

Brookville City Council
Regular Meeting
January 3, 2017

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on January 3, 2017 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Henry, and Letner; City Manager Burkholder, Police Chief Jerome, Finance Director Keaton, Law Director Stephan, Clerk Wheeler and Public Service Director Williamson were present. Member Kirklin and Fire Chief Fletcher were absent.

Mayor Seagraves announced Member Kirklin was unable to attend the meeting and she asked to be excused.

Roll Call by Clerk Wheeler.

Motion by Duncan, second by Apgar to approve the Agenda as presented. All yeas, motion carried.

Motion by Apgar, second by Cantrell to approve the Regular Council Meeting Minutes of December 20, 2016. Motion carried with 5 yeas and one abstention by Member Duncan.

Manager Burkholder informed there are a lot of different projects going on right now.

Manager Burkholder requested a motion from Council to authorize the City Manager to enter into a lease-to-purchase option for the installation of a water booster pump at the Northbrook Industrial Park. He informed the Booster Pump will be a temporary fix to increase the flows to the Northbrook Industrial Park. The pump has already been ordered and is scheduled to be shipped around January 18th. We need to have the pump installed prior February 1, 2017. He has contracted with Poggemeyer Design Group to help with the design and installation of the pump. Service Director Williamson will be coordinating with Poggemeyer and Payless on this project and hopefully this booster pump will remedy the current flow issues at the Industrial Park. He informed the estimated cost will be approximately \$3,500 to \$5,000 per month. He anticipates needing to lease the booster pump for about a year but if it turns out to be cheaper to purchase the pump then we can do that. By leasing the equipment though, we can see how effective the pump is before purchasing. He informed he is trying to research the best option for the City.

Manager Burkholder also requested a motion to authorize the City Manager to make application for the Ohio Safety Grant for back up generators for the new fire station and participating townships. The application to submit is due by Friday, January 6, 2017 and we are working with Poggemeyer Design Group on the application. He informed it has not been decided on yet if we will only apply for the back-up generator and Emergency Operations Equipment (EOC) for the new fire station or if we will include extra back-up generators for both Clay and Perry Townships. It will depend on the exact rules and guidelines for the Safety Grant and the opinion of our consulting group, Poggemeyer Design Group. Poggemeyer will help us to determine what the strongest application will be, and we may go back to the original thought of only requesting funding for the equipment for the new fire station. The new fire station will serve as an Emergency Operations Center in the event of a disaster or emergency.

Manager Burkholder stated the focus for City Staff in 2017 will be executing the plans and projects initiated in 2016. For example, the Fire Station, the IT upgrades, the adoption of a personnel manual and many other Capital Improvements including the renovation of Shelter #2 at Golden Gate Park, in which we received a \$75,000 Community Development Block Grant (CDBG) for. He informed we have also budgeted for street repaving in 2017. Manager Burkholder informed those are some of the reasons that the focus for 2017 will be on executing all of the projects Staff has been planning for the last 18 months.

Member Cantrell asked if the lease would be for one year?

Manager Burkholder stated it is a lease-to-purchase, he does not see any permanent resolution in less than one year. We need to obtain an engineering design, including a water tower and the two loops, until all of that is designed, which could take nine months to one year. He indicated if it is indicated that the cost makes more sense to purchase then we could purchase.

Member Henry asked the estimated cost?

Manager Burkholder informed to rent the equipment and everything needed approximately \$3,500 to \$5,000 per month. He informed the estimated purchase price for the pump, all of the controls and cargo container would be \$80,000 to \$90,000. The cargo container must be heated and would sit out at the corner where there is power and it will need piping to it as well in order to boost the water going to the Payless Distribution Facility.

Member Apgar asked how much of the lease payment goes into the purchase cost?

Manager Burkholder stated Poggemeyer is currently looking into that and will let us know the exact percentage that would apply to the purchase of the equipment.

Mayor Seagraves clarified that Manager Burkholder was requesting a motion to move forward?

