

Brookville City Council
Regular Meeting
September 19, 2017

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on September 19, 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, Law Director Stephan and Clerk Wheeler were present. Finance Director Keaton was absent.

Mayor Seagraves announced Finance Director Keaton is absent.

Roll Call by Clerk Wheeler.

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

Motion by Apgar, second by Duncan to approve the Regular Council Meeting Minutes of September 5, 2017. All yeas, motion carried.

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

Manager Burkholder reminded Council Members were given a flash drive with the WWTP Study that was done. He asked Members to please review the report as it discusses our assets and proposed capital improvements for the next five years. He stated he would like the Study to be approved at the next Council Meeting and if anyone has any questions to please let him know.

Manager Burkholder reported there will be a Firehouse Construction Update Meeting held this week. He informed the wood framing and exterior drywall is nearly complete and the monument sign has been finalized. He stated the electrical easement has been completed with DP&L. He informed the duct work will begin this week.

Manager Burkholder reported he attended the recent Market Street Construction Update Meeting. He informed the details of the decorative lighting on old Market Street are being worked out, which includes the extension of lighting to the north side of the detention pond. He informed conduit will be installed on the west side of new Market Street. Final grading and top soil for the pond is next. He informed rehab on the exterior of the sanitary lift station will begin this week as well and the buried electrical service to the lift station is scheduled for installment.

Manager Burkholder informed he and Mayor Seagraves attended the recent Mayors and Managers dinner in Troy.

Manager Burkholder reminded the Clay and Perry Township fire levies are on the upcoming ballot and they not only benefit our Brookville Fire Department but our partnering Townships.

Member Apgar asked the status of the old BP Station?

Law Director Stephan advised they are still working on their plan to bring into Planning Commission. He informed he spoke with their attorney last week and one of their primary people in Florida is on maternity leave and she is the primary person in moving this project forward. He stated he will follow up again his week to try to continue to move this forward.

Manager Burkholder informed Staff did look into the cost of running conduit on Market Street and it was fairly expensive to run it the entire length, but we were able to get a pretty good deal, so there will be two inch conduit going up the west side and there will be crossovers to the

west side. He stated there is also a ten foot easement on the inside of the sidewalks on both sides, so when it comes to the electrical, DP&L can run the lines in the easement on the inside.

Member Henry stated on Arlington Road where the trees have been removed, it looks very nice and really opens the area up and makes it much brighter. She informed she has received a few calls from people saying that the trees being removed makes it much easier to see when driving.

Member Cantrell informed she recently took a tour of the Foothill property. She informed a phenomenal job has been done on the home and it will really make a great home for somebody.

Manager Burkholder informed he would like to hold an open house soon. He stated he met with Lowes today and looked over the final inspections. He informed some of our previous concerns have been addressed and now there are just some final cleaning items to be done.

Member Cantrell stated she would think a lot of the other property owners on that street would appreciate all of the work done. She described the work done on the home really fits in well with the maintenance level of the other homes on the street who seem to keep their homes well kept. She stated the home is small but Lowe's did a fantastic job on making the kitchen seem open and expansive.

Member Duncan asked when marketing will begin on the home?

Manager Burkholder informed there is a For Sale sign in the yard. The City has had some inquiries. Before and After photos of the inside and outside of the home have been taken and will soon be on the LandBank's website and the City's website.

Mayor Seagraves stated Finance Director Keaton is absent tonight, but she did provide a report to everyone.

Fire Chief Fletcher reported about a month ago, Council authorized an agreement with Horton Emergency Vehicles because one of our ambulances had a faltering motor and it was not going to be financially feasible to put a new motor in with as old as the vehicle was. He informed the truck left today on a flatbed and we should have our refurbished ambulance back in about eight weeks or less and then hopefully in service by the end of the year.

Fire Chief Fletcher informed the weather has not slowed down the work at the new firehouse but it has made it hard to schedule a hard hat tour of the new fire station. He stated that within a week, all the way around the building will be ready for gravel and once gravel is down, it will make it more tour friendly. He stated he will be in touch soon on rescheduling the tour.

Member Letner asked if there are hours of operation for lights and sirens?

