

Brookville City Council  
Regular Meeting  
October 18, 2016

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on October 18, 2016 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Henry, Kirklin and Letner; City Manager Burkholder, Finance Director Keaton, Police Chief Jerome, Fire Chief Fletcher, Law Director Stephan, Clerk Wheeler and Public Service Director Williamson were present.

Roll Call by Clerk Wheeler.

Motion by Cantrell, second by Kirklin to accept the Agenda as presented. All yeas, motion carried.

Motion by Apgar, second by Kirklin to approve the October 4, 2016 Regular Meeting Minutes. Six yeas and one abstention by Letner, motion carried.

There was no Old Business.

In New Business,

Motion by Cantrell, second by Kirklin to read proposed Resolution No. 16-26. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third reading and adopt proposed Resolution No. 16-26 entitled, "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR PERMANENT PART-TIME, CONSTRUCTION INSPECTOR, SEASONAL AND/OR TEMPORARY HOURLY CITY EMPLOYEES, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Manager Burkholder informed we had two different pay scales for part-time employees and the Clerk of Council was at the top of the second pay scale, so a third part-time scale was created. He stated this created another scale so that there would be step increases for the Clerk of Council who also serves as the City Manager's Administrative Assistant.

Motion by Apgar, second by Cantrell to read proposed Resolution No. 16-27. All yeas, motion carried.

Motion by Duncan, second by Apgar to approve Resolution No. 16-27 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CLERK OF COUNCIL, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Duncan, second by Cantrell to read proposed Ordinance No. 2016-15. All yeas, motion carried.

Law Director Stephan advised Ordinance No. 2016-15 amends Chapter 1161 of the Code of Ordinances which regulates signs within the City of Brookville. On June 18, 2015, the US Supreme Court issued an opinion in the case of *Reed v. Town of Gilbert, Arizona*. In this opinion, the Court found that a sign code which contained content based rules for signs that varied depending on the type of content violated the First Amendment of the United States Constitution. The Court found that such content based regulations are subject to strict scrutiny and are presumptively unconstitutional, and can only be justified if the government proves that the regulations are narrowly tailored to serve compelling state interests.

Law Director Stephan informed Ordinance 2016-15 is designed to create a content neutral sign code. Our current sign code contains a number of regulations that are based on the content of the

sign. This new sign code, which is based on a similar code adopted by the City of Kettering, will eliminate references to the content of the sign. This new sign code will also clarify and improve our current regulations, and thereby provide a more effective regulation of signs in our community.

Law Director Stephan stated Planning Commission has reviewed several drafts of this proposed Sign Code, and recommended that the zoning amendment process be commenced by a first reading of this Ordinance by City Council.

Member Henry asked if Law Director Stephan could clarify a little further.

Law Director Stephan advised this proposed new Sign Code will eliminate references to the content of the sign. The new Code will also be easier to interpret and enforce. The current sign sizes have been kept in the new proposed Code.

Mayor Seagraves stated Law Director Stephan is trying to bring our current code up to modern standards.

Member Letner asked if any existing signs would need to be grandfathered in?

Law Director Stephan advised the size of the signs were not changed and he tried to incorporate our current sized signs into the new Code. He is hoping most existing signs will be in compliance with the new code. We may have a few situations of signs that may not meet the new code but as long as they stay maintained they will be allowed to keep the sign, or if any changes are made then the sign would have to go before the Board of Zoning Appeals to be considered for a variance.

Member Letner asked if we have received any complaints or negative feedback on digital signs in town.

Law Director Stephan stated not to his knowledge. He informed the new Sign Code will keep our current regulations for digital sign, which includes specific times to be turned off in a residential district. For the most part, he feels we have had positive feedback on the digital signs in town.

Manager Burkholder stated he has not had any complaints brought to his attention. He stated he would like to obtain a consistency of signs throughout town to avoid sign pollution. He will inform Council if he receives any negative feedback on digital signs.

Member Cantrell asked if anyone can obtain a copy of the new Sign Code prior to the Public Hearing?

Law Director Stephan stated the City could make it available online or anyone can request a paper copy. He stated he welcomes public input on the Code because it is an important issue. He will be giving a brief presentation at the Public Hearing on the new Code.

Member Cantrell stated it was a daunting task working to change our current code. She thanked Law Director Stephan for his dedication and hard work. She stated the proposed new Sign Code is much easier to read and understand compared to our current code.

Law Director Stephan stated this is the one area of our Zoning Code that we probably had the most problems with in respect to administration and business settings applications. He is hopeful the new code will help alleviate those problems for both Staff and applicants.

