

Brookville City Council
Special Meeting
January 30, 2018

The Special Meeting of the Brookville City Council was called to order by Mayor Seagraves at 6:30 p.m. on January 30, 2018 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Cantrell, Kirklin, Letner Schreier, Wilder and Zimmerlin; City Manager Burkholder, Finance Director Keaton, Clerk Wheeler and Service Superintendent Homan were present. Law Director Stephan, Police Chief Jerome and Fire Chief Fletcher were absent.

Roll Call by Clerk Wheeler.

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

Mayor Seagraves informed the focus of this Special Meeting will be to discuss storm water.

Manager Burkholder thanked everyone for coming and stated the storm water issues are a problem that has gone on for many years. He informed the objective of tonight's Meeting is to give a little bit of history, talk about the problems going on and for residents to have an opportunity to speak as well or ask questions. He stated he wanted to reference back to the Meeting Minutes of September 2014, when the .25% income tax increase was discussed and the former City Manager stated the additional money would be used for the construction of a new firehouse, operations, staffing levels and to allow for capital improvements. Manager Burkholder stated he would like to focus now on reinvesting in our needed capital improvements because that hasn't been able to have been done over the last five years. He stated storm water is obviously one of those needed capital improvements. He stated the issue with storm water has really been around for a while and this is really the starting point and before we can determine the solution, we need to define the problem.

Ed Everman, of the Montgomery County Soil and Water, thanked Council for having his team here to speak. He informed he had Stephan Bridenbaugh, Drainage Technician and Administrator, and Kristen Lauer, Education Outreach Coordinator, with him tonight. He informed Soil and Water Conservation Districts are political subdivisions in each state, governed by five elected Board of Supervisors to set priorities in every county in Ohio. He informed they have also worked with water management, a lot has been with agricultural lands, but in the last few years they have been involved a lot more with urban areas, which is why they are here tonight. He introduced Stephan Bridenbaugh and Kristen Lauer to present a Power Point Presentation on storm water.

Power Point Presentation by Stephan Bridenbaugh and Kristen Lauer. Presentation included a history of how soil and water districts began, an explanation of what storm water is, flooding history in the area, average area precipitation over the years, and MS4 requirements. Copy of Power Point Presentation included in Meeting Minutes.

Mayor Seagraves thanked Montgomery County Soil and Water for their Presentation.

Member Kirklin thanked them for presenting all of the fantastic information they just gave. She asked how the requests for projects are impacted if the land in the proposed project has been identified in a flood plain and does it matter which flood plain it sits in?

Mr. Bridenbaugh explained they have to follow certain procedures if in a flood plain and have erosion control to keep extra dirt out of a nearby creek.

Member Kirklin asked if the project area is in 100 year flood plain or a five year flood plain, do those areas impact the approval of a project?

Mr. Bridenbaugh stated no, not at all.

Member Kirklin asked the average costs of completed storm water projects he had been involved with?

Mr. Bridenbaugh stated they have worked on \$80-90,000 projects and also \$400,000 to 600,000 projects. He stated depending on the size of the project, his department usually does one project per year. He stated sometimes depending on the size of the project, they will do a few smaller project in a year. He informed the construction itself does not take long, it's the planning process including, building support, getting easements and holding meetings that takes time.

Member Kirklin asked if storm drains carry everything and then dump into streams, if you have areas where the drainage is compromised, do those areas carry considerable more pollutants to dump into the stream?

Mr. Bridenbaugh stated not necessarily.

Ms. Lauer stated whatever is on the street goes with the water.

Mr. Bridenbaugh stated it would be more of a flooding and safety issue.

Mayor Seagraves stated his concern is this has been talked about for many years and have now received enough feedback from citizens that we need to address the issue. He stated there should be three partners in this type of projects, the City, the Townships and the citizens. He asked what the timeframe would be to get these types of projects underway?

Mr. Bridenbaugh stated this process is land owner driven. He stated the timeframe comes from if enough support is received to start a project because the District does will not go out and shove a project down the resident's throats.

Mr. Everman most drainage networks are privately owned, which can sometimes complicate things, it takes a lot of cooperation to get these projects done.

Mayor Seagraves stated getting everyone to work together will be a challenge, for example, along Wolf Creek, every homeowner along the creek has come up with their own solution on how to keep their land from flooding.