Fire Chief Fletcher explained there is nothing that relates to time. He informed Ohio Law requires if an emergency vehicle is going to operate emergency lights and the use of sirens to request the right-of-way then both need to be used simultaneously. He stated therefore, if an ambulance would be in a crash in an intersection and they were only using their lights or only using their sirens, they would be in the wrong because they are to use them simultaneously. He informed there is a great deal of discretion that is put on the driver/operators to use good common sense on using the lights and sirens to begin with. He stated there is a list of discretionary type of calls. For example, if they have information that an ambulance is being requested for a tooth ache, chances are the ambulance will not have lights or sirens on at all and would move with the normal flow of traffic. He stated people do not always use good judgement when they call for an ambulance but the Fire Department will use good judgement when they respond. He stated it is up to the crew to factor in what type of call they are going on, the road conditions, weather etc. and the urgency of the situation as they perceive it and weigh that out to the hazard they cause to the motoring public by running an emergency to a call. He stated is it possible to see an emergency vehicle with only lights or only sirens on, absolutely it is and are

they still bound to follow traffic laws, absolutely they are. He stated the time of day has absolutely nothing to do with lights and or sirens being on.

Member Letner stated there will be new neighbors once the new firehouse is complete and he wants them to be aware of the policy.

Fire Chief Fletcher informed they are anticipating less hate and discontent simply because they will be moved out and away from town and the sheer noise of the heavy diesel vehicles alone should be heard less. He stated he has been asked why the new firehouse development wasn't put on Hill Street and their were a couple of factors that went into that decision. He stated the people who live on Hill Street are probably the people who do not want to see a firehouse on Hill Street because ambulances constantly come and go and he personally would not want to live right next to a busy firehouse. He stated that out at the new site, it may end up more commercial, but if it does become residential and people decide to build a house right by the fire station, then certainly they would know what they are getting into by building so close to a fire station. He stated the Fire Department always tries to be respectful to people. He informed they are always bound by due regard, they have to travel with due regard for the other motoring public. He stated whether lights and sirens are on or not, that does not relieve them of their responsibility to travel with due regard.

Police Chief Jerome reported the Brookville Police Department handled 562 Reportable Incidents year-to-date, compared to 467 during this same time last year. Chief Jerome reported Citations are up a total of 24 Citations year-to-date, for a total of 370 Citations issued year-to-date. There were 161 traffic stops for August compared to 90 during August 2016.

Police Chief Jerome stated his Department remains busy and has a lot coming this fall.

Police Chief Jerome reported the Hurricane Harvey relief effort is going very well and much broader than anticipated. He informed they have skids of water, dog food, diapers and lots of other supplies. He stated the trailer will be full very quickly. He recently spoke with Arlene Brothers, who is in charge of the relief effort, and she has contacted some end users which will help ensure the supplies go somewhere much needed and to a worthy cause. He informed the trailer is slated to be sent out in about 10 days. There is a town north of Houston that was completely wiped out, people are sleeping in tents, there are no supplies, no electric and it appears that FEMA has not been there yet. He informed the supplies that have been collected will be going to this community and they seem to be ecstatic. He informed he is very proud of Brookville's efforts for this cause. He informed five skids of water was donated by McMakens. The garage is filling up, items have been sorted and boxed up and will be loading the truck soon. He informed everything donated was brand new to ensure quality items were received by the victims. He informed pictures, once the items arrive, will be taken and sent back to him.

Police Chief Jerome informed there are several events coming up. He reported Gail Colston spoke at the Rotary Meeting today and informed the Walk scheduled for September 30th is up to 1,200 walkers and the Walk continues to grow each year. He informed the school is a great partner for the Walk. He informed the Walk will start and end at the high school. Everyone is very excited for this event.

Police Chief Jerome informed the Pastor Appreciation Breakfast at Brookhaven will be October 6, 2017. He stated since he has been Chief, he thinks there is great importance in bringing the religious community, churches, and Pastors to be partners with the City and the Police Department. He stated this has been a tremendous relationship and they thank them twice a year. He invited any Council Members who would like to attend. He informed another Coffee with a Cop will be held at Brookhaven on October 11, 2017. He stated Ghostly Night Out will held on October 28th and they are in full planning mode. They have a lot of people who have stepped up to volunteer. Last year almost 3,000 people attended the event. He informed they have some great things planned for the event this year and this year the Movie in the Park will be Hocus Pocus.