Mayor Seagraves also thanked Law Director Stephan for his work on the Sign Code.

Law Director Stephan requested a motion to schedule the Public Hearing. He stated the Public Hearing will need to be held the second Council Meeting in November so that we have time to advertise in the paper.

Motion by Apgar, second by Cantrell to set the Public Hearing for Ordinance No. 2016-15 to amend Chapter 1161 of the Code of Ordinances on November 15th at 8:00 p.m. All yeas, motion carried.

Motion by Duncan, second by Cantrell to read proposed Ordinance No. 2016-16. All yeas, motion carried.

Law Director Stephan advised Ordinance 2016-16 will establish a new Community Reinvestment Area in the City of Brookville. Community Reinvestment Areas are designed to promote maintenance of existing structures and construction of new structures within the area. The primary goal of this legislation will be to encourage maintenance of housing in the area, and promoting new construction of commercial and industrial projects. In particular, it is anticipated that a CRA exemption will be an element of an agreement with Giant Dayton, LLC for redevelopment of the former BP service station site at the corner of Arlington and Triggs Road.

Motion by Apgar, second by Henry to accept the first reading of proposed Ordinance No. 2016-16 entitled, "AN ORDINANCE ESTABLISHING A COMMUNITY REINVESTMENT AREA." All yeas, motion carried.

Manager Burkholder requested Council approval of Request for Qualifications (RFQ) advertisement for the Local Government Innovation Fund (LGIF) and the Ohio Safety Grant. He informed the applications for the Ohio Safety Grant will be out around the end of October and due by the end of the year. We would like to partner with Clay and Perry Townships and he has recently revisited this information with Perry Township and will be following up with Clay Township soon. He stated this is very similar to the Request for Qualifications that we did for the Construction Manager for the new Firehouse.

Motion by Apgar, second by Cantrell to approve the Request for Qualifications (RFQ) advertisement for the Local Government Innovation Fund and the Ohio Safety Grant. All yeas, motion carried.

Manager Burkholder gave a Fire House update. He stated we have a tentative regional stormwater management solution for the area. We are awaiting the County traffic study and soil borings for the roadway. The bonds have been sold and the money should be wired to the City on November 1st.

Manager Burkholder stated on the Parker Avenue project, we are awaiting the record drawing on the project from the engineer.

Manager Burkholder informed he authorized additional repairs on the WWTP backup generator and it should be completed by the end of the week. He informed we are still awaiting a quote on the pump replacement.

Manager Burkholder stated demolition on Shelter #2 will begin this fall. He informed Park Board decided to close down the BMX park. The City Manager has sent a letter to the BMX Association advising them of the decision. The contract with the Association expires on December 1, 2016.

Manager Burkholder reported an update on the Foothill Drive Project. He informed some electrical work has been completed and he plans to execute a contract with Lowe's within the next week.

Manager Burkholder informed a Transportation Alternative Grant Application was submitted for lighting on the Arlington Road Bridge replacement project. He recently met with MKSK this past week to review the plans and proposal for enhancements to the bridge and interchange. This plan will most likely be a phased project.

Manager Burkholder stated Poggemeyer Design Group continues to work on the Water Modeling Study that is needed to define our Water System. The Fire Department and Service Department are conducting flow tests and system investigation in order to provide additional data for the model. Poggemeyer has presented several options for water system upgrades.

Manager Burkholder informed he met with Front Office Staff to discuss the changes coming forward at the end of the year and for 2017. He is working on finalizing the Employee Manual. He stated IT hardware upgrades are forthcoming and the change over on the City's accounting system will take place at the end of the first quarter of 2017. Staff discussed improvements to our work flow processes including paper reduction. He informed he did forward a document regarding change to the City Council. The City is experiencing much change and Staff has been working hard to manage this change.

Manager Burkholder stated ProStratus continues to work with our departments on our IT needs and a meeting is scheduled for this upcoming week to begin several hardware updates and backing up of our current servers.

Manager Burkholder informed Staff is working on a draft set of Council Rules for Council's review and comments. He would like to adopt a set of rules prior to the end of the year.

Manager Burkholder reported the Ohio Public Works Commission District meeting is October 18th. The City Manager and Finance Director will attend since the City has a WWTP application submitted for funding.

Manager Burkholder stated he is working on capital improvement budgets for each respective department separate from their operating budgets.

Manager Burkholder informed we are advertising for a WWTP Operator II position.

