

Brookville City Council  
Regular Meeting  
December 6, 2016

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on December 6, 2016 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Duncan, Henry, Kirklin and Letner; City Manager Burkholder, Police Chief Jerome, Fire Chief Fletcher, Finance Director Keaton, Law Director Stephan, Clerk Wheeler and Public Service Director Williamson were present. Vice-Mayor Cantrell was absent.

Roll Call by Clerk Wheeler.

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

Motion by Duncan, second by Apgar to approve the Regular Council Meeting Minutes of November 15, 2016. All yeas, motion carried.

Manager Burkholder reported an update on the Firehouse. The Traffic Study and Site Plan have been approved and we are working to finalize the regional detention plan. The ninety-percent completed Market Street Extension plans have been submitted. He informed the revised road cost estimates and alternates for the roadway are being worked on. He has researched history behind the selection of the fire house location. He stated he will request approval from Council in the future to move forward with the roadway.

Manager Burkholder informed the record drawings for the Parker Avenue and Maple Street capital improvement projects have been completed and forwarded to Poggemeyer for inclusion in our water model.

Manager Burkholder reported the City was Awarded a \$50,000 Community Development Block Grant for upgrades to the main wet well at the WWTP and construction will be completed in 2017.

Manager Burkholder stated the Water Modeling Study is in its final draft form.

Manager Burkholder provided Council with copies of various water studies done over the years as a historical perspective. Studies from 1991 and 2001 were included. This information will help give a better understanding on studies done and improvements made over the years. The current draft Water Model Study is being worked on, both he and Chief Fletcher have been reviewing and making edits. He informed he did have a discussion by phone with Bruce Garber regarding the questions he had at the last Council Meeting regarding a new water tower. Manager Burkholder informed Council has been given a copy of a letter from Poggemeyer Design Group of various solutions for the lack of or reduced flow in the industrial park, options and time tables as well as cost estimates. It also details the impact it would have of increasing the flow. He stated the Water Model Report will be impressive with the amount of detail it entails. The Water Model Study will be forwarded once final corrections are made. He informed once further direction is received from Council, we can move forward with the project in 2017 and incorporate it into capital improvements. He stated it does not all have to be done at once. If users are agreeable, the temporary containers would be the cheapest fix and would increase the flow. Manager Burkholder described by having some of the historical data, it will help overall.

Manager Burkholder informed the City is moving forward with IT upgrades and phone system upgrade. He recently met with ProStratus on linking the municipal buildings. The new phone system for the Municipal Building have been ordered and we have also contracted for internet access points for the Council Chambers and upgrades to servers. As listed in the 2016 budget, two new servers have been purchased.

Manager Burkholder detailed that City Staff will present capital improvement budgets for each respective department separate from their operating budgets at Wednesday's Work Session. The draft 2017 budget will be presented for Council. He stated he met with Finance Director Keaton today in preparation for the upcoming Budget Work Session on December 7.

Member Letner stated we signed an agreement with Miami Valley Lighting months ago for our street lights, he has noticed other communities already having theirs in place and wondered if there was a time frame when can we expect our lights to be done?

Finance Director Keaton stated she believed it is to start in 2017 because she included the extra cost in the budget, but will double check and verify.

Finance Director Keaton presented the Fund Balance of November 30, 2016 for Council approval.

Motion by Duncan, second by Henry to approve the November 30, 2016 Fund Balance as presented. All yeas, motion carried.

Finance Director Keaton requested Council approval to transfer \$150,000 into the Street M&R Fund; \$20,000 into the Park Fund; \$200,000 into the Capital Improvement Fund and \$5,000 into the Note Retirement-Northbrook Fund. She informed all of these transfers were appropriated in 2016.

Motion by Apgar, second by Kirklin to approve the fund transfers of \$150,000 into the Street M&R Fund; \$20,000 to the Park Fund; \$200,000 to the Capital Improvement Fund and \$5,000 to the Note Retirement-Northbrook Fund as appropriated for in 2016. All yeas, motion carried.

Finance Director Keaton provided Council with the Brookville Historical Society Finance Report through November 1, 2016. She reminded, in 2016 we provided the Brookville Historical Society with a \$7,500 Operating Grant. In 2015, we provided \$5,000 and in 2014 we provided \$4,500. She informed a Member from the Brookville Historical Society is present tonight if Council has any questions. She would like to include an amount in the 2017 budget for the Brookville Historical Society.

