

Brookville City Council
Regular Meeting
November 6, 2018

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on November 6, 2018 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Cantrell, Kirklin, Letner, Schreier, Wilder and Zimmerlin; Fire Chief Fletcher, Police Chief Jerome, Law Director Stephan, City Manager Burkholder, Finance Director Keaton and Clerk Wheeler were present.

Roll Call by Clerk Wheeler.

Mayor Seagraves requested an amendment to the Agenda to add an additional Executive Session per ORC 121.22 (G)(8) to consider confidential information of an applicant for economic development assistance.

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

Motion by Zimmerlin, second by Schreier to approve the Regular Council Meeting Minutes of October 16, 2018 and the Special Meeting Budget Work Session Minutes of October 16, 2018. All yeas, motion carried.

Margo Cantrell, former Council Member, informed as of November 2 she submitted her resignation to City Council. She stated it has been a wonderful 11 years serving on Council. She informed she is leaving due to a relocation outside of Brookville. She stated it has been a challenging yet rewarding time on City Council and is very proud to have been a part of all the amazing milestones achieved over the years. She informed her recent diagnosis of bladder cancer caused her take a step back and focus on enjoying life and they decided to downsize their home. She thanked her fellow Council Members both past and new, City Staff and Mayor Seagraves.

Mayor Seagraves stated Margo Cantrell has spent a lot of time on Council and has worked so hard for this community, she has given her heart and soul to Brookville. He stated the last few years have been challenging and one thing we have no control over is our health. He stated she will be very missed and he appreciates all she has done and for the leader she has been. He thanked her for serving on City Council.

Member Letner stated Margo always did a great job at the Mayor's Prayer Breakfast every year.

Member Kirklin thanked Margo for her leadership and for staying true to what she always believed. She stated it can be hard to make the right decision when faced with adversity and Margo never once waivered, never once moved away from what she thought was right for the City.

Ms. Cantrell stated Brookville is a great community.

Motion by Schreier, second by Zimmerlin to accept the resignation of Margo Cantrell from City Council as of November 2, 2018. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to approve the Regular Council Meeting Minutes of October 16, 2018 and the Special Meeting Minutes for the Budget Work Session of October 16, 2018. All yeas, motion carried.

Cindy Tietge, of the Brookville Historical Society, thanked City Council for all they have done for the Historical Society. She thanked the Service Department for mowing and the Police Department for their support a few times when they have needed them.

Ms. Tietge informed this has been a year of change. She reported the Historical Society planted two trees this year in honor of Wayne and Dottie Watkins. She informed they have some new technology, and finally have the internet and would like to work with a company to create a new website. She informed they also did some landscaping this year, but painting and roof repairs are still needed at the Spitler House.

Mayor Seagraves stated Council will need a breakdown of the Historical Society's costs, as in previous years, so Council has some direction of the expected costs for next year for the Historical Society.

Manager Burkholder thanked the Service Superintendent and Finance Director for presenting their 2019 Capital Improvement plans tonight during the Budget Work Session. He reminded there will be a Budget Work Session held prior to the next Regular Meeting in November and the first Meeting in December. He stated by having a series of Budget Work Sessions, it will help for Council and the Community to absorb all the information for each Department and the overall Budget.

Manager Burkholder provided an update of various projects through a Power Point Presentation.

Finance Director Keaton presented the October 30, 2018 Fund Balance.

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

Finance Director Keaton requested Council approval for Change Order #1 on the 2018 Sidewalk Ramp Project. She informed originally 73 curb ramps were marked to install new ADA ramps. Two depressed curb areas were located that need ADA ramps. She stated Council previously approved this project at a cost of \$1,110 per ramp and a Purchase Order was issued for 73 ramps. She informed two additional ramps need to be added an additional cost of \$2,220. Finance Director Keaton advised CDBG money is still available for this project.

Motion by Zimmerlin, second by Schreier to approve Change Order #1 on the 2018 Sidewalk Ramp Project for the addition of two ADA ramps in the amount of \$2,220. All yeas, motion carried.

