

Brookville City Council  
Regular Meeting  
June 20, 2017

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on June 20, 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, Finance Director Keaton, and Law Director Stephan were present. Police Chief Jerome and Clerk Wheeler were absent.

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

Roll Call by Finance Director Keaton.

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

Motion by Duncan, second by Apgar to approve the Regular Council Meeting Minutes of June 6, 2017. All yeas, motion carried.

Manager Burkholder reported an update on the Brookville Fire Station Project. He informed this week the contractors will be pouring the concrete walls on the administration section of the building. He stated he and Fire Chief Fletcher are attending the every two-week progress meetings and the dry weather has been helpful in the progress of the building.

Manager Burkholder informed he and other Staff Members attended the Transportation Improvement District Market Street Construction Meeting at City Hall. He reported Staff received an update on the construction progress including the electrical changes on old Market Street. He informed the overhead lines will be buried leading to the sanitary lift station and the lift station will need some external improvements.

Manager Burkholder requested Council approval on the first reading of the proposed Rules of Council. He stated after the first reading, Council will have time to review over the proposed rules and make any suggestions or voice any concerns they may have before the second and third readings.

Manager Burkholder reported he met with with Larry Henry regarding building issues at the Community Theatre. He informed gutters on the main building are needed, as well as the building needs to be power washed. He informed the mortar needs repaired and the exterior needs re-painted. He explained there has been some infiltration of moisture into the building. He stated the gutters also need replaced. Manager Burkholder stated he was told the building is approximately 25 years old and the gutter is now actually rusting out in various places. He is working on getting quotes for the repairs and the Service Department will be looking at the roof to check the exact damage.

Manager Burkholder requested Council approve the awarding of the bid for the 2017 Street Repaving Program to Wagner Paving in the amount of \$310,770.80. He informed the streets included in the program will be Columbia Street, Croswell Avenue, Deger Court, Vine Street, Joanna Avenue, Sycamore Street and Hunterfield Avenue. He stated at this time, he is not recommending the alternatives because that would be an additional \$100,000. He stated it would only be the base bid being accepted by Wagner Paving who came in as the lowest bidder.

Manager Burkholder introduced the new Service Department Superintendent, Chris Homan, who just started Monday, June 19. He informed Mr. Homan comes to us from the City of Piqua and has extensive experience in dealing with underground utilities and has also been involved in construction trades. He informed Mr. Homan has a Master's Degree in Business Administration

from Phoenix University as well as a Bachelor's Degree and an Associate's Degree. He stated Mr. Homan comes well qualified not only with his educational background but also with his extensive experience. Manager Burkholder informed during the interview process, he was very impressed by Mr. Homan's Leadership skills and felt he would be a great fit for our Service Department. Mr. Homan is already working with Dale Godsey to get caught up to speed on the many projects going on.

Manager Burkholder welcomed Chris Homan and stated he is very glad he is here.

Mayor Seagraves and Members of Council also welcomed Chris Homan to the City.

Manager Burkholder provided Council with a picture of the storm drain installation at the south end of New Market Street.

Manager Burkholder provided Council with a picture of the sanitary pump station on old Market Street. He informed the pump station will remain, but the outside cladding will be cleaned up to be consistent with the new street and new sidewalk.

Member Duncan asked if the Foothill Project is still on track to be finished by the end of the month?

Manager Burkholder reported he met with Lowe's again today at the home and the project is getting close to completion. He informed measurements were taken today for the counter tops. He stated we are only waiting on the time it takes for the counter tops to come in, they are being done by a company out of Delaware, Ohio. He stated he has been coordinating with the Store Manager, Assistant Manager and the Regional Coordinators. He informed there are still a few small items that need to be finished up. For example, some connections in the bathroom will be finished soon by Chase Electric. He informed the next step will be a walkthrough with the Regional Coordinators to determine any punch line items we are not satisfied with. Manager Burkholder stated he would like to hold an open house once the home is finished for Council and the community to be able to walk through the home. He thought about possibly having the open house on a weekend and it would also give the City a chance to recognize all of our partners and contractors plus Lowe's who have all helped put this project together. He informed we would also invite representatives from the Montgomery County Landbank Program, which made it possible to rehab this house. The open house will also be a great opportunity to showcase some before and after pictures of the home. Manager Burkholder stated he hopes the home will be on the Market in July sometime.

Member Duncan stated he saw in the paper last Sunday, in the real estate section, a home on Foothill sold for \$88,000.

Manager Burkholder stated that is good news. He informed he has had a call from an individual who would like to be notified once the home is ready to be on the market.

