

Brookville City Council
Regular Meeting
May 1, 2018

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on May 1, 2018 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Cantrell, Kirklin, Letner, Schreier, Wilder and Zimmerlin; Police Chief Jerome, Fire Chief Fletcher, Law Director Stephan, City Manager Burkholder, Finance Director Keaton and Clerk Wheeler were present.

Mayor Seagraves welcomed everyone.

Roll Call by Clerk Wheeler.

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

Motion by Kirklin, second by Zimmerlin to approve the Regular Council Meeting Minutes of April 17, 2018.

James Bailey, of 52 Meadowbrook Avenue, informed two weeks ago his two year old daughter had a hypoglycemic seizure and he had to call 911. He thanked the Brookville Police and Fire Departments for their amazingly quick response and great help in an emergency situation.

Manager Burkholder thanked Council for the legislative action they took at the last Meeting on the Finance Supervisor and School Resource Officer positions.

Manager Burkholder provided a Fire House Update. He informed progress continues on the IT room with the installation of cable and telephone equipment. Two more sections of concrete have been poured. He reported he attended a Construction Update Meeting and Landscaping Coordination Meeting. He informed top soil is going into place and the punch list is being compiled. He informed the flag poles were erected on Monday.

Manager Burkholder provided a Market Street Update. He informed warranty issues and remedial work on the detention pond is currently being worked on.

Manager Burkholder informed he received a quote for the repairs to the Community Theatre. He requested a Motion by Council for approval to move forward with the needed repairs. He informed the estimate is approximately \$21,000 to repair spouting and gutters. He informed a quote was also just received today for approximately \$7,000 to 8,000 for the painting of the building. He informed once the contract is signed off on, it will take about three weeks to order the parts.

Manager Burkholder informed he attended the Dayton Area Managers Luncheon at the Dayton Ronald McDonald House with a program presentation and a tour of the facility. He stated their operations were very impressive. He informed they are even interested in having a booth at our Community Picnic this year and he gave them the Chamber's contact information.

Manager Burkholder reported the Park Cleanup was successfully held on Saturday, April 28th from 10:00 a.m. to 12:00 noon with great attendance. He thanked all who participated.

Manager Burkholder informed he attended the ICMA Gettysburg Leadership Institute professional development in Gettysburg, Pennsylvania.

Manager Burkholder reported the Service Department dealt with a large sink hole which opened up at the intersection of Church and Clay Streets. He described several broken clay tiles were the cause of the sink hole and a new man hole will need to be installed. He stated the City will

experience more of these infrastructure collapses as our aging underground infrastructure continues to fail.

Member Letner asked the intended funding method for the Theatre repairs?

Manager Burkholder informed the funds will come from the General Fund.

Member Letner stated other organizations like the Brookville Baseball Club (BBC), or Pee Wee Football etc. have had to pay for their own stuff or repairs.

Mayor Seagraves informed the Theatre is a City owned building though.

Member Letner stated he has never seen a financial statement from the Theatre. He stated they have their own sponsors and events and should have to contribute to the cost of the repairs.

Mayor Seagraves informed an official agreement is being worked on with the Theatre Board to detail an arrangement for the Theatre to contribute funds to the City.

Manager Burkholder informed the Theatre Board has made various repairs at the Theatre out of their own funds over the years. He stated there are a lot of things the City does for the Service Group's buildings at the parks that we do not get reimbursed for. He stated he would like to take a closer look at the various organizations and what they contribute to City for the use of our buildings. He stated the reason why we have contracts with the various organizations is to help improve communication skills and have a cooperative working relationship with the different organizations. He stated before any organization makes improvements, they need to contact the City Office for approval, which is listed in the various contracts to ensure a coordinated effort among all parties.

Member Letner stated he just wanted to make sure there was some sort of restitution.

Manager Burkholder stated he will work on a more formal proposal of how the Theatre Board will contribute for the repairs.

Member Kirklin stated the same best practice should be used with all the organizations because we have an interest in understanding all of the pieces of each organization.

Mayor Seagraves informed the Theatre Board can easily provide their financial statement.

Member Zimmerlin stated there has been some vandalism at the soccer park and wasn't sure if everyone was aware.

Manager Burkholder stated he was out there today.

Police Chief Jerome stated that was something he planned to cover in his report tonight.

Mayor Seagraves stated there will be some security issues discussed in Executive Session.

Motion by Cantrell, second by Kirklin to proceed with repairs to the Community Theatre. All yeas, motion carried.

Member Cantrell asked when a quote might be received on the walking bridge that was closed down on Arlington Road?

