

Brookville City Council
Regular Meeting
March 20, 2018

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on March 20, 2018 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Cantrell, Kirklin, Letner, Schreier, Wilder and Zimmerlin; City Manager Burkholder, Fire Chief Fletcher, Police Chief Jerome, Law Director Stephan, Finance Director Keaton and Clerk Wheeler were present.

Mayor Seagraves welcomed everyone.

Roll Call by Clerk Wheeler.

Mayor Seagraves informed a representative from the Brookville Band Association is present tonight to request approval for the 5K walk prior to the Community Picnic. He requested they be added to tonight's Agenda.

Mayor Seagraves informed an Executive Session has been requested on Economic Development.

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

Motion by Cantrell, second by Kirklin to approve the Regular Council Meeting Minutes of March 6, 2018.

Fire Chief Fletcher introduced Chad Ferguson, Bradley Herr and Colton Trego as the three newest Lieutenants. He informed they all participated in and went through an evaluation process for this promotion that have certainly earned them the position of Lieutenants. He explained the Fire Department has a supervisory to personnel ratio of 5 to 1. He informed the Fire Department has nine Lieutenants and Captains and 50 Department employees and are right where they should be with personnel. He stated these three men are great representatives of the Fire Department and Officer Staff and he is very proud all of them.

Mayor Seagraves administered the Oath of Office to Chad Ferguson, Bradley Herr and Colton Trego as newly appointed Lieutenants. Their family members presented them their new badges.

Mayor Seagraves congratulated and commended them for their dedication to Brookville. He thanked the Fire Fighter families for letting us have their family members and stated the City is a much better community because of them.

Fire Chief Fletcher thanked Council for the opportunity to bring forward deserving individuals for deserving recognition.

Heather Barr, Treasurer of the Brookville Baseball Club (BBC), requested Council approval to hold the BBC Opening Day Parade on Saturday, May 5, 2018 at 10:00 a.m.

Police Chief Jerome informed he has already spoken with Ms. Barr on the parade route and approves, since it is the modified route as used last year.

Motion by Cantrell, second by Kirklin to approve the BBC Opening Day Parade on Saturday, May 5, 2018 at 10:00 a.m. All yeas, motion carried.

Joey Gooch, of the Brookville Band Association, requested Council approval for the Picnic 5K Run the weekend of the Community Picnic. She informed the run will be held the weekend of the Annual Community Picnic and take place on Saturday, July 28, 2018 from 8:00 a.m. to 10:00 a.m. She stated for now, the route is the same as last year.

Police Chief Jerome stated Major Simon usually handles the Event Forms and suggested she contact him if she has any questions

Motion by Cantrell, second by Kirklin to allow the Band Associates to hold the Picnic 5K Run on Saturday, July 28, 2018 from 8:00 a.m. to 10:00 a.m. Motion carried with 6 yeas and 1 abstention. Member Wilder abstained.

Mayor Seagraves informed Joshua Florkey was interviewed by Council Members during the recent interviews for the open Planning Commission Seats. He asked if there was a Motion to appoint Mr. Florkey to the open Civil Service Commission Seat?

Motion by Cantrell, second by Shreier to appoint Joshua Florey to the Civil Service Commission. All yeas, motion carried.

Manager Burkholder presented the 2017 Annual Report. He thanked Clerk Wheeler, Deputy Clerk Kim Duncan and the Department Heads for their work on the Annual Report. He informed an electronic copy has been sent to Council Members, and a copy will be posted on the website. He informed in past years, the City Calendar was done in place of an Annual Report. He informed the City is no longer doing the calendars anymore due to the cost and also the calendar only compared facts from January to November of each year and the Annual Report is a more accurate display for the entire year. He informed there will be a limited number of hard copies available in order to help save costs. He informed that going forward each Department Head will highlight their Department's Report at upcoming Council Meetings. He stated he and Staff will continue to refine the Annual Report process for future years.

