

Brookville City Council
Regular Meeting
July 5, 2017

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on July 5, 2017 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Henry, Kirklin and Letner; City Manager Burkholder, Fire Chief Fletcher, Police Chief Jerome, Finance Director Keaton, Law Director Stephan and Clerk Wheeler were present.

Mayor Seagraves stated the Meeting is being recorded, if anyone needs to speak amongst themselves to please excuse themselves.

Roll Call by Clerk Wheeler.

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

Motion by Apgar, second by Cantrell to approve the Regular Council Meeting Minutes of June 20, 2017. All yeas, motion carried.

Alan Harsh, President of the Brookville Soccer Association, requested approval for their fall soccer parade. He informed Opening Day is Saturday, August 19, 2017 at 9:00 a.m. He stated they would like to hold their parade similar to in years past. He requested Police and or Fire escort and traffic control during the parade. He informed their intent is to start the parade at the VFW on Carr Drive, go across Cusick Avenue, right on Albert, left on Salem, left on Market Street, right on Wolf Creek, left on Arlington Road and into the soccer park. He provided Council Members with a map of the requested route.

Mayor Seagraves asked Police Chief Jerome and Fire Chief Fletcher if they are good with what is being requested?

Police Chief Jerome and Fire Chief Fletcher both stated yes.

Member Duncan asked if there is a significance in the different colors on the map provided for the route?

Mr. Harsh stated no, that is just the colors Google map displayed.

Member Cantrell asked if the parade will be held in the morning?

Mr. Harsh stated yes, the parade will start at 9:00 a.m. with the lineup beginning around 8:30 a.m. at the VFW.

Motion by Duncan, second by Kirklin to allow the Brookville Soccer Association to hold their Opening Day parade for the fall season on August 19, 2017 beginning at 9:00 a.m. with the route as presented. All yeas, motion carried.

Manager Burkholder reported it has recently been discovered that some major repairs will be needed at the Community Theatre. He informed water is seeping in due to cracks in the mortar which needs to be repaired and resealed. The structure also needs repainted. He stated the spouting system has failed and needs to be replaced. Manager Burkholder informed Staff is assessing the damage and these repairs will need to be made as soon as possible and are unforeseen in terms of the budget.

Manager Burkholder informed the Caretaker cabin at Golden Gate Park is also in need of major work. He reported there is water leaking in and the cabin needs to be prepped and sealed prior to the fall. He informed Staff is currently contacting potential contractors.

Manager Burkholder reported our GIS Intern, Adrian Nieto, continues to do a great job in developing our GIS layer on ArcMap. To date, he has located 877 water service valves and is entering the data into our database. He informed the identification of the type, size and exact location of our community infrastructure is a necessity as we continue to repair and replace our aging water, sewer, and storm lines. He informed the City is realizing great savings with the employment of a GIS intern as opposed to hiring an outside consultant. He stated this is another great example of the benefits of working with our local educational institutions.

Manager Burkholder informed the City of Clayton has graciously shared the documents they used to request proposals for their Strategic Plan. He stated these documents will be forwarded to our Planning Commission for review as we move forward to identify funding for a Strategic Plan.

Member Cantrell informed she was able to meet someone from Poggemeyer recently. She informed his name was Josh and we was out assessing the streets in her neighborhood.

Manager Burkholder informed Josh is Poggemeyer's intern for the summer and he is doing our street inventory. He stated the current street inventory he is working on will be a complete update from the 1996 street inventory that was last done. This will be the first step to knowing what streets will be priority and also the depth of the repairs that will be required for the various streets throughout the City.

Member Cantrell asked if Manager Burkholder has any idea when the street inventory will be completed?

Manager Burkholder stated not exactly but will probably take them about a month or so to collect the data and inventory and then put the numbers into a report.

Member Henry stated where the BMX Park was, is really looking great, such an improvement.

Manager Burkholder informed the schedule has been pretty full but the Service Department is trying to get the stones removed and the area seeded very soon.

Manager Burkholder informed Chris Homan, our new Service Superintendent, also holds a Wastewater II Operator license with the Ohio EPA. He informed with hiring Mr. Homan, we do not need to hire someone with a Wastewater II Operator license. We are required by the Ohio EPA to have a Class II and a Class III Operator, so with hiring Mr. Homan, we filled both the Service Superintendent position and the Class II WWTP Operator position.

Member Cantrell stated there was a very nice article in the Brookville Star on Mr. Homan.

Finance Director Keaton presented the June 30, 2017 Fund Balance for Council approval.

Motion by Duncan, second by Apgar to approve the June 30, 2017 Fund Balance as presented. All yeas, motion carried.

Finance Director Keaton informed the Personnel Manual has been completed and submitted to our Labor Attorney for review. She stated once reviewed, Staff will bring back to Council.

Finance Director Keaton informed we have taken delivery of our new recycling promotional items. She informed the items are up in the front office for all residents and make a good reminder to recycle.