Finance Director Keaton requested Council approve change order #1 on the Arlington Road Watermain Loop Project. She informed Change Order #1 had additional field condition excavating costs totaling \$5,590.31 and a decrease of \$6,950 for final quantity adjustments for a net decrease of \$1,359.69. She informed this is an Ohio Public Works Commission Grant/Loan Project. She stated the original contract price was \$146,990 and with this Change Order the new contract price will be \$145,630.31.

Motion by Kirklin, second by Zimmerlin to approve change order #1 on the Arlington Road Watermain Loop Project for additional field condition excavating costs totaling \$5,590.31 and a decrease of \$6,950 for final quantity adjustments for a net decrease of \$1,359.69 for a final reduced contract price of \$145,630.31. All yeas, motion carried.

Finance Director Keaton requested Council approve change order #2 on the 200,000 gallon elevated tank Project at an additional cost of \$11,607. She informed Change Order #2 is for additional site work due to grade elevations and extending the final completion date ten days due to the additional site work. She informed the original contract price with Change Order #1 was \$951,097, with Change Order #2 the new contract price will be \$962,704. Finance Director Keaton advised our OWDA application approval included an additional \$94,470.30 in Contingency funds, and to date, we've only used \$6,394 of those funds for Change Order #1. She stated there are sufficient contingency funds for Change Order #2.

Motion by Letner, second by Kirklin to approve Change Order #2 on the 200,000 gallon elevated tank Project at an additional cost of \$11,607 for additional site work due to grade elevations and extending the final completion date ten days due to the additional site work. All yeas, motion carried.

Finance Director Keaton reported the Arlington Road Pedestrian Bridge came in under budget. She informed the original budget for the bridge and installation totaled \$44,896, the final cost for the bridge was \$39,696.52. She stated the City received a half percent discount by paying the invoice within ten days of the invoice date, a \$200 savings. She announced HR Holp and Sons submitted a “No Charge” invoice for the installation of the bridge.

Mayor Seagraves stated we owe a great deal of gratitude to Holp and Sons in Brookville for not charging for the installation. He stated their generosity and amazing work on the project is much appreciated.

Manager Burkholder thanked Holp and Sons for their work on the pedestrian bridge. He stated they were great to work with and their professionalism and work done was outstanding. He informed he received a few different quotes for installation on this project and some seemed ridiculously high and Holp and Sons came in the cheapest. He informed he sent them a thank you letter on behalf of himself, the Mayor and Council for the no charge on the installation. He stated he wanted them to know how much as a community that kind of contribution is appreciated.

Mayor Seagraves stated it was amazing how fast they were able to install the bridge. He thanked them again.

Finance Director Keaton reported a new online utility bill pay service with Invoice Cloud was recently implemented. She provided Council with a report that showed 81 utility accounts have processed payments totaling \$14,097.14; 28 people have signed up to go paperless; and 14 have scheduled AutoPay.

Finance Director Keaton reminded the 32nd Annual Miami Valley Planning and Zoning Workshop is scheduled for December 7. She reminded Council previously approved the City to the registration fee for those on Council, Planning Commission, BZA and Staff who would be interested in attending. If anyone would like to attend, please let her know by November 15.

Finance Director Keaton requested Council approval to close the Fire Station Bond Account with Star Ohio. She informed this account was opened in 2016 and once the Fire Station Bonds were received, they were wired into this account and is what was used to pay off the construction costs of the new fire station. She stated since the project is complete and all invoices have been paid, she would like to now close the account. She reported through October 31, 2018, we have earned \$72,228.64 in interest. She stated all of the bond proceeds and \$13,043.24 of the interest were used, which left an interest balance of \$59,185.40 as of October 31. We will earn a little bit of additional interest until they receive notice to close the account. She informed at the next Council Meeting, she will request Council approval to transfer the balance from the Fire Capital Improvement Fund into our Debt Retirement Fund to pay the fire station debt because we are permitted by the Ohio Revised Code to do that.

Motion by Schreier, second by Zimmerlin to close the account with Star Ohio. All yeas, motion carried.

Mayor Seagraves thanked Finance Director Keaton for her presentation tonight during the Budget Work Session.

Fire Chief Fletcher presented the October Operations Report.