Manager Burkholder stated we are on a very tight deadline. Payless has given us a deadline of February 1 for the pump to be installed, which is why we have expedited the order of the pump. He stated there is a purchase order for \$5,000 to get started.

Member Duncan asked if the cargo container mentioned is like a cargo container put on ships?

Manager Burkholder described the cargo container is a metal type container but it will be specially equipped for the pump to be inside of it.

Member Duncan asked if it will be insulated?

Manager Burkholder stated yes it will be insulated and sit above the ground, the piping will come up through the bottom. That will then serve as the temporary fix until a long term solution and funding can be determined.

Motion by Cantrell, second by Henry to authorize the City Manager to enter into a lease-to-purchase option for installation of a water booster pump at the Northbrook Industrial Park. All yeas, motion carried.

Motion by Cantrell, second by Apgar to authorize the City Manager to make application for the Ohio Safety Grant for backup generators for the new fire station and participating townships. All yeas, motion carried.

Finance Director Keaton presented the December 31, 2016 Fund Balance and Detail Trail Balance Report for Council approval.

Motion by Duncan, second by Apgar to approve the December 31, 2016 Fund Balance as presented. All yeas, motion carried.

Finance Director Keaton requested Council to approve the membership to the Miami Valley Regional Planning Commission (MVRPC) for 2017 and to appoint Mayor Seagraves as a Member and Manager Burkholder as the Alternate to the MVRPC Board and appoint Manager Burkholder as Member and Mayor Seagraves as the Alternate to the Technical Advisory Committee (TAC) for 2017. The annual dues are \$2,706.64 based upon 2010 Census figures.

Motion by Cantrell, second by Apgar to approve the membership to the Miami Valley Regional Planning Commission for 2017 and to appoint Mayor Seagraves as a Member and Manager Burkholder as the Alternate to the MVRPC Board and appoint Manager Burkholder as Member and Mayor Seagraves as the Alternate to the Technical Advisory Committee (TAC) for 2017. with annual dues of \$2,706.64. Motion carried with six yeas, and one abstention. Mayor Seagraves abstained.

Manager Burkholder informed an explanation of Member benefits were provided to Council.

Finance Director Keaton provided Council with a memo and spreadsheet of property tax levy information. She has been researching what type of millage we could potentially place on the ballot in May. She stated the repeal of Ordinance 2016-08 will be on the May ballot before the voters. The spreadsheet she provided included estimates, revenues and different millage rates. She informed 2.5 mills would produce approximately \$250,000, 5 mill would produce approximately \$500,000, 7.5 mills would produce approximately \$750,000 and 10 mills would produce approximately \$1,000,000.

Finance Director Keaton informed the City of Brookville is one of only five entities, including cities, townships, and library systems that do not have any sort of property tax levies. She also provided a spreadsheet to Council that lists the costs for homeowners depending on which millage we would choose.

Member Letner asked the other four?

Finance Director Keaton informed the City of Dayton, Centerville, Moraine, Vandalia, and the Germantown Public Library.

Member Cantrell re-iterated those are the only other cities that do not have tax levies that do not go to the Municipality for operations like police or fire.

Finance Director Keaton informed if we want to move forward with this, the filing deadline for the May ballot is February 1, 2017. It does require the passage of a Resolution at a Public Meeting asking the County Auditor to certify the estimated property tax or millage and once that is done, there is a one to two day turn around time. We would then come back at a future public meeting to accept the Auditor's certificate and pass a resolution of necessity to move forward to put it on the ballot.

Member Cantrell asked if we can choose a time frame?

Finance Director Keaton stated we can, and it is normally for a period of five years.

Mayor Seagraves stated a Special Council Meeting has been discussed as a Work Session.

Manager Burkholder informed January 12, 2017 at 6:30 p.m. has been scheduled for a Special Meeting as a Work Session and this will be on the Agenda with a draft Resolution.

Member Cantrell stated in the course of the full year of 2016, according to the Fund Balance, we received an additional \$295,000 in income tax and asked what we were expecting to have received.

Finance Director Keaton informed we originally expected to receive \$750,000.