Member Duncan stated he hopes the home sells for an amount that will take us out of the red.

Manager Burkholder agreed.

Member Henry asked for an update on the Arlington Road Bridge Project.

Manager Burkholder reported the project is moving along smoothly and is moving into Phase Three of the project. He stated we have received some cost estimates from the Ohio Department of Transportation (ODOT). He stated everything seems to be on track, there have been some landscaping plans done even though we won't execute on any landscaping during this first phase. The plans have been done and will at least be there for the future, if desired. He stated no money will be spent on landscaping at this time. He explained the plans were done because ODOT has certain line of site setbacks that you cannot plant in so we wanted to make sure the plans were

done and ready so that if the money became available in the future those landscaping plans could be done in phases over time.

Finance Director Keaton reported our Commercial Property, Automobile and Liability Insurance coverage through the Ohio Plan renews on July 1 for a one year period. The renewal premium came in at \$58,619, which is a \$194 increase over our expiring policy. She informed our risk insurance includes Property, Equipment Breakdown, Special Property, Computer, Crime, Liability, Automobile, Cyber and Terrorism coverages. She stated our Ohio Plan Advantage Premium credit totaled \$6,717 this year, last year it totaled \$4,677 and in 2015 it totaled \$3,332. She informed we received a perfect score on our Risk Management points and 55 out of 60 points on our loss ratio. She stated we have been an active Ohio Plan Member since 2008.

Finance Director Keaton requested Council approval to accept our Commercial Property, Automobile and Liability Insurance coverage through the Ohio Plan at a rate of \$58,619, effective July 1, 2017 for a one year period.

Motion by Cantrell, second by Kirklin to approve the Commercial Property, Automobile and Liability Insurance coverage through the Ohio Plan at a rate of \$58,619, effective July 1, 2017 for a one year period. All yeas, motion carried.

Finance Director Keaton informed she recently received health insurance renewal rates from Anthem and with some negotiation, Anthem is allowing us to renew our current dual health insurance plans, with a few modifications, at an overall 0.6% rate increase. She informed the initial renewal came in with a 11.24% increase. She reported our HSA renewal, with slight modifications came in with a 2.8% increase and our PPO renewal, with slight modifications came in with a 3% decrease. She informed that beginning August 1, 2017, our employees will be contributing 15% of the monthly cost of the plan they choose as negotiated with the Police Union late last year. Finance Director Keaton provided Council with a health insurance renewal history sheet from 2012 to present.

Finance Director Keaton informed at our August 1 renewal, we will be moving our dental, life and AD&D insurance over to Anthem. She explained with Anthem's Dental Insurance, we will see an approximate annual savings of \$6,300 and by combining the health, dental, life and AD&D insurance with Anthem, Anthem provided us an additional 3% discount on our health insurance premiums.

Finance Director Keaton informed the City has nine employees who are currently enrolled in the voluntary Vision Insurance and there is no increase in premiums as we locked into a two-year rate guarantee last year.

Finance Director Keaton requested Council approval for the health, dental, life and AD&D insurance as we have open enrollment from July 1 - July 31, which allows the employees time to review the two health insurance plans.

Finance Director Keaton recommended the City renew the Anthem Lumenos 9.0 HSA Option E1 health insurance plan with the RX-E36 prescription plan and the Anthem Blue Access 9.0 Option 19 health insurance plan with the RX-E35 prescription plan, which allows the City to offer dual health insurance plans, with the employee contributing 15% and the employer contributing 85% of the month rate. The City will contribute \$1,500 for each single employee and \$3,000 for an employee and dependent contract under the Lumenos HSA plan; and renew our dental insurance through Anthem at a monthly rate of \$22.40 per single employee, \$44.76 per employee and one dependent and \$68.80 per family; and to renew our Life and AD&D insurance through Anthem at a monthly rate of \$17.00 per full-time employee with dental and life insurance paid 100% by the employer and to offer Avesis Vision Care Plus as a voluntary vision plan through a Cafeteria 125 Plan.

Motion by Cantrell, second by Kirklin to approve the health, dental, life and AD&D insurance rates as presented. All yeas, motion carried.

Mayor Seagraves thanked Finance Director Keaton for her work on all of the insurance renewals.