Fire Chief Fletcher reported our heavy rescue vehicle was recently struck on the interstate. He informed the unit had arrived on scene to another incident of a rolled over vehicle, when a driver behind was not paying attention and hit our rescue vehicle. He informed our people were ok, the driver that struck our unit, was stuck in his car because of the damage done from the impact, and he is now recovering. He stated unfortunately the driver was not licensed and had no insurance. He stated it is probable that our vehicle could be totaled. He described it is approximately 18 years old and is one of a kind to our fleet, it carries all of our special rescue equipment. He informed the vehicle rescue equipment has now been divided up into to three other vehicles. He explained he is currently working on details of a possible replacement.

Fire Chief Fletcher informed the fire station has been the host to several community events. He described it recently hosted the Arlington Road Bridge dedication, Montgomery County Building Department open house and Vectren. He stated it is very much appreciated to be able to have a venue like the new fire station to host other communities and is a fantastic representative of what kind of impression we would like to make to outsiders on what kind of community we have in Brookville.

Fire Chief Fletcher reported the Pharmacy Board recently completed an inspection at the new firehouse. He informed when you relocate your operations to a new location, the Pharmacy Board will come out and this inspection last an hour and a half. They inspected everything inside the facility from the ambulances, security, locking system and video systems. He stated he is very happy to report, we passed everything and the inspector told him our facility met and exceeded the expectations of the Pharmacy Board and that he has not met anyone else who has addressed security the way the Pharmacy Board desires in the ways we have.

Police Chief Jerome reported the Brookville Police Department handled 611 Incidents year-to-date, compared to 650 during this same time last year. Police Chief Jerome reported Citations are up a total of 55 Citations year-to-date, for a total of 490 Citations issued year-to-date. There were 159 traffic stops for October compared to 166 during October 2017.

Police Chief Jerome reported Ghostly Night Out based upon the weather, still went well. He stated it is hard to plan an event like that with weather, but they went with it being held outside even though there was some rain. He stated everyone seemed to have a great time even though it was a wet night.

Police Chief Jerome informed on November 1 Neighborhood Watch signs were posted around Brookhaven and certificates were given to residents for completing program.

Police Chief Jerome reminded the Veterans Day Lunch at Rob's Restaurant will be November 9. The lunch will follow the assembly at the school, which starts at 9:30 a.m. He stated MVCTC students will help again this year and Clay Township has raised funds from their businesses to cover the entire event. He informed the Police Department will do the November Feed Brookville Event on Saturday, the 10th.

Police Chief Jerome informed they are wrapping up their events for the years, but do still have Toys for Tots upcoming and will also help the Rotary Club with Breakfast with Santa in December.

Law Director Stephan had no report.

Mayor Seagraves stated Trick or Treat went well, the weather actually cooperated and was successful with no issues. He stated the recent Pumpkin Walk also went very well and had a great turnout. He thanked the Optimist Club for putting on a great event.

Mayor Seagraves thanked the veterans in the community. He stated the Veteran assembly done at the school is always a great event. He encouraged everyone to attend the assembly and lunch. He stated we never want to forget all that our service men and women have sacrificed for our

Country. He informed Brookhaven will also have a Veterans' Day Lunch on Monday the 12th and so will the VFW. He thanked the VFW for all they do for our community.

There was no Old Business.

In New Business,

Motion by Kirklin, second by Schreier to read proposed Ordinance No. 2018-14. All yeas, motion carried.

Motion by Kirklin, second by Wilder to accept the first reading of proposed Ordinance No. 2018-14 entitled, "AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE MONTGOMERY COUNTY SOLID WASTE MANAGEMENT DISTRICT." All yeas, motion carried.

Member Schreier, Park Board Liaison, informed Park Board had their last Regular Meeting on October 9 and also a Special Work Session prior to the Regular Meeting for planning of the Christmas in the Park Event. He reported the Grove Project has been completed. He thanked Park Board for all their hard work on making this project happen, it turned out very well. He reminded the Christmas in the Park Event is scheduled for December 7 and the next Work Session is scheduled for next week at 6:30 p.m. prior to the next regularly scheduled Park Board Meeting at 7:30 p.m. on November 13.

Mayor Seagraves thanked Park Board for a tremendous job on the Grove Project, it is a tremendous addition to the park.