Cindy Tietge, of the Brookville Historical Society, stated they are very grateful for the City's help. She stated the snow removal and grass cutting was great and helped save money.

Ms. Tietge stated an inspection of the roof was done, a company brought a lift in to look it over and make a few repairs. The Historical Society was told the roof has about 10-20 years left on the Spitler House.

Ms. Tietge stated the Historical Society broke even for 2016, they were able to pay bills and make a few improvements. She stated they were able to do some work on the depot, and it is coming along, two security lights were added. She informed that with every issue fixed, there seems to be ten more behind it, but they keep plugging away.

Mayor Seagraves asked Finance Director Keaton what she needs from Council to approve for next year?

Finance Director Keaton would like a dollar amount to include in the 2017 Budget.

Member Duncan proposed the same amount as 2016.

Member Letner stated he thinks that the \$7,500 given last year was very generous especially with the help of snow and grass removal.

Motion by Letner, second by Henry to approve a \$7,500 grant for the Brookville Historical Society's operating expenses for 2017 and the City will continue to coordinate with them on their grass and snow removal. All yeas, motion carried.

Mayor Seagraves thanked the Brookville Historical Society for all they do.

Finance Director Keaton requested Council approval to designate two of its members to sit on the Volunteer Fire Fighters' Dependents Fund for 2017. Members Duncan and Letner served on the Board in 2016 and 2015. She has spoken to both members and they have indicated they would like to serve as Legislative Board Members on this Fund for 2017.

Motion by Apgar, second by Henry to approve the designation of Members Duncan and Letner to serve as Legislative Board Members on the Volunteer Fire Fighters' Dependents Fund for 2017. Members Apgar, Henry, Kirklin and Mayor Seagraves voted yea. Members Duncan and Letner abstained. Motion carried with four yeas and two abstentions.

Finance Director Keaton informed we recently received notification that our WWTP, Phase II Project that we submitted to the Ohio Public Works Commission (OPWC) was approved. She stated the primary components of this project include replacement of the influent pump, replacement of the RAS pumps, concrete repairs, influent chamber basket replacement, instrumentation and miscellaneous electrical component replacement in our lift station at the WWTP. The total project cost is \$210,182 and that project will be paid with a \$50,000 OPWC Grant and a \$150,000 OPWC 20-year 0% interest loan, with the City contributing \$10,182.

Motion by Duncan, second by Kirklin to approve the WWTP Phase II Project with a total cost of \$210,182 and the project will be paid for with a \$50,000 OPWC Grant and a \$150,000 OPWC 20-year 0% interest loan, with the City contributing \$10,182. All yeas, motion carried.

Finance Director Keaton requested Council approval for Change Order #1 on the Professional Services Agreement with App Architecture, Inc. for the Brookville Fire Station No. 76 Project. She informed this Change Order is for additional civil engineering services to revise drawing for new vertical datum at an increase of \$3,600 and approval for Change Order #2 for the elimination of on-site detention at a decrease of \$900 for a net increase of \$2,700, changing the contract price from \$303,200 to \$305,900.

Manager Burkholder explained instead of having on-site detention, given the size of the site, it made more sense to work with the surrounding property owners and come up with a regional solution. This is still being worked on but by doing so, it will reduce the cost of the detention on site. It will also give more space between the building and parking lot. He explained vertical datum is an engineer term and some of the original datum on the elevations of the site was not matching up or the same formula was not being used as what is being used for the Market Street extension. He stated this is something that can be adjusted in the field by the contractor or adjusted and synced by the engineers and he felt it was much more prudent to be done by the engineers than relying on a contractor to make sure it is done. The last thing he wants is to find out later on that the road was not done at the proper elevation in relationship to the firehouse. He authorized Poggemeyer to go ahead and correct the vertical datum since we have two different entities engineering the firehouse and another engineer working on the roadway. He believes that the correction will save a lot of headache in the field once construction begins.

Motion by Kirklin, second by Apgar to approve Change Order #1 on the Professional Services Agreement with App Architecture, Inc. for the Brookville Fire Station No. 76 Project for additional civil engineering services to revise drawing for new vertical datum at an increase of \$3,600 and approval for Change Order #2 for the elimination of on-site detention at a decrease of \$900 for a net increase of \$2,700, changing the contract price from \$303,200 to \$305,900. All yeas, motion carried.