Member Cantrell stated she had a chance to look at it and thinks the Annual Report is a great idea instead of the calendar because it is so much more thorough. She stated it is very easy to understand the document and the pictures included show pages of community policing and how involved our Police Department really is with the community.

Manager Burkholder reported he attended the Managers Roundtable and received an update on the Dayton water issue from Dayton City Manager, Shelley Dickstein, and Deputy City Manager Tammi Clements. He informed Dayton Officials are working with the Wright-Patterson Air Force Base to address the concerns regarding ground contamination and its possible impact on the well fields.

Manager Burkholder informed he received quotes this afternoon on the Council Retreat and the Community Survey from Wright State University. He informed Staff still needs to contact with NCR. He informed he will push quotes out to Council soon.

Manager Burkholder informed City Council Members have been given a copy of the Fire/EMS Contract for Perry Township. He informed Staff is requesting approval by Motion by Council on the contract and once approved the contract will be presented to the Perry Township Board of Trustees on Wednesday, March 21, at their Special Board Meeting. Law Director Stephan helped draft the language of the Contract. He informed once approved by Council, he and Chief Fletcher will present to the Perry Township Trustees at their next Special Meeting. He stated the City has a very good working relationships with both Townships and Chief Fletcher has done a great job in working with them on re-establishing the boundary lines.

Motion by Cantrell, second by Kirklin to approve the Perry Township Fire/EMS Contract as presented. All yeas, motion carried.

Manager Burkholder reported he met with Chamber of Commerce representatives for Chamber updates. The Farmers' Market will have a new location at the Brookville Music Center on new Market Street beginning June 2nd thru October 13th.

Manager Burkholder informed the Manager's Coffee and Conversation will be Wednesday, March 21 at the Brookville Library from 6:30 p.m. to 8:30 p.m. Staff will be present to hear resident comments and questions.

Member Zimmerlin asked for an update on the old BP Station?

Manager Burkholder informed they are working on the site, plans have been submitted. He informed the stormwater is currently being reviewed by an independent engineer to make sure we are in compliance. He stated the project is moving forward.

Member Zimmerlin asked how the relationship with Rumpke is going?

Manager Burkholder informed there have been some complaint calls and Staff is tracking those calls. He stated the complaint calls have died down, but it has been an educational process for residents on what to do with limbs etc. He stated the Service Department has made a few passes through the City to pick up some limbs during the learning period and have also advised a lot of residents on bulk trash pick ups. He stated the Service Department employees are happy to be out of the refrigerator pick up business. He stated we do have a good Route Supervisor, who is very receptive. Manager Burkholder informed he recently explained to the Route Supervisor that the switch to Rumpke was a big change for our residents and proper communication with the route drivers is a must to help meet expectations. He stated if anyone has any problems to just call the City Offices.

Manager Burkholder reported he attended the Ohio City County Management Association Conference in Columbus. The conference was held in conjunction with the regional ICMA (International City County Management Association) Meeting. He informed a major focus and actually the most discussed topic of the Conference was on Social Media and how misinformation comes so easily on Social Media.

Mayor Seagraves stated under Old Business, the Dayton Water Issue is listed. He asked if anyone had any new questions or concerns? He stated also listed under Old Business was the Council Retreat and Community Survey which Manager Burkholder included in his report and will send out the quotes received to Council Members.

Member Cantrell asked if a quote can be obtained from NRC?

Manager Burkholder stated yes.

Member Cantrell asked if the survey quote is for phone, online or mail? She asked about the best approach to reach people who do not have land lines?

Manager Burkholder suggested both mail and phone surveys because he thinks a combination approach will reach more people. He stated those options will come to Council to decide on. He stated the survey methodology has greatly changed over the years.

Finance Director Keaton reminded the City of Vandalia will have representatives at the City Office to assist residents with the preparation of their local Income returns on Friday, March 23 from 8:00 to 4:30 and Saturday, March 24 from 8:00 to noon. She reminded the deadline for filing taxes is April 17, 2018.