Finance Director Keaton reported she received word that our two Community Development Block Grant (CDBG) applications that we recently submitted were recommend for 100% funding by the CDBG Committee. She stated the Committee will forward those onto the Montgomery County Commission and the HUD for final approval.

Fire Chief Fletcher reported the June Operations Report.

Fire Chief Fletcher informed they continue to see crashes at the rural intersections in Perry Township directly related to the Diamond Mill Road detour. An accident occurred today that left a citizen seriously injured. He promised if a road is closed it is because of some type of a hazard. He has had several complaints on roads being closed but crews can't just stop in the middle of a cleanup to let some traffic through especially when there are other ways around. He asked for continued patience and caution from everyone as the work on Diamond Mill continues for another week or so. He stated if a road is closed there is a reason.

Police Chief Jerome reported the Brookville Police Department handled 395 Reportable Incidents year-to-date, compared to 332 during this same time last year. Chief Jerome reported Citations are down a total of 8 Citations year-to-date, for a total of 257 Citations issued year-to-date. There were 138 traffic stops for June compared to 151 during June 2016.

Police Chief Jerome stated they have been very busy with complaints at Speedway North with trucks parking on, Walker Court and East Campus Boulevard. He stated the truckers are being very disrespectful with throwing trash, urinating, throwing bottles full of urine all over and blocking businesses. He informed the Montgomery County Sheriff's Office Work Detail Program has been out several times and has been very gracious to us by cleaning up the area. Chief Jerome informed that City Staff has come up with the solution of making the area a complete fire zone, the entire area is now a yellow curb with proper signage. He stated the Police Department is enforcing the area very hard and writing a lot of tickets. He stated they seem to have upset some people in doing this but a yellow curb in a fire lane is a universal violation in the entire United States. Chief Jerome reported an Officer sited a driver the other night for parking in a fire lane and urinating in public, outside of his truck. He stated they will correct the problem. He informed the first few weeks a lot of citations were written, but are now starting to decrease. He stated with the bright yellow curbs and signage, warnings are not needed.

Police Chief Jerome reported there was a robbery at Rite-Aid and it is still under investigation. He informed the store has posted a security company inside the store.

Police Chief Jerome informed last week he went to a Chief's Meeting at Sinclair Community College. The Montgomery County Coroner was there. He stated the heroin epidemic in our county has made national news and continues to gain national coverage. He informed one of his main concerns is the safety of his officers and making sure they do not get contaminated. The Coroner reported there are now up to 27 different identified substances. He stated we were instructed to throw away any existing cases of gloves we had in stock and only carry a specific type of glove to help protect our Officers from being contaminated while doing their job.

Police Chief Jerome presented the Overdose Report. He informed we did have an overdose this past Sunday that did not result in a death. He stated lucky for the overdosed person, we have determined Police and Fire Departments who worked on him for 45 minutes. He stated this was not the guy's first rodeo with making bad decisions and using drugs.

Police Chief Jerome reported the new full-time Officer is in training and is doing wonderful. She has received a lot of experience during training recently, since they have been very busy. He informed sometimes in training it's hard because you don't always get the kinds of calls you need in order to help in training but she has been excessively busy during her training.

Police Chief Jerome informed we will be doing another test soon for part-time officers. He stated we could still use more part-time officers and there have been a few big academy classes recently graduate.

Law Director Stephan had no report.

Member Duncan asked since a lot of the Rules of Council are listed in the charter, by passing it does it legally affect anything?

Law Director Stephan advised the Charter will supersede the Rules of Council. He informed we are trying to supplement the Charter with the Rules of Council and the rules are designed to help carry out the Charter. For example, the absence rules are specified in the Charter, but we have added into the Rules of Council, that Council will adopt a specific motion to excuse an absence. He stated if Council has any comments, questions or areas they think might be in conflict with the Charter to let him know. He informed the Charter controls and the Rules of Council are just designed to provide procedure to carry out the Charter during Council Meetings. He stated the Rules will help clarify the actions of Council consistent with the Charter.

Mayor Seagraves had no report.

In Old Business,

Motion by Apgar, second by Kirklin to read proposed Resolution No. 17-29. All yeas, motion carried.

Mayor Seagraves reminded Council that even though they approve the second reading, there will still be a third reading for Council to make any changes or for any discussion.

Motion by Apgar, second by Kirklin to accept the second reading of proposed Resolution No. 17-29 entitled, "A RESOLUTION ADOPTING RULES OF COUNCIL FOR THE CITY OF BROOKVILLE COUNCIL." All yeas, motion carried.

Member Letner stated the property the City conveyed on Jefferson Street to Rick and Sherry Peters is starting to really take shape. He described it has a beautiful new roof on it.

Mayor Seagraves stated he is sure the Peters would say the project was a much bigger task than originally anticipated.

Member Letner stated it is good to see progress being made on the home.

