cobb informed one change they have made is the drivers are now carrying a list of repeated missed stops and they have to check the address off of the list and list the date and time picked up.

Mayor Seagraves stated Council and Staff may need to revisit the alley issues because they are not large enough to handle the size of the trash trucks.

Member Schreier stated the letter to Rumpke states a follow up meeting will be in 90 days. He asked if any updates will be done between now and then?

Manager Burkholder informed the office staff will still be logging any complaints received and he is following up with a phone call on most of those complaints. He stated it is being checked everyday that our list matches Rumpke's list and this will remain as an ongoing dialogue.

Member Zimmerlin stated it would be nice to see monthly reports on the complaints received and then hopefully in 90 days this will not be an issue any longer.

Mr. Cobb stated either him or his boss will be in touch with Gary on a weekly basis to ensure the communication is where it needs to be.

Member Letner asked if picking up only four days a week is stretching it too thin?

Mr. Cobb stated no, there have been some rough weeks with the cold weather, but four days should be plenty of time to run the routes in the City. He stated the days it was so cold, they really struggled to get the routes done everywhere, not just here.

Mayor Seagraves thanked Mr. Cobb for attending.

Police Chief Jerome presented the Officer of the Year Award to Officer Zach Snell.

Police Chief Jerome stated Officer Snell has been doing a great job as the School Resource Officer. He described the staff and students love Officer Snell. He stated Officer Snell is a self starter and has taken this program and done a terrific job. He stated it is always hard to choose a recipient for this award when you have such a great staff. Chief Jerome stated Officer Snell has exceeded his expectations. He thanked Council for approving the School Resource Officer position. He informed this is Officer Snell's second year in a row receiving the Officer of the Year Award.

Council Members congratulated and thanked Officer Snell for his hard and dedication.

Officer Snell presented a Power Point Presentation of the School Resource Officer's 2018 Annual Report.

Police Chief Jerome stated what they want Officer Snell to do at the schools is to do everything, educate, mentor etc. and that is exactly what he is doing. He stated this can be a challenging position, but Officer Snell is doing a great job and he is very proud of him.

Manager Burkholder stated it has been an unusual week this past week. He reported he attended the Gallery Night at the Brookville Middle and High schools. He stated it was a great event and he wanted to recognize all of the students and their parents who participated.

Manager Burkholder reported a meeting was held with Rumpke officials to discuss service concerns. He informed he presented documentation and photographs of the issues and then sent a recap letter detailing a plan of action to Rumpke.

Manager Burkholder reported the City issued Hyper-reach alerts regarding the Dayton Water crisis and he recently spoke to the City Manager for Dayton, Shelley Dickstein, regarding the issue. He informed the City did not lose pressure during the outage, but issued the boil advisory since we are on the system and at the recommendation of Dayton Water Department officials. He thanked everyone for their patience and understanding. He thanked the Fire Chief and Police Chief and City Staff for their work during this event.

Manager Burkholder informed the Perry Township Trustees will be discussing the City's Fire Contract at their March Meeting.

Manager Burkholder stated the Golden Gate pedestrian bridge is on the agenda tonight for Council's discussion.

Manager Burkholder reported ODOT has made application for the 2019 International Partnering Institute (IPI) John L. Martin Partnered Project of the Year Award for the Arlington Road overpass bridge project.

Manager Burkholder informed he attended an active shooter presentation in Trotwood.

Manager Burkholder stated Staff is finalizing the details of the Safe Routes to School application and legislation is on tonight's Agenda to apply for funding. He informed the deadline to apply for funding is March 5, 2019.

Manager Burkholder informed the City has been notified of the closing of Payless. He informed he has been in contact with Payless officials and Erik Collins of the Montgomery County Economic Development Department. He stated Payless will close the Distribution Center, but do not know when it will be closing. He informed he has responded to news inquiries and given that general information. He stated the City will be working with Payless officials and County officials.

Mayor Seagraves thanked Manager Burkholder and the Fire and Police Chiefs on the quick responsive handling of the water crisis. He stated this situation was handled with precaution and felt the criticalness to make certain everyone was safe. He stated Brookville was blessed not to lose any pressure. He commended the City Manager and both Chiefs for their immediate response.