Finance Director Keaton reported the Ohio Bureau of Workers Compensation (BWC) will be sending out rebates in July to eligible Ohio employers and the City will be eligible to receive this rebate. She stated eligible employers will receive checks that total 66% of the premiums paid for calendar year in 2015. She stated she estimates we should receive approximately **\$10,116.**

Fire Chief Fletcher reported they are seeing an uptick in crashes particularly in Perry Township. He stated he just wanted to make it known. He informed there is a bridge replacement project in progress on Diamond Mill Road, north of Wolf Creek. He stated there are lots of people who travel Diamond Mill Road and skirt our response district but now by virtue of either following the posted detour or venturing out on their own into places they don't normally drive there is a lot of assumption that every intersection they come to is a four way stop so we have people stopping at intersections and then pulling out in front of on coming cars that have the right of way. He stated this has happened several times now and the Perry Township Police Department have taken some steps to try to prevent these types of accidents and he would like to help get the word out as well that maybe some defensive driving and extra caution from those that are locals might be helpful.

Fire Chief Fletcher reported the recent storms have really hit our area. He informed he had a long term resident that told him he has seen more water recently than in his entire lifetime. He stated we again have had some instances with lightening strikes. He reported there have been three or four instances where the lightening has struck a building directly or come in on some other type of conductor and do some damage. He encouraged folks to be vigilant during storms and to not hesitate to call the Fire Department if needed. He stated lightening strikes can sometimes take hours to break out because a smoldering fire can just sit there waiting for the right conditions to get enough oxygen to break out. Chief Fletcher stated it is best for people if they think there is a problem, to call early so they can head off a potential bigger fire.

Fire Chief Fletcher provided an update on the warning siren project. He informed we have yet to receive confirmation that we will be able to get the second siren as we requested. He has met with a contractor and is working on obtaining quotes to identify exactly what it will take to do the relocation of our existing sirens and to get one or two of the grant sirens in place that will put warning sirens in all four corners of the City as he presented in the last Meeting. He informed everything is moving forward and he recently met with school officials and they have given the thumbs up on the request for where we would like to relocate the siren. He stated we will wait until the fall before relocating any sirens due to the decreased chance of storms. He informed we could get a tornado as late as November but we need to wait until the thunderstorm pattern is over. He stated we will always have sirens that are operational and at no point do we intend to drop below one working siren. Chief Fletcher stated he will keep Council informed as the project progresses.

Member Letner asked how long the bridge on Diamond Mill will be out of service?

Fire Chief Fletcher stated he thinks it is approximately a 60-90 day project.

Member Letner asked how far into the project are they?

Fire Chief Fletcher stated approximately four weeks.

Member Letner asked if proper signage is up?

Fire Chief Fletcher stated there is proper signage and if people would just follow the posted detour instead of trying to use Steck Road or Snake Road that would help the problem. He stated

neither of those roads are conducive to larger vehicles. He stated part of the problem is larger vehicles on smaller roadways and the other problem is just a lack of understanding.

Mayor Seagraves informed Police Chief Jerome is absent tonight and Captain Cherish Isaacs is present in his place.

Captain Isaacs reported the Brookville Police Department handled 367 Reportable Incidents year-to-date, compared to 302 during this same time last year. Captain Isaacs reported Citations are down a total of 25 Citations year-to-date, for a total of 224 Citations issued year-to-date. There were 176 traffic stops for May compared to 137 during May 2016.

Captain Isaacs reported there have been two Heroin overdoses to date in June.

Law Director Stephan advised Resolutions 17-28 and 17-29 are before City Council to approve agreements with Giant Dayton, LLC for redevelopment of the property at 801 Arlington Road. The development Agreement approved by Resolution No. 17-28 provides a timeline for steps in the development process, and provides the remedy that if the project is not commenced within one year, the City may demolish the existing building, canopy and sign at the property without further legal action. The Community Reinvestment Area Agreement provides a fifty percent exemption for fifteen years on the real property improvements to be constructed in this project. Basem Ali, the President of Giant Dayton, LLC, has signed the agreements.

Mayor Seagraves asked if the Resolutions could be read now?

Member Duncan stated he likes that the Agreement states that if nothing is done within one year, then the City can demolish the existing building.

Law Director Stephan informed that was a major goal for him in these negotiations to build a remedy into these Agreements that would allow us to move forward without taking any legal action or have to go to court once that day comes we can just move in and remove the building, canopy and sign. He informed they pushed back on this a lot in the negotiations but we were able to get the one year time period and he stated he feels it is a reasonable time period because this is a fairly large project for them even though they have done projects like this before, it will take them some time to get this project moving forward.