Manager Burkholder informed an estimate was received for approximately \$32,000-\$39,000. He informed the quotes were compared to some other bridges done in other nearby areas and the price seems in line for the amount of work needed. He informed the design time takes three weeks and then approximately 12 weeks for the construction of the project.

Mayor Seagraves stated the bridge will not be completed by summer, it will take time to construct and could be fall before it's done.

Manager Burkholder informed the abutments that the bridge sits on, needs to be looked at because if they are no good, it doesn't make sense to build a new bridge on bad abutments. He described in addition to the chains across the bridge, signs have been put up to keep people off of the bridge because it is unsafe. He stated he would like to thank Montgomery County because it was their inspection of the main bridge that notified us of the deteriorating conditions. He informed the bridge has been there since 1987. He suggested in the near future, we may need to look into a similar style bridge that is on Wolf Creek going into the park. He informed in the last inspection it seemed strong but because of the creek, the last inspection couldn't ensure how intact the vertical supports in the water truly are. He suggested further inspection in the future.

Member Schreiber stated it's pretty treacherous having to walk around the closed bridge and onto Arlington Road because it is pretty narrow and could be dangerous while the bridge is closed. He stated there is a lot of traffic in that area.

Fire Chief Fletcher suggested Staff discuss some possible detour sign options in their next Staff Meeting.

Member Letner informed on the sink hole on Church Street that Manager Burkholder reported on tonight, it was actually a resident who noticed it first and tried to cone it off until crews responded. He thanked the resident, Heath Florkey, for trying to place cones around the sink hole and helping ensure safety.

Member Wilder asked if the abutments on the bridge can be looked at sooner rather than later?

Manager Burkholder stated he does not want to see anymore of a delay than there has to be, so he would like to have the abutments looked at as quickly as possible.

Member Letner informed the preliminary reports looked to show the abutments were good and it was just the bridge itself that was bad.

Mayor Seagraves stated the Engineer's Office can come back out and give us another assessment.

Manager Burkholder stated from a budgetary standpoint, these are the type of things that no one can plan for and that's why having the surplus and revenue streams are so important.

Finance Director Keaton presented the Fund Balance as of April 30, 2018.

Motion by Cantrell, second by Kirklin to approve the April 30, 2018 Fund Balance as presented. All yeas, motion carried.

Finance Director Keaton provided Council with a copy of the Annual Water and Sewer Survey conducted by the City of Oakwood. She informed the Water Survey ranks Brookville 51st lowest out of 66 jurisdictions, the Sewer Survey ranks Brookville 13th lowest out of 63 jurisdictions and the Water and Sewer combined ranks Brookville 24th lowest out of 63 jurisdictions surveyed.

Finance Director Keaton reported the Keep Montgomery County Beautiful Grant that was submitted in March on behalf of the Leaf and Blossom Club, received grant approval for \$850. She informed \$600 of this grant will go toward the planting of flowers in the large containers that will be placed on the corners of Market Street from Wolf Creek to Sycamore Streets with the City contributing the \$673 balance. She informed the Leaf and Blossom Garden Club will use

the remaining \$250 toward flowers they will purchase and plant in the smaller containers on Market Street.

Finance Director Keaton informed she received notification on Friday that our Montgomery County Solid Waste Recycling Incentive Grant was approved. She informed the City will purchase 70 recycled plastic waste receptacles that will be placed throughout Golden Gate Park. She reported the City received \$24,853.72 in grant funding with the City contributing \$13,382.77.

Finance Director Keaton requested Council authorization to advertise for bids for our 2018 Sidewalk Ramp Improvement Project. She informed this is for our Community Development Block Grant (CDBG) that was submitted and approved last year to install ADA ramps.

Motion by Cantrell, second by Kirklin to authorize the advertisement for bids for the 2018 Sidewalk Ramp Improvement Project. All yeas, motion carried.

Finance Director Keaton requested Council dispense with the second and third readings and adopt proposed Resolution No. 18-05 that amends the 2018 Appropriations and Estimated Resources. She informed this Resolution shall take effect immediately after passage of this Resolution as provided in 4.07 (A)(1) of the Charter of the City.

Mayor Seagraves reminded these items the Finance Director just explained in Resolution No. 18-05 were items approved in the budgeting review last fall.

Manager Burkholder explained the transfers are not all made at the same time from the General Fund, they are not made until actually needed throughout the year.

Motion by Cantrell, second by Kirklin to read proposed Resolution No. 18-05. All yeas, motion carried.

Motion by Cantrell, second by Schreier to accept the first reading, dispense with the second and third readings and adopt Resolution No. 18-05 entitled, "A RESOLUTION AMENDING THE 2018 APPROPRIATIONS AND ESTIMATED RESOURCES." All yeas, motion carried.