Police Chief Jerome informed November 10, 2017 will be the Veteran's Day Lunch at Rob's Restaurant following the assembly at the High School. He stated Rob's is an active partner and very generous with this event. He informed he spoke with Miami Valley Career Technology Center (MVCTC) today and their Law Enforcement students will be there to help again this year. He informed the Feed Brookville Event will be on November 11, which is when the Police Department serves Thanksgiving lunch. The Police Department provides the turkey for lunch and it is really a great event. He stated November 29, 2017 will be the Christmas Tree lighting on Market Street.

Police Chief Jerome reminded the Homecoming Parade is tomorrow night at 6:30 p.m. He stated the Homecoming Parade is the second to last parade of the year and the Fire Prevention Parade will be the next and final parade of the year.

Law Director Stephan had no report.

Mayor Seagraves had no report.

In Old Business,

Motion by Kirklin, second by Henry to read proposed Ordinance No. 2017-08 as amended. All yeas, motion carried.

Motion by Kirklin, second by Cantrell to accept the third reading as amended and adopt Ordinance No. 2017-08 entitled, "AN ORDINANCE AMENDING SECTION 1163.03 (b)(26) OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO REGULATE MOBILE PRODUCE VENDORS." All yeas, motion carried.

Mayor Seagraves reminded proposed Ordinance No. 2017-07 entitled, "AN ORDINANCE AMENDING SECTIONS 503.05 THROUGH 503.08 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO REGULATE TREES AND SHRUBS IN OR ADJACENT TO THE PUBLIC RIGHT OF WAY." is still tabled.

Mayor Seagraves reminded proposed Ordinance No. 2017-09 entitled, "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED AT 304 HAY AVENUE AND KNOWN AS LOT 2644 OF THE CONSECUTIVE MEMBERS OF LOTS OF THE CITY OF BROOKVILLE, OHIO FROM ITS PRESENT CLASSIFICATION OF (I-1) LIGHT INDUSTRIAL DISTRICT TO THE NEW CLASSIFICATION OF (OR) OFFICE RESIDENTIAL DISTRICT." is tabled until the Public Hearing which is scheduled on Tuesday, October 3, 2017 at 8:00 p.m.

In New Business.

Motion by Kirklin, second by Henry to read proposed Resolution No. 17-34. All yeas, motion carried.

Motion by Apgar, second by Kirklin to accept the first reading of proposed Resolution No. 17-34 entitled, "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR." All yeas, motion carried.

Mayor Seagraves reminded there will be a Planning Commission Meeting on Thursday, September 21, 2017 at 7:30 p.m.

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

Bruce Garber, of 434 Sycamore Street, stated he was surprised the trees were removed on Arlington Road. He stated he liked them and thought it was nice having a tree line entrance into Brookville for travelers or anyone coming into town as a welcome. He asked why they weren't just trimmed instead of being cut down?

Manager Burkholder informed four of those have been down for two months because they were blocking the line of sight. He stated not all of the trees, but some were dying or diseased which is why they had to be removed and some of the trees were also growing into overhead wires. He informed there was a line of sight problem with most of them, especially in front of the Theatre where the trees were blocking signs for the Theatre and other business signs along Arlington Road. He stated once all the dead ash trees are removed from the park, he would like to look at re-planting some trees on the inside of the sidewalk at the Theatre. He stated at Gateway Park, the removal of the trees actually improved the view because it opened the area up and the Monument can even be seen better now. He informed the topsoil is in and seeding will be done soon.

Manager Burkholder stated the City is very supportive of planting new trees. He informed there has been a lot of participation in Golden Gate Park with the Memorial Tree Program. He stated the City is supportive of trees and the planting of trees, they just need to be planted in the proper places. He stated the trees along Arlington Road served a nice purpose for a long time but had just gotten out of hand.

Mr. Garber stated there are trees on Market Street also, especially at the corner of Wolf Creek and Market Street, that are blocking the sidewalk. He stated you can't walk down the sidewalk without hitting the branches. He stated he hopes those trees will just be trimmed up.

Manager Burkholder informed those do need to be trimmed up. He stated some of those are damaged and dying as well though. He stated hopefully down the road, some of those trees can be replaced with a more appropriate type of tree for that area. He stated down the road, he would like to look into a master plan for that area with new trees, updated LED lights and underground wiring. He stated those trees will remain there for now until a master plan can be created.

Mr. Garber stated hopefully, any trees removed because they are dying will be replaced because he does think it could look really nice along Market Street.

Mayor Seagraves thanked everyone for coming.

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



Meghan Wheeler, Clerk



David E. Seagraves, Mayor