Mr. Bridenbaugh stated there is no quick solution, this will be a long term project and will take a group effort with the City and the land owners. He stated the other option the City would have would that Montgomery County also has a petition process. He informed it is much more costly to work with their engineers.

Member Zimmerlin asked if once the project is completed, if property values usually increase?

Mr. Everman stated for the most part, property values can increase.

Mr. Bridenbaugh stated sometimes when a property that has drainage issues goes up for sale, it goes for sale in the summer, when it's dry. Then only a brief description of the problem is disclosed to cover the homeowner legally in the sale, but once there is a lot of rain the new homeowner finds out the flooding is worse than expected.

Mayor Seagraves asked if a town hall Meeting is set up with the City, townships, and residents would the Soil and Water Department be apart of the Meeting?

Mr. Bridenbaugh stated yes. he informed they will look at the natural watershed and it doesn't matter which City or Township the problem is, they will assess the land owners.

Ms. Lauer stated water does not care what City it is in.

Member Cantrell asked how do you convince other communities?

Mr. Bridenbaugh stated it is a sales process and the project has to have a core set of people to help sell it to their neighbors and go door to door if needed.

Member Schreiber asked if there are co-funding options?

Mr. Bridenbaugh stated it is possible. He gave an example of a project several years ago where multiple agencies and land owners kicked in money to get the project started. He informed the main funding source they use is Ohio Public Works.

Member Schreier asked if all projects need engineering and surveying?

Mr. Bridenbaugh informed they do meet with the property owners to initially evaluate the area but when they get into the larger issues, every homeowner is different and has tried to handle their flooding issues in different ways.

Mr. Bridenbaugh explained their whole team works on storm water and they also have a dedicated team that works on drainage issues. He informed they are all flexible though and work together to help out in other areas when needed and plan to bring on additional staff as well in the near future.

Mayor Seagraves asked for public comments.

Aaron Brown, of 180 North Wolf Creek Street, stated he has been dealing with flooding issues for the last 20 years. He stated the flooding has never been a major issue, the City has always taken care of whatever the issue was, but the issues seem different recently. He stated he is concerned about the amount of rainfall that could be received this spring? how many acres of impervious runoff was added with the new firehouse and road?

Service Superintendent Homan stated he does not have the exact numbers in front of him but can go on the GIS map and get the square footage. He explained everything from the firehouse site and Market Street site all run into the detention basin. He informed the detention pond has a 10 inch outlet. He described the water is received in a large quantity with a 24 inch pipe but then comes out much slower than received, which should have actually improved drainage in the area.

Mr. Brown asked if when the firehouse and Market Street projects began, were permits issued or was a study done on what to do with the water?

Manager Burkholder stated it was engineered and that is why there is a detention area.

Mr. Brown stated homes were damaged by flooding in the fall and that has never happened before. He stated water ran off from the fire station site.

Manager Burkholder stated there are two different water sheds. 18 acres that surround Market Street and another 18 acres on the other side, which was not apart of the firehouse project. He stated there is water runoff from that area as well. He informed there is also a tremendous amount of water coming from the north side of Upper Lewisburg Salem Road because it runs like a river there and comes over the road.

Manager Burkholder stated the detention pond on Market Street is so large because when the area is developed, it will have to be able to hold a large amount of water and then slowly release to avoid causing flooding at the southern end.

Discussion in the crowd on the detention pond near the new fire station and sizes of pipes under ground in the area.

Bob Freeland, of 359 Baker street, stated he recently had flooding issues that flooded his basement and it cost them \$50,000. He informed he just recently moved into the home and did not know of any flooding issues when he bought the home.

Mr. Bridenbaugh informed he and Homan reviewed the issues at 359 Baker Street. He stated that is part of the reason he wanted to discuss the recent rain events. He stated there are some different water sheds in the area. He stated when the last storm hit, water came hauling through the area. He informed there are things that need to be upgraded to make the whole system carry the water on down stream easier. He stated there are multiple projects that could be done, this Meeting is just the first step in discussing the process. He informed they will quantify assessments through six different factors.

Ms. Freeland, of 359 Baker Street, asked if the water area behind Baker Street is a stream or a ditch? She asked would the Ohio EPA be involved with the project?