Manager Burkholder informed he attended the Advisory Meeting for Emergency Management

Manager Burkholder stated we have numerous projects in progress, so please don't hesitate to call him if anyone has any questions. He requested a Special Meeting Work Session in early December with final adoption of the 2017 Budget prior to January 1, 2017.

Member Duncan asked if there are Class I, II and III operators and if Jon Weist is a Class I? He asked why doesn't the City send Jon to school to obtain a higher Class license and then just hire a new employee to work in the Service Department because that seems like it would be a cheaper option.

Manager Burkholder stated he would be happy to discuss the details further in Executive Session since it is a Personnel Matter. However, generically speaking, we may need a reconfiguration of the Water Department, especially in order to have a succession plan for the future. He stated a Class I is a positive thing to have but instead of hiring a laborer at a lower level we really need to have a Class II as soon as possible in order to be in compliance with the EPA. Manager Burkholder stated having a Class II Operator is something that the community should have had over a year ago. He stated a Wastewater III would really be the best option and if someone applies with a Wastewater II, he will encourage them to eventually test for a Class III.

Member Duncan asked if we have to have a person in each class?

Manager Burkholder stated we are required to have a Class II and Class III Operator. He informed the City is required by the Ohio EPA to have 40 hours on site per week at the facility, which is why the WWTP also has to be checked every weekend.

Member Duncan stated he just thought a Service Department worker would be less expensive.

Manager Burkholder informed an idea being considered is to change our current trash schedule. Staff does not have any proposals yet but are reviewing different options which include using Rumpke to run our trash routes. We have requested estimates as to what they are charging other communities to help us prepare a cost analysis. Rumpke did not think that us using three Service Department employees was very cost effective. This is why ideas of reconfiguring are being discussed, however, we have a lease on our new garbage truck for the next three years, so we have plenty of time to discuss and analyze our options. He stated if equipment such as our mowing equipment is eventually updated then we may not need as much Staff. Manager Burkholder informed we need to analyze the variables and then solicit Council to see what they would like to do. We need people in the right positions with the right expertise.

Finance Director Keaton reported it has been a busy two-week period with the issuance of our Fire Station Bonds. She informed on October 7, our Underwriter, William Blair, had discussions with their desk and after running through various scenarios, it was decided it was in our best interest to move forward and obtain Bond Insurance. Our Bond Insurance is with Build America Mutual Assurance Company (BAM) and they are rated AA by S & P Global Ratings. Our Fire Station Bonds are rated AA, with an underlying rating by Moody's of A1.

Finance Director Keaton informed over the last two weeks, there were a lot of bond issues in the market and the investment market was up and down. Our bonds priced on Wednesday, October 12, 2016, and sold at a premium.

Finance Director Keaton stated we will be depositing \$6,300,000 in our Fire Capital Improvement Fund for the construction of the our fire house and with our bonds selling at premium, we will receive approximately \$712,063.62 in premium that will be deposited into our Bond Retirement Fund which will be used to make most of our first two years of debt payments. She informed the All-in True Interest on our Fire Station Bonds is 3.13%. Finance Director Keaton advised we are set to close on our bonds on November 1 and funds are to be wired into our account on that day.

Finance Director Keaton informed she received word from the Ohio Department of Natural Resources that we did not score enough points on our NatureWorks Application to receive all the grant money that we requested for a new basketball court and the refurbishing of our existing basketball court at Golden Gate Park. They did inquire if we would continue with our project if the grant was reduced to \$11,090; we requested \$25,250. She informed the Ohio Department of Natural Resources that we are interested in receiving grant assistance as the need for an additional basketball court is necessary and we need to resurface the existing basketball court and install new basketball goals. She stated this project will be included in our 2017 budget.

Finance Director Keaton stated at the August 2, 2016 Council Meeting, she reported that we received approval for a \$40,000 Safety Intervention Grant to purchase two power cots and accessories for our Brookville Fire Department. She informed we received the \$40,000 on September 30. The Stryker Power Pro cots and load system are available through the Ohio Department of Administration Services (Ohio DAS), but the quote we received from R.S.V.P Parts, which is the Ohio DAS vendor, totaled \$61,071.30, and the quote from Stryker totaled \$57,001.92, a savings of \$4,069.38.

Finance Director Keaton requested Council authorization to allow the Brookville Fire Department to purchase two Stryker Power Pro cots, a Stryker Power Load system, which will be installed on the newest medic, and all accessories that will fasten to these cots at a total of \$57,001.92 through Stryker.