Motion by Duncan, second by Cantrell to read proposed Resolution No. 17-27 and 17-28. 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. 17-27 entitled, "A RESOLUTION APPROVING AN AGREEMENT WITH GIANT DAYTON, LLC FOR DEVELOPMENT OF A NEW COMMERCIAL FACILITY AT 801 ARLINGTON ROAD IN THE CITY OF BROOKVILLE." and Resolution No. 17-28 entitled, " A RESOLUTION APPROVING A COMMUNITY REINVESTMENT AGREEMENT WITH GIANT DAYTON, LLC." All yeas, motion carried.

Member Cantrell stated in Council's last election speeches, that gas station was apart of what they all wanted to see changed. She thanked Law Director Stephan for his work on this matter.

Member Henry verified that everyone in the audience knew the location of the old BP Station is what was being discussed.

Mayor Seagraves stated this is quite an accomplishment by Law Director Stephan.

Member Duncan stated Council wanted something done years ago on this and it couldn't be done, even though we tried to bend over backwards to help them and nothing could be agreed on.

Mayor Seagraves had no report. He wished everyone a Happy Fourth of July. He thanked everyone for coming and reminded the next Council Meeting was scheduled for Tuesday, July 4, but has been rescheduled for Wednesday, July 5 at 7:30 p.m.

There was no Old Business.

In New 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 first reading, there will still be a second and third reading for Council to make any changes or for any discussion.

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

Manager Burkholder requested Council approval to award the 2017 Repaving Bid to the low bidder, Wagner Paving for \$310,770.90.

Member Kirklin asked if the requested motion is just to award the work to that particular contractor?

Manager Burkholder stated that is correct.

Motion by Cantrell, second by Kirklin to award the 2017 Repaving Bid to Wagner Paving in the amount of \$310,770.90. All yeas, motion carried.

Dave Monnin, Park Board President, stated the parks all look really good right now. He informed with the July 4th holiday coming, they will get a lot of use. He informed Ward Park looks fantastic and Park Board is very proud of all of the parks. He thanked the City Manager and his Staff for their work on helping to make the parks look so good.

Manager Burkholder stated all of the credit goes to the Service Department for all of their hard work. He informed they really take pride in their work and enjoy working with the Park Board.

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

Ralph Dove, of 939 Calmer Ernst Boulevard, asked for an explanation of what the Rules of Council mean? He stated he saw it listed on the Agenda and asked what it is for?

Mayor Seagraves explained it will help set and run Meetings properly so Council has rules and obligations to abide by, which is something they have never had in the past. He informed Law Director Stephan has put a lot of time into drafting these rules and now Council will have time over the next two weeks to review the rules and give back any input they may have. He stated there will be two more readings of the Rules before adopted.

Mr. Dove asked if the public will see any of the draft rules?

Manager Burkholder stated he could have a copy of the draft rules.

Mr. Dove stated he thought maybe the Rules were some type of job descriptions.

John Bright, of 930 Golden Beech, stated he does not have all of his information together to speak at this time.

Wayne Ward, of 951 Calmer Ernst Boulevard, stated he usually comes to Council Meetings to just listen and learn but since the garbage topic keeps coming up, he wanted to say something. He stated our town has the best garbage service of any town that he knows of and he would hate to see it go to the wayside because we may get it cheaper today. He stated a year from now they could raise their rates on us. Mr. Ward stated it is just food for thought, but sometimes things sound good on paper and then the end result isn't always the best.

Mayor Seagraves stated the City will take a good look at all of the details related to the trash services. He informed the City is getting estimates to review and that we have to look at ways to make some changes to the overall budget and if it is a staggering amount then we will have to consider it.

Mr. Dove stated the City should not give up three jobs by eliminating trash service.

Mayor Seagraves stated the City is not letting any employees go. He informed if we contract out trash services, the City would keep those employees and they would be able to do other work that is drastically needed in the Service Department.

Mr. Dove stated if it costs \$10 more to keep the trash services, then he would pay \$10 more on his bill each time. He stated the guys in the Service Department need a job.

Mayor Seagraves stated the Service Department will remain fully employed and no one will be let go just because of trash services.

Mr. Dove stated Rumpke will take over and they are not as nice as our City guys.

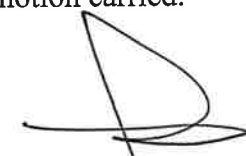
Mayor Seagraves thanked Mr. Dove for his comments.

Mayor Seagraves thanked everyone for coming.

Manager Burkholder stated the Executive Session listed on the Agenda will no longer be needed.

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

  
Meghan Wheeler, Clerk

  
David E. Seagraves, Mayor