Finance Director Keaton requested Council approval on proposed Resolution No. 16-30 entitled, "A Resolution authorizing the request for an advance of taxes collected in 2017 for tax year 2016." She informed this allows the City to receive advances of tax dollars paid. Normally, we would receive tax payments in April and October but this allows us to receive tax payments as soon as they are paid in. She informed we have done this the last several years.

Member Kirklin stated it isn't really an advance of funds before taxes are paid, it's more of a request to receive the money as soon as it comes in and not having to wait for it.

Finance Director Keaton stated that is correct.

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

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

Finance Director Keaton reminded everyone of the Budget Work Session scheduled for December 7, 2016 at 6:00 p.m.

Public Service Director Williamson presented Council with a history of root control treatment since 2000 and a brief explanation of the current Root Control Program as requested at the last Council Meeting. He informed the 2016 areas were selected based on warranty coverage for sewer stoppage from past treatment in areas where roots have been problematic. For 2017, warrant coverage as well as sewer inspections will be used to target areas for treatment.

Public Service Director Williamson reported while investigating water flow to the Payless facility, all isolation valves shown on our Water Atlas were checked to confirm they were in open positions. During further investigation, several buried unrecorded valves were found on the undeveloped section of West Campus Blvd. All valves were uncovered and confirmed to be open except one valve that had a damaged stem. He informed on November 22, 2016 the damaged stem valve was excavated and was confirmed to be in the fully open position. The valve system will require repair, but is currently fully open and has been fully open during flow testing. He stated as a follow up, the five undocumented valves have been GIS located and will be included in the updated Water Atlas.

Public Service Director Williamson reported an update on the 269 Foothill Drive project. He informed there is a material delivery scheduled for Wednesday December 7, 2016 and the rough-in electrical was installed and the exterior walls insulated.

Public Service Director Williamson informed two additional trees were planted through the Memorial Tree Program, that brought the total number of trees planted through the program to 20 trees.

Public Service Director Williamson stated Christmas decorations were installed downtown and at Gateway Park.

Public Service Director Williamson reported he has been working on recent updates to EPA Copper and Lead monitoring. Ohio HB512 contains new requirements for reporting and mapping of lead service lines. He will continue to update Council as the project continues. He informed we currently do Lead and Copper testing every three years, but due to new regulations, it may be changed to yearly.

Public Service Director Williamson informed leaf pickup continues.

Mayor Seagraves asked if there is a cutoff for the leaf pick up?

Public Service Director Williamson stated as long as there are leaves on the trees they will try to pick up.

Public Service Director Williamson informed there was a sewer stoppage on Clay Street today. He informed crews were able to respond quickly and got the issue fixed.

Member Kirklin asked the caused of the issue?

Public Service Director Williamson stated it appeared to be grease.

Public Service Director Williamson reported the tri-deck finish mower was replaced this year. A new one was purchased and the old one was placed on the Gov Deals auction site. He was happy to receive a bid of \$4,950. He informed we purchased the mower in 2003 for \$7,730 so basically, for \$2,700 we used it for 13 years.

Public Service Director Williamson reported the November Refuse numbers:

November Solid Waste	190.7 Tons
November Yard Waste	11.3 Tons
November Wood Chips	22.5 Tons

Mayor Seagraves complimented Public Service Director Williamson and the Service Department for the great job at the Tree Lighting and the lights put up throughout town.

Member Kirklin stated there is great appreciation for Public Service Director Williamson and his department especially their hard work that go on behind the scenes to make an event successful.

Fire Chief Fletcher presented the November Operations Report.

Fire Chief Fletcher reported for the first time ever in the history of the Fire Department, they broke the 1,800 call number mark.

Fire Chief Fletcher informed they really have no control over when someone pays their EMS bill. Just because call numbers are up one month does not mean our revenue will be up that same month also. It will be eventually, but we can't control when people pay their bills.

Fire Chief Fletcher reported the State of Ohio has recently changed the way they collect data from Fire Departments. They have to report to the state within a timely manner or the state will withhold grant money. Our Fire Department has been recipients of grant money each year for the last several years. He reported over the last 90 days there have been some issues with our information not uploading to the State fast enough. He stated their soon to be former vendor did not respond fast enough and they are now experiencing a back log of information being uploaded which may result in a ripple effect and we may see a delay in our revenue. He informed starting January 1, 2017 they will be using a new vendor and Fire Department Staff is currently beginning training with the new vendor.