Mayor Seagraves stated last week there was also another situation with flooding. He stated there was almost six inches of rain received on top of frozen ground which caused a lot of complications. He stated Brookville was no different than any one else. He described Clay Township had six roads closed down and Perry Township had five roads closed down due to flooding. He stated we have no control over the weather.

Mayor Seagraves stated his heart is broken over the Payless situation. He stated he and Council worked very hard many years ago to bring Payless to Brookville. He informed he and staff met with Payless reps a few years ago when they filed bankruptcy and were promised they were going through the Chapter 11 process to get everything taken care of and done right. He stated the City did everything asked to do one in a half years ago to address the water pressure issues at the Industrial Park. He informed Council made the decision to build the Water Tower there to help not just Payless, but all of the businesses in the Industrial Park and for any future

development. He reminded at that time Payless had to decide to close the Brookville or California Distribution Center and they closed the California location and moved everything to the Brookville location. He stated they just couldn't climb down from the mountain and this was a corporate decision. He stated all of the online shopping done today has just crippled stores like Payless, so they made a corporate decision to close up. He stated there will be better days and the City will do whatever it can from a City standpoint to get the facility filled up as soon as possible. He stated 500 jobs will be lost and the City will have to work with Montgomery County and other agencies to help those people. He stated this is critical and will also be a big hit to the City's budget. He informed City Officials did not receive a notice of more than five minutes prior to the story being on the news.

Law Director Stephan reported the Finance Director provided Council with a memo on Ambulance Transportation Fees for 2019. He requested Council approve the adjustment to the Ambulance Transportation Fees for 2019. He informed the Center for Medicare and Medicaid Services recently released the Ambulance Inflation Factor (AIF) for 2019 and approved a 2.3% increase for EMS Services.

Motion by Kirklin, second by Schreier to approve the Ambulance Transportation Fees for 2019 as outlined in the Finance Director's Memo. All yeas, motion carried.

Fire Chief Fletcher informed the Ambulance Transportation Fee adjustments just approved are the annual adjustments done. He informed the Fire Department is also in the process of reviewing all of their revenue sources to report back to Council on any areas that could be adjusted. He stated the transportation fees is really the only adjustment to their revenue that is made on an annual basis and moves along with inflation. He stated the levies bring in no further revenue, so what they are approved for is exactly what is received and when having to make adjustments for fuel or cost of living raises for personnel this fee adjustment is very important.

Fire Chief Fletcher stated the recent water crisis was a great example to stress how important our relationship is with the pumping system supervisor. He stated Brookville's relationship to Dayton water is unique because we have no pumping or treatment facility and are an end user of Dayton's treated water and that is our only source of water. He informed there is a notification system that notifies Dayton's on-duty System Supervisor at the same time of our Fire Department and then we have eyes on our tank levels and if there is any indication of usage on our system then the System Supervisor will top our tanks off. He stated that is not monitoring that all communities get because we are in a unique situation at the end of Dayton's system. He informed when he received the call as a heads up that Dayton had a problem somewhere in their system and there could be a problem for Brookville that was enough for Brookville's management team to make the necessary adjustments to operate as the system was impaired, just to be safe.

He stated he would like to put emphasis on how important the new water tower is to our system. He described if at anytime the feed line is shut off, we are left with only the water that is in the tanks. He stated this type of situation could happen anytime due to a car accident that takes out a fire hydrant, so we have a plan in place for a situations like this on how to get water to Brookville if needed.

Fire Chief Fletcher stated he has been asked what happens when a building such as Payless is no longer being used as it currently is with regard to the Fire Code. He informed there are requirements that the building still maintain its suppression system no matter who is in the building.

Member Zimmerlin asked the status on the heavy rescue?

Fire Chief Fletcher informed he is expecting a phone call any day that the unit is ready for pickup and then probably about four weeks before it will be back on the road.

Member Kirklin thanked EMS personnel for serving this community. She informed her family was in a situation a week ago where they had to make a 9-1-1 call and she was so appreciative of the service and professionalism offered, and the way her family was cared for. She stated she wanted to express her personal appreciation for a job done incredibly well and a job that gets done incredibly well every day, day after day.

Fire Chief Fletcher stated it has been a very busy time period since the last Council Meeting. He informed there was one day recently there was a need for six ambulances in about 23 minutes.