Member Cantrell stated then we are short about \$400,000.

Finance Director Keaton stated that is correct, however, it can take a while to receive the true amount of the increase rate based upon how people file their taxes. It basically takes a two year window to get a true amount from a rate increase.

Member Cantrell asked if she has any idea approximately how much more may come in and if it will be a significant amount?

Finance Director Keaton stated once tax returns are filed, she hopes we receive approximately \$500,000.

Member Cantrell stated so we would still be short about \$250,000 compared to what we originally thought we would receive from the .25% tax increase.

Member Cantrell stated she noticed some of our unexpended balances are down from last year, and asked if that is because we didn't transfer into those funds, why are some areas higher and lower than others?

Finance Director Keaton explained the General Fund is higher because our revenues were higher. In the Streets and Parks, the expenditures were up but the revenue in the Park was down due to league fees being down and last year we also received a grant for \$5,000 from DP&L and a donation from Delta Theta Tau. We had some projects such as removing dead trees and other projects which contributed to the Park Funds being down. Fleet repair was also up this year compared to last, but that is something that fluctuates from year to year.

Member Cantrell stated \$200,000 is not a lot to have in a rainy day fund for a Municipality. The bottom line is we need the money somehow whether it is the income tax credit or property tax levy. She stated if we are going to do something we should do it soon and have it on the May ballot because we need the money.

Mayor Seagraves agreed.

Member Cantrell stated we are on a deadline unless we are going to have some additional Special Meetings.

Mayor Seagraves stated we will have to hold Special Meetings in order to beat the deadline due to not being able to pass as an emergency.

Law Director Stephan advised we can dispense with the readings without declaring an emergency. On the income tax credit to place on the ballot, we will do a first reading and then a motion to dispense with the second and third readings. This will be on the Agenda at the next Work Session. He stated under the Charter an issue being put on the ballot begins effective immediately, there is no 30-day time period for it to become effective. It can still be done if Council would like to have it done this month. The thought process is to have a longer discussion at the Work Session next week.

Mayor Seagraves stated the Work Session will be an open Public Meeting if any citizen would like to attend.

Manager Burkholder informed if anyone has any questions prior to the Work Session they should contact the City Office. He stated Finance Director Keaton did a great job preparing the memo and spreadsheet for tonight.

Member Cantrell asked if someone owns a \$100,000 home and if it were 2.5 mills they would owe \$87.50 per year and if 5 mills they would owe \$175 per year.

Finance Director Keaton stated yes.

Member Duncan asked if the numbers are for 6 months or 12 months?

Finance Director Keaton informed for 12 months.

Member Cantrell stated this might be more affordable for some people, but there will still be people that do not like it.

Public Service Director Williamson reported an update on the 269 Foothill Drive project. He informed the furnace and A/C units have been installed.

Public Service Director Williamson informed there is a Resolution on the Agenda tonight to allow the City to file a Notice of Intent for a Storm Water Discharge Permit. We are now required to do this. The Storm Water Program has been in affect for several years now, and has now come to jurisdictions of our size. This phase includes 52 jurisdictions and we are one of them.

Member Duncan asked what are the benefits of doing this?

Public Service Director Williamson stated clean water, public safety and the development of a storm water management plan are the main benefits.

Member Duncan stated mainly they just want the \$200 permit fee.

Member Cantrell asked if we are partnering with the townships on this as well?

Public Service Director Williamson stated he has a meeting tomorrow with the other jurisdictions to see if they want to join with us. We would be acting as the lead and anyone that wants to come with us can and we can divide up any costs.

Member Cantrell asked if we can tag on with Montgomery County?

Public Service Director Williamson stated we are on our own at this point.

Mayor Seagraves stated all of the Cities will be on their own.

Motion by Cantrell, second by Apgar to read proposed Resolution No. 17-10. All yeas, motion carried.

Member Duncan asked if this has to be passed as an emergency?