Fire Chief Fletcher informed he has received some questions with concern of how they can get around the Bridge closure. He explained it seems they have had a rash of calls on the other side of I70 since the Bridge has been closed. He informed they have tested out the routes and if there is a threat to life call, then they enter the highway, cut over the cross at Mile Marker 22 and then come back up the ramp. He stated his crew is using extreme caution with this route. He informed if they are responding to a medical emergency that is not a threat to life, then crews will drive around the block. He stated these two route options are the same with fire calls. He

informed this route has only added a couple of minutes to response times. Chief Fletcher informed ODOT has assured him the cut over area will have gravel added as necessary. He stated he has no concern with operating this way while the Bridge is closed and no concern of not being able to service those on the other side of the Arlington Road Bridge.

Fire Chief Fletcher informed tomorrow, March 21 at 9:50 a.m. the City will participate in a State wide training on our Warning Sirens. He informed one of two of the grant sirens is operational and will be included in tomorrow's testing and the other is awaiting final work from DP&L and once that work is done, the siren will be online. He reminded once the new grant sirens are online and up and running, then we will have sirens in the northeast and southeast corners of the City then the next step will be to move two of our existing sirens, which are currently too close to each other in the inner City, and have sirens covering all four corners of the City. He informed once this project is all completed, we will actually have an overlap across the entire City and even overlap into some of the adjacent unincorporated areas of the Townships and some areas that could not hear them before will be able to hear them now. He reminded these sirens are not intended to notify those necessarily inside buildings but instead are intended to warn those outdoors, parks, bike paths or sporting events.

Fire Chief Fletcher reminded it will be getting warm soon and open burning is not permitted in City limits. He stated it is not legal anywhere in Ohio. He informed the Fire Department does not look for smoke just to harass people, but do respond to complaints. He informed yard waste can be put at the road for trash, but not burnt, especially where homes are located so close together. He stated open burning causes problems.

Fire Chief Fletcher stated in this week's installment of rumor control, he would like everyone to know that the City is not out of money building the firehouse and that isn't why the roof and concrete are not completed yet. He assured everything is fine, progress is being made and the project is on track. He informed they have had to deal with weather and various contractor's schedules.

Fire Chief Fletcher stated the rumor he has recently heard that really concerns him is that there are people in this community that are not happy with him because they feel he would take them down a path that would bring less desirable people to Brookville. He stated the rumor is that nightly the Fire Station will take in homeless people and allow them to stay at the fire station at night. He stated people are concerned because there is not a known situation currently with homeless people in Brookville and that by allowing this there would become a problem. He stated the reality is Montgomery County every year provides a list of places people can go in their area where they can go in the event power outages and of extreme circumstances especially to those elderly or fragile. He stated these rumors are not true. He explained that in the event of extreme cold or heat, some that might need a place to go, could temporarily get warmed up or cool off at the fire station.

Fire Chief Fletcher informed when the blizzard of 1978 hit, the Brookville Fire Department rescued people off the Interstate and brought them back into Brookville to find a place to temporarily stay somewhere in the City. He informed they will try to help find a hotel but if the hotels are out of power too, then that isn't very helpful. He informed provisions were built into the fire station but under no circumstance do they intend to open up a homeless shelter and shelter folks nightly. He informed we were fortunate enough to receive grant money to pay for the generator to help our building meet our needs in a disaster situation or days without power. He stated they try their hardest to have a contingency plan to everything possible in public safety and just want to help whoever they can when the time comes.

Police Chief Jerome reported the Brookville Police Department handled 102 Reportable Incidents year-to-date, compared to 146 during this same time last year. Chief Jerome reported Citations were down a total of 8 Citations year-to-date, for a total of 96 Citations issued year-to-date. He reported 193 Traffic Stops year-to-date for 2018.