Police Chief Jerome reported the Brookville Police Department handled 71 Incidents year-to-date, compared to 65 during this same time last year. Police Chief Jerome reported Citations are up a total of 10 Citations year-to-date, for a total of 70 Citations issued year-to-date. There were 149 traffic stops for January compared to 191 during January 2018.

Police Chief Jerome reported his Department has been very busy. He informed the Police Department continues to do Active Shooter Training throughout community.

Police Chief Jerome stated there was a drop in crime last year and he feels the more the Officers are out in the community the better. He informed the specific details for his Department will be out soon in the City's Annual Report.

Law Director Stephan advised the City has received notice from the Ohio Division of Liquor Control that Giant Dayton, LLC has filed for liquor permits for their project at 801 Arlington Road. He informed Giant Dayton is requesting a D1 permit for beer only for on-premises consumption or in original sealed containers for carryout and a D2 permit for wine and mixed beverages for on-premises consumption or in original sealed containers fro carryout. He provided Council Members with a copy of the notice. Law Director Stephan requested Council by motion waive the hearing on the permit application.

Motion by Zimmerlin, second by Schreier to waive a hearing on the requested liquor permits filed by Giant Dayton, LLC for their project at 801 Arlington Road. All yeas, motion carried.

Mayor Seagraves had no report.

In Old Business,

Motion by Zimmerlin, second by Kirklin to read proposed Resolution No. 19-01. All yeas, motion carried.

Motion by Zimmerlin, second by Kirklin to accept the third reading and adopt Resolution No. 19-01 entitled, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY AT A PUBLIC AUCTION, PRIVATE SALE OR BY INTERNET AUCTION." All yeas, motion carried.

Mayor Seagraves stated we are in a bit of a dilema, trying to figure out the most affective way to address the situation on the pedestrian bridge at Golden Gate Park. He stated there has been a lot of discussion recently on the safest most effective way to address this issue and we have to think about the picnic at the end of July and what will it take to have it fixed by then. He stated if we are going to do something, it will take planning and many weeks for construction.

Manager Burkholder informed he met with the Vice-Mayor on possibly trying to rehab the bridge versus replacing it. He informed he has met with a few possible funding sources for the project but did inform them Council had not yet made a decision on if they wanted to replace or rehab. He stated estimates have been provided to Council. He informed there has been a lot of discussion on a six foot bridge verses an eight foot bridge and he did look at the new pedestrian

bridge in Lewisburg, which is a 9 foot bridge. He stated Staff is open minded on this project and would like to know which direction Council would like to pursue.

Member Letner reported he met with Manager Burkholder last week and Manager Burkholder had met with Cargill and given a presentation about possible funding for a new bridge. He informed it would take time to order a new bridge and to receive funding from Cargill, there would be some paperwork to fill out, which may put us behind for the Community Picnic.

Manager Burkholder informed he gave a presentation premised upon if there would be interest to help with funding but he told their committee he was not sure what Council final decision would be on which direction to move forward with. He stated he knows there would be a challenge timing wise to have a new bridge constructed, delivered and installed prior to the Community Picnic.

Member Letner informed he recently spoke with the Montgomery County Engineer on the bridge. He stated in her report on the bridge it makes a few recommendations on what needs to be done to the bridge and after researching it, he thinks the City could do the repairs on the bridge in house for approximately \$10,000 including materials and manpower.

Member Schreier asked if that would include pulling the bridge out and moving it?

Member Letner informed we do not need to do the abutments, the Engineer's main concerns are the I-beams, replacing the pylons, cleaning out underneath the bridge and making it ADA accessible.

Mayor Seagraves asked how we would do it?

Member Letner described we would need to jack the bridge up and then jack hammer some of the abutment out and repair or we could saw cut it and bring the bridge down to the right level. He informed the engineer was on board with this idea and would like to be here when the project is started and then inspect the project when finished.

Member Kirklin asked if there was any areas underneath the bridge the engineer couldn't see due to high water?

Member Letner informed at first, but photos have now been obtained. He stated three of the four I-beams need to be replaced.

Member Kirklin asked if there is any idea based upon the work needed to be done, what kind of demand would that put on our employees? She asked where that would position us on other projects?