Mr. Bridenbaugh informed Wolf Creek is an actual stream, the area behind Baker Street has been channelized and is more of an intermittent stream or created drainage, which would not have the same rules for re-construction as Wolf Creek would. He stated a project in the area behind Baker Street would have much less of an approval process as if they were to go start digging in Wolf Creek and try to alter that natural stream. There would have to be two permits, one of which would be with the Ohio EPA, in order to work on Wolf Creek.

Mr. Brown asked if a large million dollar project has to be down, or if just a couple of pipes can be fixed?

Mr. Bridenbaugh stated that is up to the residents, he is just informing everyone of the process.

Mr. Brown stated he is just worried about what the spring will bring.

Ms. Freeland asked what do the landowners do?

Mr. Bridenbaugh stated they all need to get together and start the request process. He stated ultimately a solution needs to be determined and not just banded the issue. He stated Brookville is called Brookville for a reason. There are a lot of watersheds and sub streams in the area.

Member Cantrell stated from her house, she can see the water flow down stream from Clay Township.

Tom Hemmerick, of 10368 Upper Lewisburg Salem Road, thanked soil and water, and Manager Burkholder for coming out to his home. He stated the new firehouse is nice and he glad is it was approved and the new road is nice, he just drove it for the first time. He stated his concern is in the spring, if a lot of rain comes, can fire trucks get down the road. He stated as a community, everyone has to get together and solve this problem, it is not a small problem. He stated the Soil and Water District is very helpful and knowledgeable, but the community must come together.

Mayor Seagraves stated there is a farm behind Upper Lewisburg Salem Road and every time it rains, the farm just drains water like no tomorrow. He stated the townships have to get involved in this.

Mr. Bridenbaugh informed corn stalks can be a big issue. He stated they are not a pollutant, however they can cause a lot of drainage issues. He informed there have been a lot of corn stalks to cleanup this year.

Member Cantrell clarified Soil and Water can cross jurisdictions?

Ms. Lauer stated yes.

James Feisty, of 10446 Upper Lewisburg Salem Road, asked if there are any future plans to run water and sewer from the new fire station, which he is very happy to have, to the Hunter's Run area? He stated all those houses in the Clay Township inlet into Brookville have septic systems and they are old houses. He stated when the yards get flooded and the septic systems are right there in the yard near the flooding, someday that's going to be an issue. He stated in his case, it's an issue now. He informed he has been here 20 years and feels he has noticed a change in the water flowing across the road, his yard used to be level with the road and now, has dropped two feet down. He stated area is a natural swell. He feels these freak rainstorms will continue in the future. He would like to see water and sewer get connected in his area to replace septic systems. He informed there are signs on the land across from for sale for commercial development, but he of the old septic systems.

Mayor Seagraves stated that is something that needs to be looked into. He informed years ago, it was discussed and those people were asked if they wanted to join the City's water and sewer and most of them said no.

Mr. Feisly stated he would rather pay now to avoid further sewer problems in the future. He stated it is too close to the City to not be connected to water and sewer and still be on old septic systems.

Manager Burkholder informed the costs were looked into to run water and sewer from Albert Road. from an economic development standpoint, it made sense to run not only the water and sewer from the southern end of Market Street but also provide the storm drainage. He stated Mr. Feisly's point is well taken. He informed the water line at the new fire station was over sized so when there is future development, there could be an opportunity for others to hook onto to the system. He stated he agrees that would improve the whole area.

Mr. Feisly stated connecting water and sewer would also help property values.

Rich Berry, of 109 Osage, stated all this water is still eventually be putting in Wolf Creek. He stated you can only put so much water into Wolf Creek.

Service Superintendent Homan stated the regional detention pond was designed that if there is water on the lots on Market Street, everything has to dump into the detention pond. He stated so it will not increase the amount of water anymore than what it is now because it can only feed out a 10 inch pipe, which is not an increase from what was originally distributed.

Allan Thrush, of 30 Gaines, stated we have to keep Wolf Creek clean first and foremost. He stated there is debris in the creek and beaver dams all over. He stated if there is restricted flow, then it is going to back up. He stated all waterways in Ohio are owned by the state.