Police Chief Jerome reported he received a few phone calls on the incident that happened yesterday off Westbrook Road. He stated he will touch briefly on the incident and informed earlier in the day, three guys had shot at a Dayton Police Officer and then ran off. He informed he is on speed dial with the Superintendent of our schools. He stated when they thought there was even a small chance they could head our way, they decided to take extra caution and called all of the kids in from recess. He informed then after that incident was over, he received a call of a high speed chase headed north on Union Road and turned west on Westbrook Road. He informed 30-40 cruisers responded immediately. He described that as soon as he knew they were headed even close to Brookville, the schools did go on a lockdown to be super cautious. He stated he prefers to air on the side of caution. He stated a one call did go out, and a lot goes on during the day and the Police Department does not always have the time to answer every parental question from every single parent throughout the day, but have to trust in their community and school leaders that they have this and will do the right thing. He informed he also made contact with the bus director to reroute the buses after school.

Police Chief Jerome informed there was another school shooting today in Maryland. He informed after the recent school shooting in Florida, other communities have started school safety forums. He informed Superintendent Hopkins and he have talked about this and have a meeting scheduled for this Thursday to discuss further. He informed they are planning a meeting for the community in April in the high school cafeteria. He informed this meeting will give a basic overview of how they plan and how they may respond. They want to provide an understanding to parents of things work and answer questions. He stated school safety is the number 1 priority and they will do what is in the best interest of the kids. He informed he has great communication with Superintendent Hopkins and they spoke several times during the recent events he just explained and even spoke right before the one call went out.

Police Chief Jerome informed the newly hired part-time Officer will be at an upcoming Council Meeting in April. He informed he is a retired Officer coming back as a part-time Officer and it is such a great opportunity to have someone come back with that much experience.

Mayor Seagraves asked if the full ramp bypass went smoothly last week?

Police Chief Jerome informed it went very smoothly. He stated he watched it himself for quite some time and what a great idea and so well planned. He informed another full ramp bypass will probably be done in April when the steel is to be delivered for the beams.

Fire Chief Fletcher reminded pushing out community wide reminders and if residents interested can sign up on website.

Police Chief Jerome informed his Department always has those type of announcements on their Facebook page.

Member Wilder asked if there have been any more accidents than normal at Route 49 due to the Arlington Road Bridge being closed?

Police Chief Jerome stated not that he is aware of.

Fire Chief Fletcher informed there have been a few close calls at Pleasant Plain and Dodson Road. He informed Clay Township is being very aggressive with enforcement in the area.

Law Director Stephan had no report.

Mayor Seagraves had no report.

Mayor Seagraves stated Old Business has already been covered during the Manager's Report.

In New Business,

Member Wilder informed in her campaign when running for Council, she suggested having Council Meetings video recorded. She informed that at one time she had suggested her son could try to record a video but he recently broke his arm and would now be out as a possibility to do so. She informed she recently attended a new Council Orientation and talked with other communities who record their Council Meetings. She informed the Miami Valley Communication Council would be willing to discuss the idea with us. She stated she would really like to see our Council Meetings be recorded and put on YouTube.

Mayor Seagraves stated he has heard from Bellbrook and has been told it can be quite expensive.

Member Wilder stated she isn't suggesting anything fancy, just maybe youtube videos.

Member Cantrell informed she has been doing some research on the subject and has found that social media platforms such as YouTube allow the sites to generate revenue from what is being posted through advertising. She stated government posts would then be subject to advertising that they have no control over. She stated other commentates have brought up legal challenges with this. She stated YouTube may not be the appropriate place for our Council Meetings. She stated there are also security issues with this because the sites take ownership over what is posted. She stated pieces of our postings could then be cut or pasted and altered and become misleading and used on other social media sites. She stated another issue is buffering and could prevent a full meeting from being displayed in its entirety. She stated this is why the audio would probably be a better way to go.

Member Wilder stated she wants the meetings to be available to the public.

Member Cantrell stated the audio is available to the public, all they have to do is request it.

Member Wilder stated it isn't very convenient though.

Member Cantrell stated all they would have to do is make a phone call. She informed there are also ADA requirements for recordings of public Meetings for the hearing impaired. She stated YouTube does not provide accurate captioning to apply with ADA requirements and captioning costs can amount to thousands of dollars. She stated the bottom line is, it's not that it can't be done, it is just that YouTube or Facebook Live is not the best idea. She stated most other communities are using their own channel or posting it on their websites.