Fire Chief Fletcher informed as they have been researching these cots, there are two providers who can provide these cots, Ferno and Stryker. We have been a Ferno customer for years but the issue we have is that we have three ambulances and we are only able through this grant process to purchase two cots and one power load system. He informed we have laid out as part of our grant application a plan for the next two ambulances that we would purchase over the next few years so that we could phase in compatible equipment as the Bureau of Worker's Compensation (BWC) would like to see us have for injury prevention. In the process of doing this, we need the new equipment we purchase to be compatible with our current equipment and the Stryker equipment is more compatible with our current Ferno equipment than the new Ferno equipment would be with our current equipment.

Motion by Letner, second by Apgar to approve the purchase of two Stryker Power Pro cots, a Stryker Power Load system, which will be installed on the newest medic, and all accessories that will fasten to these cots at a total of \$57,001.92 through Stryker. All yeas, motion carried.

Member Cantrell asked if we will see any decrease in our BWC rates since purchasing these cots?

Finance Director Keaton stated she does not think our rates will decrease but it will eliminate the possibility of potential injuries in the future because we have had injuries over the years from lifting these cots.

Fire Chief Fletcher informed we did have to gather numbers of work related injuries over the years when applying for this grant. He informed Fire Service does have a high rate of back injuries as a result of loading patients into ambulances. He stated the Fire Department does now participate in a reporting program with the BWC to include reporting numbers and injuries back to the BWC. The BWC likes to see agencies participate in their prevention program when they are considering changes to bring forward in the future.

Member Letner stated he has seen those cots in action and asked what the weight rating is?

Fire Chief Fletcher informed about 800 pounds. He stated our current cots are rated at approximately 650 pounds, which means with our current cots we have to provide the manpower to lift the entire 650 pounds, but with the new unit it will do the lifting itself.

Finance Director Keaton stated she has a copy of the final bond pricing booklet and final Official Statement. She can email or print if anyone would like.

Manager Burkholder thanked Finance Director Keaton for all of her work on the bonds. She put in a tremendous amount of work with help from Law Director Stephan.

Public Service Director Williamson reported the Service Department has been marking distressed trees for removal.

Public Service Director Williamson gave an update on the Maple Street Waterline Replacement Project. He informed the main pipe installation is complete. The old 4" main has been cut and capped. There were three services unexpectedly connected to the old main. Crews continue paving restoration and curb repair.

Public Service Director Williamson informed his crews replaced the tapping tee at Arlington Road and Upper Lewisburg Road. He informed the Service Department continues to support the Water Model Project by confirming valve locations and positions as well as pipe sizes. Pressure monitors were used to track pressure in the system during flow testing which will provide accuracy to the model.

Public Service Director Williamson stated curb painting is being done by a student group from Sinclair for Community Service hours.

Public Service Director Williamson reported the generator controller board has been built and is scheduled for installation this week.

Public Service Director Williamson reported the September Refuse totals:

September Refuse	198 tons
September Wood chips	35 tons
September Yard Waste	14 tons
September recycling	32.3 tons

Fire Chief Fletcher reported the first two weeks of October have been very busy. The Fire Department has not had to rely on mutual aid, they have been able to handle the call volume due to timing of the calls.

Fire Chief Fletcher informed in mid-September he was contacted by Todd Boone, Owner of Boone Restoration on East Westbrook Road. Todd expressed an interest in assisting with some sort of community service project involving several employees. Chief Fletcher stated on October 15, Todd and about a dozen employees and family members assisted us with updating our water system base map. They spent several hours capturing the locations of our water line valves, hydrant valves and service valves. He informed in this short time they located over 450 of our valves, and only took a short break to enjoy lunch provided by the on-duty firefighters at Fire Station 76. He thanked Mr. Boone and his employees for their help on this important task. The help was much appreciated and it was a beautiful day to be walking around the City and it also gave people who don't live in our town an opportunity to see what we have from a walking perspective.

Police Chief Jerome reported the Brookville Police Department handled 534 Reportable Incidents year-to-date, compared to 495 during this same time last year. Police Chief Jerome reported Citations are down a total of 40 Citations year-to-date, for a total of 371 Citations issued year-to-date. There were 104 traffic stops for September compared to 116 during September 2015.

Police Chief Jerome informed the Police Department has been busy as well, his department has had three officers recently off due to births of new babies.

Police Chief Jerome informed we are done with parades for the year. He will be teaching Halloween safety to preschool and elementary students next week in order to help to keep kids as safe as possible during Halloween.

Police Chief Jerome informed he spoke with Montgomery County Engineer, Paul Gruner, regarding a traffic study as previously requested by Member Letner and the Study should be done in the near future on Johnsville-Brookville Road and Westbrook Road west of Arlington Road.