Member Letner stated he would suggest this be a late spring early summer project based upon rainfall. would probably have to dam the north end up and bypass pump it for a day or two while concrete is poured for the new I-beams. He stated he estimates three men for ten working days weather permitting to complete the work.

Member Kirklin asked if we have that kind of capacity?

Manager Burkholder stated that hasn't been discussed yet, but if that is the direction Council would like to go then it can be discussed.

Member Kirklin stated we do have time to establish and review a good plan.

Member Letner stated this would be a good time to showcase what our employees can do.

Member Schreier asked if as long as Montgomery County is involved and inspects it once finished, then we wouldn't need any other engineer involved?

Member Letner stated that would be correct.

Mayor Seagraves stated we need to make certain it is ADA compliant.

Discussion on actual repair work that would need to be done to the bridge.

Member Zimmerlin stated this option is the only idea he would have an appetite to look at with the current situation going on. He stated maybe we could still get help from community organizations like the Chamber of Commerce to rehab the bridge.

Member Schreier stated the City cannot take on an \$80,000 project.

Member Kirklin stated her only concern is sometimes these projects seem simple and then end up taking more time and costing more money than expected which is why it will be critical to have a well thought out plan so that whatever we encounter we are prepared for.

Member Schreier asked Law Director Stephan if he had any concerns with liability if we were to do something like this?

Law Director Stephan advised there is always liability issues and when self performing, there is no contractor or warranty, so you do take on an additional risk. He stated he would agree we need the County Engineer when the project is started and completed and if the project does not pass the final inspection, then it doesn't get reopened.

Mayor Seagraves suggested Council and Staff think about the idea and bring back for a final decision at the second Meeting in March.

Member Letner stated that is doable, the material needed is readily available.

Member Fowler suggested reaching back out to Cargill to see if they would be interested in contributing to the cost to rehab the bridge instead of replacing it.

Mayor Seagraves stated hopefully once the word gets out it will open up an opportunity for additional donors interested in contributing to the cost of the project.

Member Letner stated at the last Council Meeting, a resident brought up the idea of a light being need on the top of the new water tower. He stated he has done some research on and we do need a light on top of the tower and we also need to file a notice with the FAA.

Manager Burkholder informed there will be a beacon on top of the water tower and have already filed with the FAA. He informed we had to file with the FAA during the construction process and obtain a permit. He informed we were also told if the tower is below a certain height then a beacon is not required.

Member Letner stated maybe it is required because of the proximity of the tower to the runway of the Brookville Air Park.

Manager Burkholder asked if the runway is actually still active?

Member Letner stated yes.

Fire Chief Fletcher stated it is actually now a private runway and no longer a public runway. He stated he thinks the due diligence done before the new water tower was built found a light was not required.

Member Letner stated it needs to be verified then.

Manager Burkholder informed DP&L is scheduled to come out soon to finish up their work at site of the new water tower.

In New Business,

Motion by Kirklin, second by Wilder to read proposed Resolution No. 19-04. All yeas, motion carried.

Member Zimmerlin asked if the cost of the project will be included in a grant application or if the money is to come from the City?

Manager Burkholder explained the total cost in the Resolution is for the Safe Routes to School grant application due on March 5, 2019. He informed there could be a small design fee we would be responsible for, but for the construction costs we are applying for a grant.

Member Schreier asked if we are to be responsible for anything over construction cost listed in the Resolution, would the contingency amount listed be enough to cover the final cost?

Manager Burkholder informed that is his understanding. He stated Barge Design is usually pretty conservative when figuring the costs of a project.

Motion by Kirklin, second by Zimmerlin to accept the first reading, dispense with the second and third reading adopt Resolution No. 19-04 entitled, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR SAFE ROUTES TO SCHOOL FUNDING, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Member Zimmerlin stated there hasn't been any discussion recently on the plans for the old fire station. He suggested maybe at the next Council Meeting having a discussion on what is to become of it.

Manager Burkholder informed surplus property is currently being stored there now that we would like to sell in a public auction. He informed the Service Department is utilizing Station 2 to store equipment that previously sat outside. He informed Staff is also cleaning up the mezzanine area of Station 2 for a records retention area. He stated the tentative plan is to hold a public auction at Station 1 in early June to get rid of the surplus items.

Mayor Seagraves asked Staff and Council Members to think over some suggestions.