Member Schreier asked if we can put it on our website.

Member Cantrell stated in order to that there are still costs with equipment and hiring someone to do the recordings. She stated for the reasons she just said, she is not crazy about using YouTube.

Member Cantrell asked if we can obtain quotes to what a company would charge to put our minutes on the website.

Member Letner suggested contacting the Miami Valley CTC because they have an audio/video program. He stated there might be complications over the summer when school is out.

Member Cantrell stated we should look into the idea of doing it right and not just throwing something on YouTube.

Further discussion on posting audio and video of each Council Meetings.

Member Kirklin stated it wouldn't hurt to look into costs. She stated Member Cantrell brought up some very valid points and complying with the ADA can be costly. She asked Member Wilder for contact information from her recent class for the MVCC and for her to give the information to the City Manager.

Manager Burkholder informed he can reach out to CTC and the MVCC, and check with other City Managers. He reminded that once a recording is made, we will be responsible to maintain it as a public record and will have to plan that retention schedule for video storage.

Member Cantrell suggested checking with Civic Plus to see what they offer. She stated this may turn into a costly venture and we may need to start with posting audio on the website and then in the future move to video recordings.

Member Wilder asked if the audios can be put on our website?

Member Zimmerlin suggested having the audio from Council Meetings on our website and then possibly tracking the amount of clicks they receive to help us determine if the money should be spent on video recordings.

Member Cantrell suggested posting the Meeting Minutes at various locations such as Rob's Restaurant, McMakens, the VFW and AmVets etc. She stated we need to try to reach a group of residents that do not have a computer or the internet.

Manager Burkholder informed people can sign up for email notifications for once Minutes are posted.

Member Kirklin informed some people that have older computers and equipment may have trouble downloading and listening to the audio online.

Member Cantrell stated we really need to work on getting the Minutes out to more people.

Member Wilder stated a lot of good information takes place at these Meetings and need to push it out to as many people as possible.

Manager Burkholder informed his reports are now being sent out to not only Council Members but all City Staff, Boards and Commission and hopefully the Chamber will begin to send out to their Members as well.

Member Cantrell suggested at the upcoming Coffee and Conversation tomorrow, ask people if they ever look up the Minutes. She stated we will get more information once the survey is done. She stated maybe the survey can ask people how they want to engage with City Officials and City Staff.

Manager Burkholder informed he recently had a meeting with Civic Plus for a year end review of 2017. He informed our numbers are on track and we received very good feedback that people are actually using the website and able to find things quickly with as few clicks as possible. He stated he will check with Civic Plus on posting audio and videos on the website.

Member Zimmerlin stated he had a few questions on what a Council retreat meant and if behind closed doors? He wanted to address the retreat would be a public meeting.

Member Wilder informed she attended the Miami Valley Communications Council (MVCC) class for newly elected Officials. She stated it was very informative and well attended. She thanked the City for sending her.

Dave Monnin, of the Brookville Park Board, presented Council Members with a packet of information on Rain Gardens. He stated there is a serious situation at Westbrook Park. He gave an example of when the tennis courts at Westbrook Park were painted several years ago and right after they were painted it rained and all the paint ran down from the road from the park and is a prime example of how we are polluting Wolf Creek. He stated we need better drainage, but in his opinion diverting the water is not the solution. He requested Council review the information

he provided. He stated he doesn't know if the Rain Gardens are the solution but what there is now surely isn't the solution but this would be a start. He stated we have to stop pollutants from going into the creek and something needs to be done now. He stated we can't keep allowing for water to still be standing a week later.

Bonnie Cordes, of the Brookville Park Board stated she understands the Rain Gardens aren't the final solution but they could help in the mean time because the the drain in the area is being backed up and water can't get through which is something that needs planned out for an ultimate correction. She suggested raking out the leaves to help the clogging. She stated there are alternate solutions the City could do to help those people in the area who can't go outside of homes because of the mosquitos or to help with their garages getting flooded every time it rains.