Public Service Director Williamson stated we are under a deadline.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third readings and adopt Resolution No. 17-10 entitled, "A Resolution approving the storm water management program for the City of Brookville, and declaring it an emergency." All yeas, motion carried.

Public Service Director Williamson informed the Service Department has been decommissioning the Christmas decorations throughout town.

Public Service Director Williamson reported crews repaired a water main break on December 21, 2016 around 8:30am at Mound Street and Orchard Street. They utilized the HyperReach System to notify the affected residents.

Public Service Director Williamson stated there was a sewer stoppage on Wolf Creek at Leisure Drive on December 27, 2016.

Public Service Director Williamson informed he attended an engineering design meeting with GGC for the wet well renovation and capital improvement plan at the Wastewater Treatment Plant.

Public Service Director Williamson reported the Refuse numbers for the month of December were:

Solid Waste - 149 Tons
Leaves - 650 cu yard (97.5 Ton)

Police Chief Jerome reported the Brookville Police Department handled 670 Reportable Incidents year-to-date, compared to 611 during this same time last year. Police Chief Jerome reported Citations are down a total of 59 Citations year-to-date, for a total of 413 Citations issued year-to-date. There were 99 traffic stops for December compared to 120 during December 2015.

Police Chief Jerome stated January is usually their slowest month. It gives them a time to catch up and get everything ordered for the new year that they need.

Law Director Stephan had no report.

Mayor Seagraves welcomed everyone to a new year and asked everyone to be willing to move forward progressively.

Mayor Seagraves reminded everyone of his Prayer Breakfast on Thursday, January 5th at 7:30 a.m. at K's Restaurant and it should last about one hour. He is expecting about 100 people.

In Old Business,

Motion by Kirklin, second by Henry to read proposed Resolution No. 16-30. All yeas, motion carried.

Motion by Apgar, second by Duncan to approve the third reading of proposed Resolution No. 16-30 entitled, "A RESOLUTION AUTHORIZING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED IN 2017 FOR THE TAX YEAR 2016." All yeas, motion carried.

Member Duncan requested a brief Executive Session on a Personnel Matter.

Motion by Duncan, second by Letner to go into Executive Session on a Personnel Matter. Motion carried with 5 yeas and 1 nay. Member Cantrell voted nay.

Motion by Duncan, second by Henry to go back into Regular Session. All yeas, motion carried.

In New Business,

Motion by Cantrell, second by Henry to read proposed Resolution No. 17-01. All yeas, motion carried.

Motion by Cantrell, second by Henry to accept the first reading, dispense with the second and third readings and adopt proposed Resolution No. 17-01 entitled, "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME HOURLY CITY EMPLOYEES, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Member Duncan asked if one motion could be done to read Resolutions 17-02 to 17-09?

Law Director Stephan advised if there is no objection, then one motion could be done to read all the resolutions at once.

Motion by Duncan, second by Apgar to read proposed Resolution Nos. 17-02, 17-03, 17-04, 17-05, 17-06, 17-07, 17-08 and 17-09. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third readings and adopt Resolution No. 17-02 entitled, "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR PART-TIME, CONSTRUCTION INSPECTOR, SEASONAL AND/OR TEMPORARY HOURLY CITY EMPLOYEES, AND DECLARING IT AN EMERGENCY." Resolution No. 17-03 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CLERK OF COUNCIL, AND DECLARING IT AN EMERGENCY." Resolution No. 17-04 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CITY MANAGER, AND DECLARING IT AN EMERGENCY." Resolution No. 17-05 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FINANCE, AND DECLARING IT AN EMERGENCY." Resolution No. 17-06 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FIRE, AND DECLARING IT AN EMERGENCY." Resolution No. 17-07 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF POLICE, AND DECLARING IT AN EMERGENCY." Resolution No. 17-08 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF PUBLIC SERVICE, AND DECLARING IT AN EMERGENCY." and Resolution No. 17-09 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF LAW, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

In Old Business, Mayor Seagraves asked if the Council Rules can be brought back at the next meeting in January. Manager Burkholder asked Law Director if he would prefer a motion or a Resolution?