Mr. Bridenbaugh stated the actual ground under the water belongs to the landowner.

Mr. Thrush stated since 1968 or 1970, there have been six floods in Brookville. He described he has had damage done from multiple floods to his personal properties. He stated the issues that caused flooding down stream needs to be addressed. He asked if dredging stopped at the United Methodist Church on Wolf Creek Street?

Mr. Bridenbaugh stated he has been hunting for that information.

Mr. Thrush stated the new subdivisions being built are engineered and have retention and detention ponds. He stated the issue that needs addressed is the restriction of flow. He stated some of the sewers in town need to be replaced but the main concern as a community should be Wolf Creek itself. He informed he went to the Core of Engineers in 2004 on this issue and

nothing has ever been done. He stated he hopes the Council today will do something about the problem. He stated the changes that have been made to FEMA laws is ridiculous. Mr. Thrush stated everyone needs to work together to figure something out.

Mr. Bridenbaugh informed the Wolf Creek Planning and Assistance study done in 2007 and was paid for by a federal grant was done because of Mr. Thrush's 2004 request. He informed a flood modeling study was a part of the 2007 Study and he does have a copy of the report. He described he does know Wolf Creek has log jams, but the jams are spread out over lots of private property. He informed certain legislation can be done to try to help with log jammers.

Mr. Thrush stated the problem has to be identified first.

Mr. Bridenbaugh stated it takes proof from someone actually walking the area and documenting the problems. He informed back in 2004, he spent some time walking the area and there were a lot of log jammers then.

Mr. Thrush stated beavers are actually a huge problem.

Mr. Bridenbaugh agreed.

Tom Stachler, of 612 Golden Meadow, stated behind his house is the big drain, a swell next to his house and he calls the City every time his yard becomes a river. He stated area is usually filled with corn stalks that need to be raked out. He stated the corn stalks are a huge issue because it clogs everything up. He stated he and his neighbors have helped each other trying to clean out the corn stalks. He stated he has complained to the City about the cornstalks but has been told its Clay Township and not within the City. He stated there needs to be some preventative maintenance or something done with the corn stalks to help prevent flooding. He stated there has to be something out there to get these corn stalks out of the swells.

Mr. Bridenbaugh stated the corn stalk issue is a tricky one. He knows the exact area Mr. Dagler is taking about. He stated no other district has come up with an inlet that helps to stop the cornstalks or even leaves from clogging up the drains and resulting in flooding. He suggested landowners all working together as a group to figure out a long term solution and implement a plan.

Mayor Seagraves asked if a particular homeowner or farm owner wishes not to participate, then what?

Mr. Thrush stated he has read with FEMA, that homeowners have to participate and cannot choose to leave the water way blocked.

Mr. Bridenbaugh informed with their process if a homeowner doesn't want to participate, they will go after easements.

Member Cantrell asked if the drainage was fixed in that area, would there still be a cornstalk problem?

Mr. Bridenbaugh informed he has briefly walked the area and if subsurface drainage is operating in peak condition and is new or old but operating in maintained peak condition, it will make a difference on surface run off, you would get less runoff.

Rachel Morell, 315 S Wolf Creek, stated she really appreciates all the information tonight. She asked if this has been a concern since 2004, then maybe other projects need to be more prioritized so that issues like this can be address. She stated it seems as a homeowner, there are a lot of levies and taxes continually coming up, whether they pass or not. She suggesting prioritizing a certain amount of money for flooding instead of other projects that aren't as important.

Mayor Seagraves stated Mrs. Morell's point is well taken. He informed the point of tonight's Meeting was to get together and receive input from residents. He stated there are three new Council Members and this Meeting is to help everyone get a full fill of how serious this problem is.

Mrs. Morell stated it seems to be an important issue so why wasn't it planned for years ago, or done instead of other projects.

Mayor Seagraves stated that is the point of this meeting to get started and find a solution. He encouraged those in attendance to spread the word to their Township Trustees and neighbors.