Member Kirklin, Park Board Liaison, stated she was unable to attend the last Park Board Meeting due to a family emergency. She informed City Council held an interview tonight for the open Park Board seat.

Member Schreier, Planning Commission Member, informed there has not been another Planning Commission Meeting since the last Council Meeting.

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

Jean Claggett, of 338 Sycamore Street, informed the Delta Theta Tau Sorority holds their meetings at the Leiber Center in the park twice a month. She stated there isn't enough parking in right front of the building for all of the members, so a few members park their cars farther away from the building and it is very dark and dangerous. She stated there is a large tree that could be trimmed and it would be nice to have a light on the walkway for the building. She stated there is also a flag nearby that is not lit at night.

Tonya McKown, of 226 South Wolf Creek Street, stated Wolf Creek runs behind her property. She asked if the City was involved in the sewage work done because of the flood that occurred in 2004 or if Soil and Water did the work?

Mayor Seagraves asked what kind of work is she referring to?

Ms. McKown stated in 2004 there was flooding and some water issues on Maple Street including the Mayor's house.

Mayor Seagraves stated a bulk of that work was self performed by the City. He described there was a broken tile underground and a tie in at Albert Road where all the water tied into one collection area and when the tile collapsed it caused constant flooding on the streets near Sycamore and Maple Streets.

Ms. McKown asked when that was repaired, why where issues not looked at any farther down the road?

Mayor Seagraves stated it was looked at and new tile was added from Sycamore down to Wolf Creek.

Ms. McKown asked if there was nothing else that could have been done at the time that would have helped to alleviate some of the problems occurring now?

Mayor Seagraves stated the management at the time felt the work done addressed the situation. He stated at that time, there were not the massive rain amounts that we have experienced over the last 18 months.

Ms. McKown stated at the March 6, 2018 Council Meeting an application for Baker Street was discussed with Montgomery County Soil and Water. She stated she heard Baker Street had some major flooding issues last year. She asked if residents on Baker Street submitted an application on their own and if that application only covers Baker Street? She asked if residents on Wolf Creek need to submit their own application?

Mayor Seagraves asked Ms. McKown if she attended the Storm Water Work Sessions held last year?

Ms. McKown stated no, but she printed off a copy of the presentations from the meetings off the City's website. She stated a lot of the presentations seemed to talk about pollution in the creek. She stated she appreciates the idea of trying to clean up the creek, but her yard continues to flood and so do all of her neighbors. She stated all she cares about right now is getting the water out of her yard and her basement. She asked if Wolf Creek residents are to submit an application on their own, then why wasn't it ever conveyed to the residents?

Allen Thrush, of 30 Gaines, informed the Baker Street application got the whole process started and Soil and Water are getting ready to fly drones over Wolf Creek to help locate the log jams. He stated the City also has not had a Flood Administrator until now. He informed there is money available from FEMA to residents and the City because of the frequency of the floods. He stated he has volunteered to the City Manager to help in anyway.

Ms. McKown stated there is a block of homes on Wolf Creek that the creek just keeps coming in their homes. She asked why there hasn't been a dialogue?

Mayor Seagraves stated there has been a dialogue. He informed he and the City Manager recently met with another resident that had major concerns about flooding in her home. He stated everyone is always asking what can the City do? He stated one thing the City can do is have a Storm Water Management Fund, which will cost the residents money. He stated a lot of other communities have this type of fund to help with Storm Water issues.

Ms. McKown stated the City took out a loan for the water tower by Payless and the first loan payment will be due soon. She asked if with Payless closing, will the City have enough to cover the loan per month even for a business that is leaving us?

Mayor Seagraves stated it should not be confused because the water line near the Industrial Park were insufficient for not just Payless, but all of the businesses in that area.

Ms McKown stated the creek coming into her home is insufficient.

Mayor Seagraves stated when she bought her home though, she knew she was in a flood plain.

Ms. McKown stated when water came into the Mayor's home though it was remedied.

Mayor Segreaves stated it was fixed because there was an underground tile owned by the City broken. He stated it was a totally different subject.