Fire Chief Fletcher stated there were three structure fires in November. These structure fires were a good example of how having in-house firefighters can help maintain minimal damage. He informed one of the fires could have been much worse. The fire occurred in a large home and if the response time would have been longer due to the wait for the firefighters to come from home and grab apparatus from the fire station the situation could have been devastating.

Police Chief Jerome reported the Police Department has been very busy.

Police Chief Jerome reported the Brookville Police Department handled 634 Reportable Incidents year-to-date, compared to 569 during this same time last year. Police Chief Jerome

reported Citations are down a total of 57 Citations year-to-date, for a total of 400 Citations issued year-to-date. There were 95 traffic stops for November compared to 153 during November 2015.

Police Chief Jerome reminded everyone needs to continue to lock their car doors. He informed last week a firearm was left in a car and was stolen. He is happy to say that within 48 hours an investigation was done and the firearm was located and returned to the owner but the situation could have been much worse.

Police Chief Jerome informed they have done three search warrants in one week, one for sexual assault, one for the stolen rifle and one for a large quantity of marijuana, cash and drug paraphernalia. He stated that in the midst of being very busy, investigations continue to be done daily, on top of other new investigations that keep popping up also.

Police Chief Jerome reported as he has mentioned in the past and most people have seen it on the news as well, there is a heroin epidemic going on. He stated this is not just a transient problem, but a local problem as well. It started out as a transient problem but has become a local problem too. He informed there have been seven overdoses since November 6. One was just last week in the Police Department parking lot, which was shocking. There were also two individuals that overdosed in a car parked in front of McMakens's in the parking lot. We continue to have overdoses and he is not trying to paint a grim situation but wants Council to be aware of what is going on.

Police Chief Jerome provided Council with a copy of House Bill 110 that recently passed. Unfortunately, there is not a lot we can do which is very frustrating because this bill allows people who overdose an immunity, they can't be arrested. It allows someone who overdoses up to two immunities in order to get help. He stated his Department is working with the Montgomery County Criminal Intelligence Center and trying to get all agencies on board and to determine the exact numbers of how many overdoses we are truly having. He informed they are working with the county and other jurisdictions to see that everyone is tracking accurately. Chief Jerome informed he has advised business owners to please be vigilant and notify the Police Department if they see any suspicious vehicles in their parking lot because people tend to want to overdose in public places because they think emergency personnel will arrive and revive them quickly. He stated this has been brought to their attention by users that have told them they know they will be brought back by emergency personnel. He stated that not being able to prosecute in a timely manner is not helping the situation. They will continue to patrol but this is an epidemic that is not going away anytime soon and they are responding to more and more heroin overdoses. Unfortunately, most users aren't taking advantage of the treatment option.

Police Chief Jerome reported that staffing continues to be a challenge. There will be another part-time test given in January. He stated part-time staff is hard to find for any agency.

Police Chief Jerome informed the Annual Christmas Tree Lighting and Breakfast with Santa were a success. Approximately 170 people were in attendance at the Breakfast with Santa event.

Police Chief Jerome stated Toys for Tots is picking up very well. They are still working with the school for a list of local families to adopt.

Mayor Seagraves commended Chief Jerome for his opening comments at the Active Militaries Family Christmas Party at the Brookville Music Center, there were approximately 160 people in attendance.

Member Letner asked if the results of the traffic study done on Brookville-Johnsville Road have been received?

Police Chief Jerome stated he has not received anything yet but he will double check on it.

Member Letner asked if Chief Jerome could check to see if a Traffic Study is going to be done on Westbrook Road as well?

Police Chief Jerome stated he would check on both.

Member Letner asked out of the seven overdoses, how many were transient and how many were locals?

Police Chief Jerome stated all were local with the exception of the two at McMakens who were from out of town. So that would make five out of the seven local.

Member Duncan asked under arrest records in the Police Department's Report it states five not within City limits have all been arrested under warrant arrest. What exactly does that mean?

Police Chief Jerome informed that means that someone else has picked up our warrant and we are responsible for the transport.

Law Director Stephan informed the second reading of proposed Ordinance No. 2016-14 is before Council tonight. He stated this is the Ordinance proposed by initiative petition by a citizen committee and Council has held two Public Hearings on the proposed Ordinance as required by the City Charter. He advised Council must now proceed to take final action within 30 days.