Member Zimmerlin asked if there is a specific area being targeted for the ADA Ramps?

Finance Director Keaton informed near Arlington Road and west, in areas that do not have any or do not comply.

Fire Chief Fletcher presented the Operations Report for April 2018.

Motion by Cantrell, second by Kirklin to recess the Regular Council Meeting and open the Public Hearing on proposed Ordinance 2018-06 . All yeas, motion carried.

Law Director Stephan advised the Public Hearing is to consider public testimony on proposed Ordinance 2018-06 amending the zoning classification on Lots 1743 and 1744 from its present classification of (C) Conservation District to the new classification of (R-1B) (PD) Urban Residential Planned Development Overlay District. He informed notice of this Public Hearing was advertised in the Brookville Star and is a joint Public Hearing for Planning Commission and City Council to consider public testimony. He informed these lots are approximately 19.5 acres located at Albert Road and Upper Lewisburg Salem Road. A map of the land was provided to Council Members. He informed the current zoning (C) is for agricultural purposes and not for development but the proposed (R-1B) zoning would be for single family housing and would be planned development overlay which would permit Planning Commission and City Council to review and approve any plans submitted for proposed projects.

Law Director Stephan stated anyone who would like to speak tonight will need to be sworn in.

There were no public comments or questions from Council Members.

Law Director Stephan informed proposed Ordinance 2018-06 will go back to the Planning Commission at their next Meeting for a final recommendation and then to City Council for a second and third reading.

Motion by Cantrell, second by Kirklin to close the Public Hearing on proposed Ordinance 2018-06. All yeas, motion carried.

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

Fire Chief Fletcher presented the Fire Department's 2017 Annual Report.

Mayor Seagraves thanked Ryan Henderson, Chairperson of the Brookville Planning Commission, for attending tonight's Meeting and being present for the Public Hearing.

Police Chief Jerome reported the Brookville Police Department handled 166 Reportable Incidents year-to-date, compared to 246 during this same time last year. Police Chief Jerome reported Citations are up a total of 6 Citations year-to-date, for a total of 160 Citations issued year-to-date. There were 175 traffic stops for April compared to 167 during April 2017.

Police Chief Jerome reminded the BBC Parade is Saturday, May 5, 2018.

Police Chief Jerome informed the Officer Down Memorial 5K is scheduled for Saturday, May 12, 2018. He informed over 200 walkers are already signed up for the event.

Police Chief Jerome reported he recently met with Ron Chandler, the Ball Diamond Manager, to discuss preparation for the upcoming season and reminders of no alcohol in the parks.

Police Chief Jerome informed the cameras inside the schools can now be viewed from the Police Cruisers and the Police Station. He stated this is a great asset that didn't cost us anything.

Police Chief Jerome reported there has been vandalism at the soccer field. He stated we really need to encourage the various organizations to report any issues or concerns right of way, and not wait weeks or months to report damages. He stated we have great facilities and if someone damages them, they need to be held responsible.

Police Chief Jerome stated the Arlington Road Bridge Project is moving forward nicely. He described another bypass was done and will happen again probably next week. He stated the Sheriff's office and Ohio State Patrol have helped us out during the bypasses because with staffing his Department couldn't cover all the overtime and it usually takes about four cars to help maintain the traffic and we just don't have that.

Police Chief Jerome attended a meeting recently and the topic has come up again to move the Court building out of new Lebanon. He stated he is unsure where the building would end up or if an exact decision has officially been made, but it could be a matter of time before it happens. He stated there will be more upcoming meetings on the topic. He stated that in the near future, municipalities may need to pass some sort of Resolution stating their opposition of the courts being moved too far away from our region. He stated there are still a lot of components on the table, but wanted to bring it to Council's attention.

Law Director Stephan had no report.

Mayor Seagraves thanked all that attended the park cleanup last weekend. He thanked Park Board Members, Finance Director Keaton, Manager Burkholder and the Service Department for all their work on the event. He stated the event was great and the park looked great.

In Old Business,

Motion by Kirklin, second by Schreier to read proposed Ordinance No. 18-07. All yeas, motion carried.

Motion by Cantrell, second by Kirklin to accept the third reading and adopt Ordinance No. 18-07 entitled, "AN ORDINANCE ESTABLISHING REGULATIONS FOR SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES IN THE CITY OF BROOKVILLE." All yeas, motion carried.

Motion by Cantrell, second by Schreier to read proposed Resolution No. 18-04. All yeas, motion carried.