Jill Jenkins, of 232 South Wolf Creek Street, informed she went to Soil and Water last year and started a petition for Wolf Creek so hopefully something will get remedied with that because it is not a quick process. She informed she has lived in her house for 25 years and only had one incident up until the last year, which consisted of three flooding incidents. She stated her home does not have check valve, which would stop the water from coming into her home, because she has an older home. She stated she recently checked with Montgomery County and they do have programs to help Montgomery County residents pay for check valves, just not in Brookville. She informed she also contacted the Ohio EPA and they do have low interest loans available the City could apply for to help the residents pay for these check valves.

Ms. Jenkins asked what has changed in the landscape in the last 25 years to make such a difference. She asked if it's the water tower, if our system just can't handle the rain, are there not retention ponds where they should, is the creek really that clogged up?

Mayor Seagraves informed last year the City had the Work Sessions with Montgomery Soil and Water. He stated the problem is this problem starts in Clay Township and the water runs off of two farms, about 100 acres, the tiling system is broken down. He stated that would be a big help in stopping the water from rushing down the road and that would be something the Township Trustees would have to address. He stated there has now been a process implemented with Soil and Water and the process has been started.

Member Zimmerlin stated as it was indicated at the meeting last year, the more people that get involved, the faster the process would go.

Manager Burkholder stated there have been a lot of storm water issues for a long time for a variety of reasons. He stated he and Council Members do sympathize with the residents who have had these flooding issues. He stated actually the City based on citizen complaints have taken the lead on this issue. He informed we are required to have someone manage our storm water, which is why the City contracted with Montgomery County Soil and Water last year. He described we have had some very unusual rain events over the last 18 months and previously the system could take care of the excessive amounts of water, but the system is becoming over taxed and can't handle it so much water in such short amounts of time. He stated Ms. Jenkins' home doesn't have a check valve, which is why it backs up in her basement. He stated we are seeing a changing phenomenon and the petition process is a part of this. He informed there is also a log jam south of Perry Township that is being reviewed by Soil and Water and if a viable project then funding will be sought after. He informed the County Commissioners recently approved for drones to be flown over the creek to evaluate the area as the first step. He stated he doesn't know how long this process will take, but can check with Soil and Water on it.

Manager Burkholder stated the water tower is not causing the flooding. He informed the payments for the water tower have to come out of the Water Fund. He stated as of now, anything storm water related comes out of the the General Fund, which is where the City faces challenges in everything coming from the General Fund to fund all of the needed various projects. He informed other communities have Storm Water Management Funds. He stated this idea was brought up at last year's public hearings and it would be a separate fund that designates money just for storm water. For example, to clean up catch basins, beginning to investigate all of this inflow and infiltration that taxes the system. He stated other communities have had this type of fund for many years and it would us get the capital we need to deal with these storm water issues. He stated it would charge residents a few dollars a month and not all residents want to pay for it but the General Fund cannot support solving these problems without additional revenue. He stated he is pleased that Council and Staff have started looking into these issues overs the last year and this is a prime example that if you ignore a problem long enough it only gets worse.

Mayor Seagraves stated the City paid for the process to get started and entered into a contract with Soil and Water.

Manager Burkholder informed the City has a fee because we are required by the Ohio EPA to have someone manage our Storm Water, which is why we entered into a contract with Soil and Water. He informed Soil and Water can cross jurisdictional lines, which will help everyone work together to benefit Brookville and the township areas. He stated a lot of this is really an educational process and is new to a lot of people and it will take a community wide effort to solve these problems. He stated new development needs retention ponds for example the new fire station.

Ms. McKown asked up to this point why hasn't the City done anything to address these issues?

Mayor Seagraves stated until the last 18 months, there hasn't been a big issue, but we have had unusual rain events, which have sparked all these issues and brought it to everyone's attention.

Manager Burkholder informed to his understanding there hasn't been a global comprehensive approach to this and that's the reason based upon complaints that we need an overall storm water solution, but it will take funding and active participation of the residents. He stated these types of conversations are helpful to help people understand how widespread these issues are.

Zach Music, 130 South Wolf Creek, stated he knows there is a plan and a process, but is there something the citizens can do to speed up the process?

Mayor Seagraves stated the process is already in place. He stated the idea of storm water management is not a popular decision with those who are not having flooding problems.

Ms. Jenkins stated everyone should care in this community. She stated it affects the resale values for everyone.

Mr. Thrush stated keep your creek clean and don't dump yard waste into the creek.