In New Business,

Member Duncan stated several months ago, we had a group of citizens express concerns and suggested a committee be put together for citizens and Council try to work together. He stated everyone knows we are looking at some hard times coming and are going to need cooperation from both sides. He proposed a committee be put together, possibly be headed up by a business owner and a citizen, with Council also being represented so that maybe we can get something worked out so that we don't have the conflicts we have been having. He stated it will also help to get the citizens involved.

Member Cantrell stated she thought that idea was discussed for a Charter Review.

Member Duncan stated he is suggesting a committee to review finances. He stated Council knows there will be some tough decisions to make in the future and everyone needs to be on the same page, both Council and the citizens.

Member Apgar stated if we were to do something like that, then it should be done before Council starts working on next year's budget.

Member Duncan stated he hasn't discussed it with the people yet, but he has two good candidates in mind to chair the committee, one is a business owner and one is a resident. He informed he didn't not want to talk to those people yet until he knew if Council was interested.

Member Kirklin stated there could be a variety of people interested.

Mayor Seagraves stated we need to have a better description of exactly what this committee would be or do. He stated it should be advertised in the paper and would also need to have a Staff Member and a few active Council Members on the Committee.

Member Duncan asked what we need to do to get it started? He stated he wants to get this started.

Mayor Seagraves stated he doesn't have a problem with it, but Council needs some sense of direction from Member Duncan of what he wants this to entail.

Member Cantrell suggested an outline of what exactly Member Duncan wants to do or how many people he envisions. She asked where we would stand on something like this from a legal standpoint?

Law Director Stephan advised it would depend on how the committee is set up and what their role would be. If it were simply a committee to provide advice or input into the budget but have no legal basis to take any action that would be one thing, but if it is a committee set up as mentioned in the Rules of Council, for finances, that committee could potentially have public hearings or community meetings where they could take in citizen input. He informed there are different ways the committee could be structured. He stated if Council's direction is to move forward with this or at least consider it, then he could provide some thoughts on the legal structure and how it should be done.

Member Kirklin stated she thinks that should be the first step.

Member Cantrell agreed.

Mayor Seagraves stated he thinks Council needs some guidance from the Finance Director.

Member Duncan stated Council has lost the trust of a lot of citizens and we need to gain their trust back.

Member Cantrell stated she needs some legal structure from the Law Director first.

Member Henry asked if anyone knows of any other cities that have a committee like that?

Member Letner stated we could champion the cause.

Law Director Stephan informed many communities have committees that have Council committee structure including Finance Committees. He informed some communities also have their Council Members or City Manager have gone out and had Public Meetings with various forums to get input from the community about particular items.

Member Cantrell stated she would be all for that.

Law Director Stephan stated as far as an advisory committee with citizens on it, he thinks it is probable we could do that, but he thinks he really needs to look into and to provide additional advice on it.

Member Duncan stated you can go out and talk to people all you want but you have to have the facts and figures to then tell the people if their input is right or wrong.

Mayor Seagraves asked Law Director Stephan to look into and report back to Council.

Member Kirklin stated if folks haven't had the opportunity to see Oklahoma at the Community Theatre, they should, it is an amazing production. She had an opportunity to see it last week and it is truly one of the finest productions. She stated the productions at the Theatre are always top notch, and this one has a very large cast that are doing an amazing job. She stated she encourages people to enjoy a night of the arts and support those who work so hard to put on a great show.

Mayor Seagraves agreed and stated it is a great production. He informed the shows are almost completely sold out.

Member Kirklin stated the production has been very successful.

Member Cantrell stated there was a great article about it in the Dayton Daily News.

Mayor Seagraves welcomed members in the audience. He stated if anyone would like to speak to please identify themselves with their name and address.

Kim Cheatham, of 565 Adrian Court, thanked Member Duncan for his comments on creating a committee. She stated she was present at the Council Meeting a few months ago when that idea was originally discussed and she commended him on not letting that idea die.

Mayor Seagraves thanked everyone for coming.

Motion by Kirklin, second by Henry to go into Executive Session per ORC 121.22 (G)(3) concerning disputes involving the public body that are the subject of pending or imminent court action and per ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official. All yeas, motion carried.

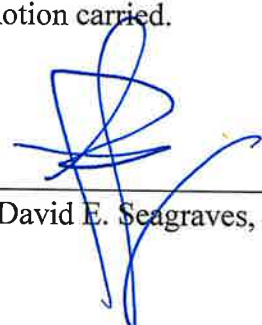
Manager Burkholder stated there may be action needed.

Mayor Seagraves called Council back into Regular Session at 9:05 p.m.

Motion by Duncan, second by Kirklin to approve the delegation of the Activities Agreement with Montgomery County for a Community Development Block Grant of \$80,000 for public water infrastructure improvements, and authorizing the City Manager to execute the delegation of the Activities Agreement and all other necessary documents for this grant. All yeas, motion carried.

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



Meghan Wheeler, Clerk

David E. Seagraves, Mayor