Motion by Cantrell, second by Kirklin to accept the second reading of Resolution No. 18-04 entitled, "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME HOURLY CITY EMPLOYEES." All yeas, motion carried.

Manager Burkholder informed Staff has reached out to Wright State University for additional dates in September to hold the Council Retreat and Community Survey. A sample timeline for a Community Survey from the National Research Center was provided to Council Members.

Discussion on timing of the Community Survey and customizing questions for a survey.

Manager Burkholder stated there are several steps to this process, including funding and type of survey. He recommend doing both projects, the Council Retreat and Community Survey simultaneously.

Member Zimmerlin asked if there is a sample survey to review?

Member Cantrell stated they have one available on their website.

Member Letner stated he would like to review a sample survey first.

Member Cantrell stated she likes the National Research Center and is in favor of moving forward with them and would like to start the process sooner rather than later.

Manager Burkholder stated Staff will continue to gather more detailed information on how to initiate the process.

Manager Burkholder informed Staff is still looking gathering information on the posting of audio/videos of Meetings. He informed Staff has an upcoming training class with Civic Plus for more information.

Member Zimmerlin asked if a letter from Speedway had been received?

Law Director Stephan advised a letter from Speedway's legal counsel was received on their objection to the City prohibiting parking East Campus Boulevard and suggested limited time parking instead. He informed he just received the letter and has not had time to thoroughly review it with the City Manager and other Staff Members.

Manager Burkholder stated allowing parking for short periods of time is not going to eliminate the problem of the excessive amounts of litter.

Member Cantrell stated unfortunately the letter sent may have come from their corporate attorney who made doesn't have a visual of the actual lot and the situation really going on and maybe a video of the lot and East Campus Boulevard would help them see that no parking on East Campus Boulevard shouldn't really interfere with their business.

Fire Chief Fletcher stated maybe they do not have enough room on their own property but this problem is bleeding onto the City streets and causing a nuisance.

Member Cantrell suggested Law Director Stephan meet with them.

Member Kirklin asked if we could request them to come and look at the area?

Police Chief Jerome stated it is a major problem that will take serious enforcing and a lot of time we don't really have, the area is a mess. He stated if we allow the semi trucks to park in one end of town, what happens when someone else wants to allow semi trucks to park on the other end of town, then we are going down a path we don't want to be going down. He reminded that soon the ramps to I-70 will have no parking signs posted to keep trucks from damaging the ramps and the Police Department as well as the Ohio State Patrol will enforce that area.

Member Cantrell asked if the City has to have permission from the business to make a no parking area?

Law Director Stephan stated no.

Member Cantrell stated the bottom line is the City has had residents and other businesses complain about the issue and it needs to be addressed.

Mayor Seagraves stated New Business was covered in Finance Director Keaton's report.

Lisa Lengerich, of 86 Ankara Avenue, stated she recently read in the newspaper about an upcoming Parkinson's Walk. She informed she is a coach for the Rock Study Program at the YMCA and wanted to give her support for the event. She stated many Americans face the problem of Parkinson's disease. She suggested watching the timing of the event because many walkers who have the disease and might want to participate, are on certain medications, and certain times of the day are better than others for those with the disease. She stated she would like to help in anyway possible because it is very personal to her and whatever she can do to help, she would love to do.

Police Chief Jerome informed the lady who wanted to hold the walk has never reached out to him as she was requested to do. He stated she needs to contact him as soon as possible to make the walk even happen.

Ms. Lengerich stated if the woman does not reach out to officially schedule the event, maybe she can work with the Police Department later in the year to try to schedule some sort of Parkinson's Walk.

Police Chief Jerome stated he wants to ensure the safety of the walkers and he has some concerns with the walk route that had been proposed.

Ms. Lengerich agreed she also had some concerns with walking through the park and the possible trip hazards for those with the disease that are walking.

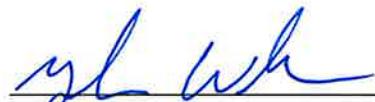
Police Chief Jerome suggested the idea of holding the walk at the track at the high school, but would have to check with the school first. He stated it would be a flat surface and probably the safest for walking.

Motion by Cantrell, second by Kirklin to enter into Executive Session per ORC 121.22 (G)(6) on details relative to the security arrangements and emergency response protocols for a public body or public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office. All yeas, motion carried.

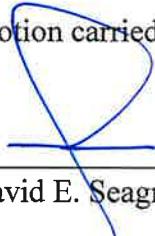
Manager Burkholder requested the Law Director Stephan and the City Manager attend Executive Session.

Mayor Seagraves called Council back into Regular Session.

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



Meghan Wheeler, Clerk



David E. Seagraves, Mayor