Law Director Stephan stated a Resolution would be best, then it would be a permanent record.

Motion by Cantrell, second by Henry to table the proposed draft Council Rules until the January 17, 2017 Council Meeting. All yeas, motion carried.

James Zimmerlin, of 247 Plymouth Avenue, asked if the property tax discussed would be a replacement for the tax credit reduction or in addition? He also asked when the Work Session, mentioned earlier in the Meeting, is scheduled?

Manager Burkholder informed the Work Session will be held on January 12, 2017 at 6:30 p.m.

Manager Burkholder stated the proposed property tax discussed will give the voters an option to vote on since there will be another issue on the ballot. If the other issue is successful then Council will have to determine how to fund the different capital improvements and operational costs. He stated Council has not decided what or if anything that they will put on for the tax levies.

Mr. Zimmerlin asked if the property tax levies would be an alternative?

Manager Burkholder stated that is up to the voters to decide.

Mr. Zimmerlin asked from a communications standpoint, if it is an alternative?

Manager Burkholder stated Council has made no decision and Staff has made no recommendation.

Mayor Seagraves stated that Finance Director Keaton literally just provided this information with Council tonight.

Bruce Garber, of 434 Sycamore Street, stated he thinks it is great the City is using the Hyper Reach system for water main breaks. It really shows the City is being proactive.

Mr. Garber asked if the Storm Water Resolution includes work to be done so that storm water coming off roofs does not go into the sanitary water and increase the flow through the Wastewater Treatment Plant or is this something different?

Public Service Director Williamson informed this is something different. This is more for protection what gets into the streams and rivers, to help prevent pollution.

Mr. Garber stated he thought he heard there were \$600,000 for street repairs and he remembered in the past only allotting \$200,00 per year and since last year none were done he thought \$400,000 was previously mentioned. He asked if the \$600,000 included the core testing?

Manager Burkholder informed \$600,000 is the total amount budgeted for street repaving but that total includes some grant money and some General Fund money. We never have enough money in the Street Fund for paving and to pay salaries. We also take some income tax money and transfer into the Street Fund. This is really just a rough estimate we are budgeting for. He stated one of the concerns Council has raised is trying to get some coordination between our storm water, sanitary sewer, waterlines current replacements and street repaving. Through capital planning we are trying to identify and prioritize to fix the underground structure prior to paving. This will be multi-year process but the first step is collecting the data.

Manager Burkholder informed we have a 70 page Draft Report of the Water System Analysis that he is working on getting into an electronic form to distribute to Council. The has a lot of the aging lines in the City and associated costs and will serve as a road map as to where the waterlines need to be fixed first within the City. This is why we did not want to do repaving last year but wait until after the study was done. He stated we did not institute the curb replacement program on Maple Street. Some homeowners chose to do so on Maple Street during the road construction.

Mr. Garber asked how much pressure was raised by replacing the pump near Speedway on Arlington Road?

Manager Burkholder informed approximately 800 gallons per minute but with the friction loss, it still was not sufficient at the facility. There was enough friction loss between there and Upper Lewisburg Salem Road near Clayshire where it runs north up to Payless, there was enough loss that it was still not providing sufficient flow.

Mr. Garber clarified that there was no substantial gain. He stated he does not understand how the flow is down on one end and not the other. He asked if something could be blocking it?

Manager Burkholder stated there was friction loss and all of the valves have been checked and double checked to ensure they are all open. We did get a little bit of gain, but not enough to get the minimum gain required for that facility.

Manager Burkholder stated the jury is still out on if the flows were ever adequate from day one; there is evidence to suggest that the flow was never there to begin with.

Mr. Garber asked how did it pass fire code to begin with?

Manager Burkholder informed he has asked some of those same questions with no answers, no one seems to know.

Mayor Seagraves stated the business does not have the original authorized permit and the neither did the previous Staff at the City.

Motion by Duncan, second by Apgar to adjourn. All yeas, motion carried.



Meghan Wheeler, Clerk



David E. Seagraves, Mayor