Manager Burkholder informed the City has initiated looking into this problem. He informed Council has been provided with a copy of a report from Montgomery County Soil and Water dated back to September 18, 2017. He stated there is too much volume in the area. He informed a topographic map was recently done by Zoning Officer Snedeker. He stated before we do anything we need to identify the exact problem and have the area assessed by a professional. He stated the area was originally not designed properly. He informed he has personally talked with the residents affected by these flooding issues and Service Superintendent Homan has been working hand in hand with Montgomery County Soil and Water, which Council has been provided with all of those reports. He stated there is a great importance of engineering and not just going out and trying to guess how to fix it. He stated the whole area needs a good hard look at.

Ms. Cordes stated she didn't mean to say the City isn't doing anything or hasn't done anything but when someone says they have had an issue for 20 years, that's about 17 years too long.

Manager Burkholder informed

Ms. Cordes stated the Rain Gardens could alleviate some of the issues

Manager Burkholder stated the next step is to shoot elevations.

Member Cantrell stated we do need to make this a priority.

Manager Burkholder informed Soil and Water is scheduled to come out to shoot the elevations.

Member Cantrell suggested Law Director review the Ordinances to help with areas of new development to try to prevent issues like this in the future.

Mr. Monnin stated he brought up the idea of the Rain Gardens at the second Storm Water Meeting and Soil and Water did not discourage this idea. He stated he also wanted to bring this idea up for Council's information. He stated we are still polluting the creek and pumping junk into the stream and somebody has to take a stand on this.

Manager Burkholder informed that is what the MS4 Program is for, which we have already started, and it is required by the Ohio EPA to have a plan and to report to the EPA. Montgomery County Soil and Water will also being helping us with this Program. The MS4 Plan is to help will pollution.

Mr. Monnin stated he thinks the Rain Gardens are a good idea attractive idea. He informed he has asked residents in the problem area their thoughts on if one was put in and they were very interested in adopting to put plants in and take care of.

Ms. Vance encouraged Council Members to do some research on Rain Gardens. She stated she didn't know much about them until Monnin brought it up but has found multiple studies that have done these and all of the benefits that have been seen and proof they work and would be a

cheaper option for right now.

Member Zimmerlin stated he would be interested in what other communities have done.

Eric Hummel, of 117 Sycamore Street, stated he appreciates the time the City Manager has spent here so far. He stated he has noticed the land around the fire station and wondered if the area would generate more residential homes? He asked if the water tower being built is being paid for by another business coming in or if the City is waiting to build up the General Fund to pay for the tower?

Mr. Hummel stated at a previous Council Meeting a Power Point Presentation was given and he from the back of the room, he couldn't see it. He suggested some better, new equipment for when presentation are done.

Manager Burkholder asked him to clarify his first question.

Mr. Hummel stated there are 18 acres for sale near the new fire station, and asked if it zoned for residential?

Manager Burkholder informed the land is currently zoned C1.

Mayor Seagraves informed the land was addressed at last week's Planning Commission Meeting and is being looked at for possible rezoning.

Manager Burkholder stated in response to his water tower question, the City made a commitment to Payless in order to help retain jobs and also to be able to have sufficient water for future development. He informed in Economic Development there is confidentiality for the site seekers interested. He informed the water tower was needed for to supply sufficient flow for a long term solution. He stated there will be three phases total for the improvement of water flow in the Industrial Park area.

Manager Burkholder stated he agreed with Mr. Hummel on the projector and has looked into quotes but a new screen and projector costs money and needs Council approval on that expenditure.

Mr. Hummel stated he understands if there has to be confidentiality for certain reasons.

Manager Burkholder informed Law Director Stephan and Zoning Officer Snedeker do a great job and have dealt with Economic Development for the City for years.

Mr. Hummel stated Westbrook Park has a grade toward Rock and Cherry Streets. He stated there needs to be a common sense approach on the flooding issues and that we don't always need to spend money on an engineer.