Motion by Apgar, second by Duncan to read proposed Ordinance No. 2016-14. All yeas, motion carried.

Motion by Duncan, second by Apgar to approve the second reading of proposed Ordinance 2016-14. All yeas, motion carried.

Mayor Seagraves thanked Vice-Mayor Cantrell for filling in for him at the last Meeting.

Mayor Seagraves thanked both the Service Department and the Police Department for a successful tree lighting.

In New Business,

Manager Burkholder informed Council has been given a draft set of Council Rules, it is only a draft and no decision is needed to be made tonight. He asked Council Members to please review over the rules, and let him know of any suggestions they may have. He informed the section of the rules on the Vice-Mayor was taken from our City Charter. He took an example from another City and modified it for our use and he feels it is pretty comprehensive but he is open to any comments or suggestions. He stated there is an optional section in the rules for a committee system, if Council would ever choose to set one up. A committee system would be for example, a Service Committee, Finance Committee, or other various committees that other communities use to report to Council.

In Old Business,

Member Duncan asked about setting up a committee for a Charter Review?

Law Director Stephan stated he is working on that and will bring more information back to Council as soon as he can. He is currently looking at some other cities and how they have set up committees.

James Zimmerlin, of 247 Plymouth Avenue, stated he made a public records request a few weeks ago requesting a formal list of Capital Improvements and it was denied because to his understanding, there was no formal list. He stated he has tried to attend Council Meetings more frequently and has heard a lot of projects being discussed, but has seen no strategy laid out on

how they will be paid for. Mr. Zimmerlin asked if a formal list is being created?

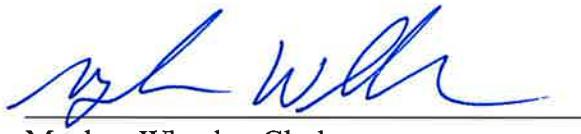
Manager Burkholder responded that is a great question and the reason his request was rejected is because we do not have a comprehensive capital improvement plan. When he came 18 months ago that was one of the first things he started to advocate for and if you look back over the calendar for this last year he has been trying to put together a series of mini capital improvement plans. He informed we do now have a series of documents that are proposed for 2017 for each of the four departments, Legislative, Service, Police and Fire. We will have a comprehensive Capital Improvement Plan once we take all of these four mini lists and put them together. The first step is a capital improvement plan for the next year. His goal is then to be able develop a capital improvement list for the next five years and as items are completed they are removed from the list and if something isn't done it moves to the next year's list, sort of a sliding scale type of list. This can be done in coordination with the Ohio Public Works Commission, every time we apply for a grant. In the past, in order to apply you had to have a five-year capital improvement plan. Manager Burkholder informed the other benefit to a capital improvement plan is not just to identify the capital needs but to identify funding sources as well. Sometimes we may have a plan and apply for a grant through the Ohio Public Works Commission but then not receive the funding which means we then may need to come back a second or third year. A prime example of this would be our Wastewater Treatment Plant, which was a capital plan for five million dollars. The first phase was 1.9 million dollars and the second phase starts with the approval tonight for the \$50,000 grant and a 200,000 in 0% loan and then \$10,000 from the City. He stated it is a moving process and you will see in the 2017 budget, which will be a public record, documents that show for 2017 what is being proposed for Capital Improvements. He informed that he will also start working with the various Departments on their five year Capital Improvement Plans. He informed these types of plans will help give transparency and justification to the community.

Mr. Zimmerlin stated he thinks a Capital Improvement list would be good resource for residents to see what is going on.

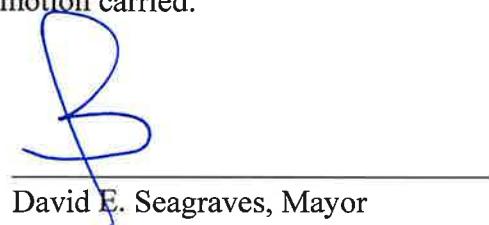
Member Duncan informed Council will be having a Budget Work Session tomorrow, December 7 at 6:00 p.m. and that would probably be a good time for citizens to hear about some of the capital improvements planned for 2017.

Manager Burkholder informed a list will be proposed for 2017 of Capital Improvements at the Budget Work Session.

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



Meghan Wheeler, Clerk



David E. Seagraves, Mayor