Ken Claggett, of 338 Sycamore Street, asked if the homeowners along Wolf Creek are allowed to hire someone to cut the trees down along the creek bank?

Ms. McKown stated yes, it is their property, she has done it.

Member Zimmerlin asked if there would be any value to bringing back in Montgomery County Soil and Water for an update?

Mayor Seagraves stated that could be very helpful to those that couldn't make it last year. He stated this is not just one individual's problem, it's our problem, it's everyone's problem.

Mr. Thrush stated he doesn't mind paying a fee for stormwater, but the City needs a plan to identify what will be done with the money in the fund and what areas need the most work.

Mayor Seagraves stated Staff will reach out to Montgomery County Soil and Water to see if they could be at the next Council Meeting.

Mr. Thrush suggested property owners should take pictures and record everything on the flooding on or in their property.

Tim Denlinger, of 49 South Clay Street, stated check valves should be on storm water and storm sewer, not combined into one. He stated anything built before 1950 was allowed to be combined but it shouldn't be.

Mayor Seagraves stated a majority of homes in uptown Brookville are tied into the system and people don't seem to want to change it.

Mr. Denlinger asked what precautions were taken at Payless for stormwater and are there any retention ponds?

Mayor Seagraves stated there is a huge detention pond in the Industrial Park.

Kim Cheatham, of 565 Adrian Court, asked if the City could look into a low interest loan and then the City could assess the residents?

Mr. Denlinger stated the more people who put in valves will just make the water go somewhere else, the water has to go somewhere, so it will just cause a problem for someone else.

Randy Denlinger, of 9 Villa Circle, asked if the fire suppression kept at Payless is wet or dry?

Fire Chief Fletcher informed it is a wet suppression and the owner of the building is responsible for keeping the fire suppression maintained.

Mr. Denlinger asked what the \$217,000 passed in emergency format tonight was for?

Mayor Seagraves informed that is for a Safe Routes to School project to help create pathways for students to walk to school. He stated the Resolution was to submit an application for a grant to pay for the project because the City does not have the money to do so itself. Mayor Seagraves stated it is so important to get accurate facts out.

Manager Burkholder informed the project will cover sidewalks, safety crossings and crosswalk lights.

Ms. Claggett asked if sidewalks will ever be added on Westbrook Road near Maple and Sycamore streets?

Manager Burkholder informed that area will require a total reconstruction including storm sewer, and widening of the road. He stated the project has been estimated and is on the radar and is much needed but is contingent upon funding. He stated hopefully in the future, it could be a phased project.

Mayor Seagraves stated there are a few new sections of homes in Brookville, but a majority of the homes in town are old and the infrastructure underneath is old and we have to have a funding source to address aging infrastructure.

Mr. Denlinger asked if grants are available to handle these issues?

Manager Burkholder informed for the Ohio Public Works Commission (OPWC) grants, we have to have 30-50% of funds to contribute. He stated there are 0% interest loans available, but we probably do not want any more loans.

Mr. Denlinger asked if the Miami Conservancy could help in anyway?

Member Zimmerlin informed they are only for the rivers.

Adam Blevins, Chamber of Commerce President, stated he and the Chamber appreciate the City being on top of trying to repair the pedestrian bridge at Golden Gate Park. He stated the City has the full support of the Chamber on this project along with some funds they have and anything else they can do.

Mayor Seagraves thanked everyone for coming and for all of their comments and concerns.

Motion by Kirklin, second by Zimmerlin to enter into Executive Session per ORC 121.22 (G)(1) to consider the appointment and compensation of a public employee. All yeas, motion carried.

Motion by Kirklin, second by Zimmerlin to enter into Executive Session per ORC 121.22 (G)(8) to consider the confidential information for a request for economic development assistance under chapter 37.35 of the ORC and is necessary to protect the interest of the applicant. All yeas, motion carried.

Motion by Zimmerlin, second by Kirklin to go back into Regular Session. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to excuse Member Kirklin from the Executive Session. All yeas, motion carried.

Mayor Seagraves informed Zach Music was interviewed tonight by Council Members for the open position on Park Board and did a great job.

Motion by Fowler, second by Wilder to appoint Zach Music to the Brookville Park Board. All yeas, motion carried.

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



Meghan Wheeler, Clerk of Council



David Seagraves, Mayor