Manager Burkholder stated that didn't work so well the first time around.

Member Zimmerlin suggested Mr. Hummel review the Meeting Minutes just approved tonight because they had a lot of information on the water tower.

Mayor Seagraves stated funding for the water tower has been looked into at every possible angle.

Manager Burkholder stated the water tower has been discussed for several months.

Lisa Burkett, of 59 Rock Street, stated she really likes the idea of the rain gardens as someone who lives in the area being discussed. She stated she has an issue with the drain maintenance and has for years and over the years she has complained several times. She suggested having a maintenance schedule for clearing the drain so the drain could be cleaned on a weekly basis.

Manager Burkholder stated if they see it clogging up to call the City Office.

Mr. Burkett stated they will but they can't help when the rain comes as quickly as it has recently.

Discussion on flooding issues and backup over the years.

Manager Burkholder stated there is too much volume in that area.

Ms. Burkett stated that is why maintenance needs to be done once a week to monitor it. She stated the area also looks bad with weeds.

Mr. Burkett informed a kid recently got his leg stuck in the dirt there and thankfully there was no water but what if there were.

Manager Burkholder asked how long after the last rainfall before the water drained?

Mr. Burkett stated about a week.

Ms. Burkett stated there is always a pipe of running water.

Member Letner informed it is ground water in the area because it has been tested.

Mr. Burkett stated he is very appreciated that Manager Burkholder came out to talk with them and to check out the issues and that Park Board is on board to help as well.

Ms. Burkett provided Manager Burkholder with a list of suggestions for maintenance ideas.

Member Letner suggested monthly maintenance checks.

Ms. Burkett stated she does call in but doesn't want to be a pest.

Manager Burkholder stated she is not a pest and it's important she call.

Manager Burkholder stated we also have an issue with litter in our parks and there have been some instances of vandalism. He stated if anyone sees anything, please report it. It is so disrespectful to litter and vandalize the beautiful parks we have. He informed the Service Department Staff will be in the parks on a more regular basis year because he wants to keep the parks clean and trash free so it is very important if anyone sees anything to report an issue.

Manager Burkholder informed Montgomery County Soil and Water will be back out soon to reevaluate the area and they have been a great resource in assisting Service Superintendent Homan with filing reports and investigating the problem.

Jim Singer, of 909 Calmer Ernst Blvd. stated there is only one way in and one way out for the people who live in that subdivision. He informed there are 82 homes back there and when flooding occurs the road closes and they are all sort of just stuck. He asked what is the City going to do about this water problem? He informed every year when there are heavy rainfalls the road gets closed.

Manager Burkholder informed the street has to be closed for safety reasons. He informed that is an example of why the City has served as the facilitator to try and coordinate with Clay Township because part of the issue comes from Clay Township. He stated there is a lot of volume draining off the farm field near his home. He stated the City has facilitated two Meetings with Montgomery County Soil and Water, the Public and the Townships. He stated the City felt that someone had to take the lead in coordinating this issue because it does involve multiple jurisdictions. He stated he knows the area Mr. Singer is discussing and there is a

problem in that area. He stated the City has limited jurisdiction and the cost to make the repairs will be an assessment done by Montgomery County Soil and Water to those in the water shed area. He stated this project will take cooperation from everyone as we go through the petition process. He stated Mr. Singer's point is point well taken.

Mayor Seagraves suggested Mr. Singer also speak with the Clay Township Trustees on the farm field because it is causing a majority of the problems.

Member Cantrell informed there have been two Soil and Water Meeting where representatives from the Montgomery County Soil and Water Department explained how we have had some historic amounts of rainfall that are part of the problem. She informed the neighbors that live along that corridor where the flooding is coming from can't do anything about because they do not own the land. She stated as neighbors they need to petition Soil and Water to ask them for assistance.

Mr. Singer asked then why can they close down the road?

Member Cantrell stated it is a public safety issue.

Manager Burkholder informed the storm water solution must be property owner driven.