Manager Burkholder informed back in January of 2016 when the City was advised that we would need to be apart of the MS4 Program, the City started with a letter of intent and began working with Soil and Water. He informed in 2017, he started getting complaints and Staff and Council are now trying to start the process of figuring out a solution to the problem. He stated he has already recently spoken with the Clay Township Trustees on the issue and they have already contracted with Montgomery Soil and Water. He stated this Meeting is the starting point to address the problem, define it and get citizen input and since it is landowner driven, it will take a lot of working together. He stated this affects us all, including property values and we do need look at Wolf Creek as well.

Mr. Thrush stated this is the start of a process. He thanked they Mayor, Manager Burkholder and Service Superintendent Homan for meeting with him at his office last week, it much appreciated. He stated they do care about this City and this is where it all begins for him, this is a very heated subject for him.

Mayor Seagraves encouraged residents to spread the work of tonight's Meeting, especially to the townships, because it will take a lot of work. Mayor Seagraves suggested having another Work Session toward end of February and possibly coordinating with the school to hold the Meeting in the auditorium to accommodate more people.

Manager Burkholder informed the Meeting tonight came about because of a Staff recommendation and research and investigations being done through Montgomery Soil and Water. He stated he is glad to see so many people at tonight's Meeting, it makes for a very encouraging first step. He informed he spoke with Clay Township Trustee, Jeff Requarth earlier today and informed him, we would forward him copies of the minutes and presentation of tonight's Meeting. He stated Brookville has a very good working relationship with Clay Township and he is confident we will be able to work with them on this issue.

Mayor Seagraves stated this Meeting is being recorded and there will be official Minutes.

Mr. Feisly requested advance notification of a future Meeting scheduled.

Mayor Seagraves stated Council will shoot to hold a Meeting the end of February and as soon as the date is determined, it will be on the City's website and the paper will be notified.

Audience Members asked if there is anything they need to do over the next four weeks?

Mayor Seagraves stated everyone needs to talk to their neighbors.

Member Cantrell stated we need community support.

Mayor Seagraves stated we have to start with identifying the problem, spreading the work and working with the Townships and Trustees. He stated this is a process and there is no overnight solution.

Member Kirklin suggested homeowners getting together and deciding who to reach out to in the townships and then city will reach out also to help engage the Township Trustees and as many people as possible to help develop an action plan. She stated everyone has to remember this project will take everyone working together and will be landowner driven. She asked if everyone in the room has a much broader understanding of the issues then what they had when they first came in tonight?

Consensus of audience was yes.

Mr. Thrush asked if the City of Trotwood should be brought in as well.

Mr. Bridenbaugh stated both of the Townships are definitely needed. He stated if the project become too big, it will never get anything done.

Member Zimmerlin asked where can residents go for information or call if they have any questions?

Mr. Bridenbaugh stated a copy of tonight's Power Point Presentation was given to Clerk Wheeler to post with the Meeting Minutes. He stated if anyone has any questions they call him or stop by his office.

Mike Dull, of 8878 Arlington Road, stated water has to have an outlet, if Wolf Creek is clogged up, the water isn't going to go anywhere. He stated this is not a simple fix.

Mr. Bridenbaugh stated to work on Wolf Creek, will be a large project and it will take months for the permitting process and Ohio EPA will have to be involved.

Mayor Seagraves stated the positive swing for tonight is, we have Montgomery County Soil and Water on our side and they are very knowledgeable and well educated on Wolf Creek.

Ms. asked who files the petition, is there one petition for the Township and the City?

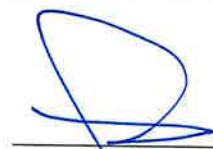
Mr. Bridenbaugh explained more than one topic has been discussed tonight. He informed the petition process itself is generally used for an individual ditch, watershed or multiple small watersheds. He stated Wolf Creek would be a different process. He informed everyone needs to keep their focus, this could be a multiple step process. He stated they will listen to everybody and really determine where exactly the project will start and everyone will have to work together to set priorities and determine goals.

Dave Monnin, Brookville Park Board President, stated one big problem is the creek. He informed the Annual Community Park Cleanup is scheduled for April 14, 2018 and the creek is an area that is always gets worked on. He stated it is always a surprise what is cleaned up out of the creek each year.

Mayor Seagraves stated a date will be set soon for the next Meeting.

Motion by Cantrell, second by Kirklin to adjourn. All yeas, motion carried.



Meghan Wheeler, Clerk

David E. Seagraves, Mayor