Manager Burkholder informed he is working on revisions with the MVRPC for the RFQ of a Strategic Plan and will then be sent to Planning Commission for review. He informed the cost of a Strategic Plan will be added to the budget presentations.

Law Director Stephan informed there will be a Planning Commission Meeting in November and during the Meeting will be a Public Hearing for a lot split. He informed a public notice will be advertised in the Brookville Star.

Mike Petro, of the All American Store located at 220 Market Street, stated there is an issue with parking on Market Street and something must be done. He informed since he moved his business to Market Street, six more businesses have been added. He stated parking is a major problem and if you look at other local communities, they have made significant upgrades to their downtown areas and we have nothing like that in Brookville. He stated our downtown has not received the attention it deserves. Mr. Petro stated in the recent Business Walk, he knows other businesses complained about parking as well. He stated other cities provide additional parking lots for their downtown areas and every City should have a nice downtown, but Brookville's downtown has been neglected for years and there is too much pride in this community for that. He suggested a committee be formed to have the issues on Market Street evaluated and ways in which to approve those issues. He stated there is the Frontier parking lot that seems abandoned and asked why the City cannot partner with them to use the lot for additional parking? He stated there are things that could be done by the City to help the 18 businesses in the area of Market Street. He suggested changing to diagonal parking spaces on Market Street. He stated some businesses need more parking spaces than others but the issue has to be addressed. He described the lighting on old Market Street is also bad and is very dark. He stated the lack of lighting we have in our downtown areas fosters the amount of people who would come and shop after dark. He informed he complained last year because there were only two strands of Christmas light on Market Street. He stated there are things that can be done to enhance the downtown area and he is looking for help and would appreciate anything Council can do.

Police Chief Jerome stated since the last parking study was done, new businesses have been added.

Mr. Petro asked once Old Hickory Restaurant opens, where will those people park?

Manager Burkholder stated the good news is there are new businesses. He suggested this be a topic for Planning Commission to discuss. He invited Mr. Petro to attend the next Planning Commission Meeting. He informed it has been previously discussed the need for lights and also the removal of some dead trees along Market Street. He informed we have changed to LED lights for Christmas lights this year. He informed the initial project to improve the lights along Market Street was estimated at approximately \$41,000 and was put on hold due to cost. He stated parking is a concern. He stated this topic is something that should be included as a part of a Strategic Plan, as well as the question of what are going to do with our downtown. He stated we need to consider what enhancements we want to see that will make Brookville the kind of place people want to visit. He stated the hope has been with new Market Street, that it will funnel even more people to our businesses. He stated this all is contingent on capital though. He stated there is always a possibility of looking into various grants offered for downtown revitalization. He asked the community to consider what they would like to see of the downtown area and for their support in making improvements.

Mr. Petro stated as business owners, they have also put in a lot of capital to the area, they spend money on their buildings and making upgrades and the City should be proud of the work done. He stated they are asking for help on the parking and lighting issues so they can continue to grow the area and customers will feel safe coming to the area to shop.

Mayor Seagraves stated it seems like a valid time to have this discussion and to try to address some of the concerns. Mayor Seagraves asked Mr. Petro to attend the next Planning Commission Meeting on November 15.

Further discussion on the amount of street lights and the darkness of Market Street.

Member Zimmerlin how many businesses are open after 6:00 p.m.?

Mr. Petro informed several depending on the day.

Member Letner asked how many employees are parking on Market Street?

Mr. Petro stated one business allows it and won't change.

Member Letner stated that is an issue among the business owners.

Mr. Petro stated everyone else parks behind the buildings or on a side street.

Additional discussion of parking for areas along Market Street.

Mayor Seagraves stated if you look at some of our neighboring communities, they all have a State Route that runs right through their downtown and unfortunately we do not have that, which hurts us.

Manager Burkholder stated the proper form would be to have the Planning Commission work on this type of project.

Member Kirklin asked if potential grant money could be identified?

Member Zimmerlin stated hopefully once a Blue Ribbon Committee is formed, it could include business owners and be helpful in planning for a downtown revitalization.

Member Letner asked if the last grant money received several years ago for the facades of the buildings was a 50/50 split?

Finance Director Keaton informed yes.