Member Zimmerlin suggested neighbors that are indirectly affected could send letters of support for the petitions filed to help get work done.

Manager Burkholder reminded the project is property owner driven.

Fire Chief Fletcher informed steps are taken to close roadways for public safety. He informed water rescues have had to be made recently because of flooding on Cusick. He stated he understands people get mad when a road is closed but when a car is flooded out and someone has to be rescued off the top of a car, that is was precaution is taken and the road is closed as a type of prevention. He stated they like to take the proactive approach to educate people on safety. He informed water rescues due to flood waters are not the kind of rescues they want to make if they can at all avoid them.

Tom Wright, 10 Hay Avenue, asked a reasonable amount of time to expect Meeting Minutes to be posted?

Manager Burkholder informed Meeting Minutes have to be approved by Council, then once approved are posted and distributed. He explained audios of the Meetings can be requested.

Mr. Wright asked if the audios can be posted?

Manager Burkholder informed that has just been recently discussed. He explained Draft Minutes are not posted because if there were to be any change before being finalized, then they would not be accurate. He informed most Cities do not post their Minutes until they are finalized and approved by Council.

Mr. Wright stated if a resident comes to a Meeting but wasn't at the previous Meeting, then it is hard to know what happened at the last Meeting.

Manager Burkholder stated that is where the audios are useful. He informed the last Council Meeting was very long and since the Council Meeting do sometimes last two hours, it takes the Clerk of Council a while to transcribe and proof the Minutes. He suggested if anyone is interested in a copy of the audio, they can have a copy of the audio on a flash drive because they are too large to email.

Member Cantrell asked Council's thoughts on publishing Draft Minutes?

Member Kirklin stated she would think it could be an issue.

Mayor Seagraves stated he does not like it.

Law Director Stephan advised if a draft has been created, it is a public record. He informed we do have the step of Council approval and he thinks it is important Council makes that final approval from Draft to a finalized version. He stated we have far more detailed minutes than other jurisdictions. He informed Staff has tried to create minutes that are more detailed and explain what takes place in the Meetings.

Member Zimmerlin suggested if anyone requests a draft set of minutes, they should be marked "draft".

Law Director Stephan stated yes, they should be marked "draft" and state they are subject to change prior to final approval.

Manager Burkholder stated the Front Office is understaffed and has been for quite some time. He informed all of the Front Office Staff wears multiple hats and at some point additional Staff is going to have to be added. He stated the length of time it takes to prepare the Meeting Minutes also depends on the length of the Meeting. He stated over the last few years, a lot of information and legislation has been brought to Council and the more information and longer the Meetings last do slow down the process of preparing Meeting Minutes because of how much detail and information that transpires at Council Meetings. He stated Minutes are not required to be verbatim. He stated when people want to talk about transparency, there has been more transparency in the last three years than ever before and the amount of pages included in the Meeting Minutes prove that. He stated the good news is, the Minutes are extremely detailed and helpful to those not at the Meetings.

Jim Nickel, of 45 N. Hill Street, stated something has changed in that area of Westbrook Park because he and his neighbors have all had to install sump pumps and they run constantly.

Manager Burkholder asked how recent of a change?

Mr. Nickel stated over the last few years.

Motion by Cantrell, second by Kirklin to enter into Executive Session per ORC 121.22(G)(8) to consider confidential information of an applicant regarding a request for economic development assistance that involves the possible investment or expenditure of public funds for public infrastructure improvements or extension of utility services that are directly related to an economic development project.

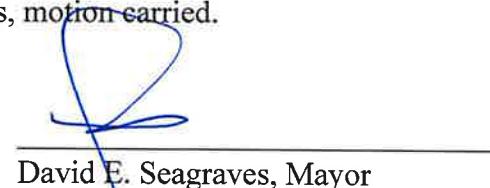
Manager Burkholder stated no action will be taken.

Motion by Kirklin, second by Cantrell to enter back into Regular Session. All yeas, motion carried.

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



Meghan Wheeler, Clerk



David E. Seagraves, Mayor