Fire Chief Fletcher advised Mr. Petro to not encourage his customers to double park. He stated that is a difficult area to navigate as it is and an unattended vehicle is not a good solution. He advised utilizing the area behind his store for loading and unloading would be much safer solution.

Bruce Garber, of 434 Sycamore Street, informed the brightness level of the street lights was sacrificed when switched to LED. He suggested looking for a brighter LED that would hopefully fit into the same fixture.

Manager Burkholder informed the City owns the lights downtown, not Miami Valley Lighting. He informed progress has been made over the last two years on the brightness of LED lights and this can be looked into.

Kim Cheatham, of 565 Adrian Court, thanked Police Chief Jerome for a great Ghostly Night Out Event. She stated she would like some updates on a few items previously discussed at past Council Meetings. She asked when Civic Clerk will be finished?

Clerk Wheeler informed Civic Clerk should be up and running soon. Civic Plus is finished with the implementation process and hopefully a test run will be performed at the next Meeting.

Ms. Cheatham asked where the two additional ADA ramps that were just approved tonight will be added?

Finance Director Keaton informed one was on Terry and one near Shaney Lane.

Ms. Cheatham stated that is interested because she noticed there are two new additional ADA ramps being added near Cherry Street. She asked why those haven't been incorporated?

Finance Director Keaton explained the two additional ADA ramps approved tonight were in addition to the 73 initial ramps already approved.

Ms. Cheatham asked if the City Manager ever had a conversation with Majestic Nursery on their signs being displayed in the area at Wolfcreek and Arlington?

Manager Burkholder informed the Zoning Officer resolved the issue and explained the new Sign Ordinance does not allow for signs in that area.

Ms. Cheatham stated on October 2, Member Zimmerlin requested the final expenditures on the major projects. She asked if that has been supplied yet?

Manager Burkholder explained that list will be provided, however all of those major projects are not finalized. He informed the Change Order approved tonight on the Water main loop Project will finish off that project but the Arlington Road Bridge Project will not be finalized until our final construction Meeting with ODOT here in a few weeks. He stated once final numbers are received on these projects, they will be distributed, but it does take time to close out these large projects.

Ms. Cheatham asked how the budget can be prepared without knowing estimates?

Manager Burkholder stated there are estimates for all projects, it is just the final numbers that are being finalized. He stated these projects are from 2018 and included in the 2018 Budget. He stated we are now reconciling those project costs and those projects have already been allocated and approved by Council. He stated Council is currently planning for the 2019 budget, which does not include these projects.

Motion by Kirklin, second by Schreier to enter into Executive Session per ORC 121.22 (G)(1) to discuss to consider appointment of a public official. All yeas, motion carried.

Motion by Schreier, second by Kirklin to enter into Executive Session per ORC 121.22 (G)(8) to consider the confidential information of an applicant for economic development assistance to be provided under O.R.C. 3735.67 to 3735.67 and Council finds that the Executive Session is necessary to protect the interests of the applicant. All yeas, motion carried.

Motion by Kirklin, second by Wilder to enter into Executive Session per ORC 121.22 (G)(8) to consider the confidential information of an applicant for economic development assistance that involves improvements for an economic development project and Council finds that the Executive Session is necessary to protect the interests of the applicant. All yeas, motion carried.

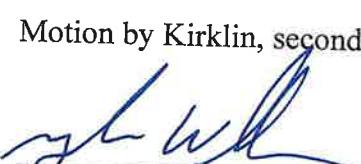
Mayor Seagraves called Council back into Regular Session.

Motion by Kirklin, second by Schreier to advertise the vacant seat on City Council for the remaining term expiring December 31, 2019. All yeas, motion carried.

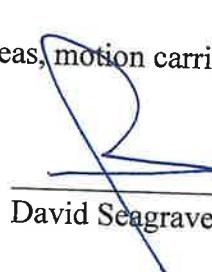
Motion by Zimmerlin, second by Kirklin to approve an amendment to Community Reinvestment Area Agreements with Giant Dayton, LLC and Giant Ohio LLC for development of the property at 801 Arlington Road. All yeas, motion carried.

Motion by Schreier, second by Zimmerlin to approve the Agreement with RJ Property Holdings, LLC. All yeas, motion carried.

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



Meghan Wheeler, Clerk of Council



David Seagraves, Mayor