Police Chief Jerome informed Ghostly Night Out will be October 29 and the Police Department is hard at work planning. It will be a big event and they have a lot of volunteers helping out and are anticipating several thousand people in attendance.

Police Chief Jerome stated the women's self defense class is coming up on November 5, 2016 and for the first time ever registration numbers are down. He informed they need about five to ten more people to avoid having to cancel the class.

Police Chief Jerome informed the Optimist Club's Pumpkin Walk will be the weekend following Ghostly Night Out and will be held at Golden Gate Park.

Police Chief Jerome will be sponsoring the Feed Brookville event at the Board of Education building in November for Thanksgiving. He stated this is a great community event.

Police Chief Jerome stated he believes in partnerships and with our size of a department we couldn't do without good relationships with other departments. He informed that two years ago the "band of thieves 2" was a five county theft ring state wide and right at our back door. Our detective did help with this investigation and eight people were sentenced for a total of 77 years, the main perpetrator was sentenced to 27 years. It was a huge case and Detective Swigart did a great job as usual. He anticipates the case will be recognized by the Attorney General's office at some point before it is all said and done.

Member Kirklin asked what time is the self defense class and the age restrictions?

Police Chief Jerome informed the class is scheduled for 8:00 a.m. to 4:00 p.m. and the cutoff age would be about 13 years old. He stated a mom could bring a daughter and that would be fine.

Law Director Stephan stated at the last Council Meeting, Council discussed holding a Public hearing regarding the initiative petition to repeal Ordinance No. 2016-08. He stated Council needs a motion to set the dates of the Public Hearing in order to complete the 60 day requirement. He stated City Staff suggested holding the hearings in November prior to the two Regular Council Meetings and to begin at 6:30 p.m.

Member Kirklin asked if we need two separate motions to set the dates and time for each Public Hearing?

Law Director Stephan advised Council to make two separate motions, one for each Public Hearing.

Member Duncan asked if this will interfere with the Public Hearing already scheduled for November 15 regarding the Sign Code?

Law Director Stephan stated if we hold both hearings on the 15th, we would begin at 6:30 until 7:30 for the Public Hearing on the Initiative Petition and then begin our Regular Meeting until 8:00 p.m. when the second hearing is to start. He informed he anticipates the hearing on the Sign Code to last approximately a half an hour, he does plan to give about a ten minute presentation on the Sign Code and then followed by public comments.

Motion by Duncan, second by Kirklin to hold the first Public Hearing on November 1 from 6:30 to 7:30 p.m. All yeas, motion carried.

Motion by Apgar, second by Henry to hold the second Public Hearing on November 15 from 6:30 to 7:30 p.m. All yeas, motion carried.

Mayor Seagraves reminded we are in a busy season, there is a lot going on and for everyone to be cautious of our Service Employees out in the field and to also to be very careful as Halloween approaches.

David Monnin, President of Park Board, informed phase two of the Veterans Memorial at Gateway Park will be set Monday morning. He informed the third memorial will eventually be added to the right side of the main Memorial and should be completed by the end of the year, weather permitting, then the brick work will begin. He informed coordination is in process with the Freedom Riders for the spring in order to help make a big deal of the Memorial. Mr. Monnin stated this will be one of the nicest Memorials in the County and more information will be forwarded out as exact plans are made.

Mr. Monnin informed Park Board recently reached a decision that they will not be renewing the contract with the BMX track. He informed that Mr. Bruns has done a great job over the years in

running the BMX Track but that we cannot continue to maintain the area.

Mr. Monnin stated there are still more dead trees inside the park to be removed. He described a very good phone call he received today on the Memorial Tree Program and how happy the caller was with their tree and memorial plaque in honor of their grandson.

Mr. Monnin reminded everyone about Ghostly Night Out coming up and the Police Department has been working so hard for the kids and they really do a great job. He stated Brookville people should go out and see what their Police and Fire Departments do for them.

Mr. Monnin stated our parks really get a lot of use and see a lot of traffic. He is very excited for Shelter #2 to be re-built, it is something that has needed to be done for a while.

Member Duncan asked if Park Board has any ideas of what might replace the BMX track?

Mr. Monnin informed not at this time.

Mayor Seagraves thanked Mr. Monnin and the other Board Members for their service.

Mayor Seagraves informed anyone that would like to speak should stand, identify themselves with their name and address. He stated everyone who wishes to speak will have five minutes each and Council and Staff will try to answer everyone's questions tonight and if a question cannot be answered, we will find out the answer and respond back at a later date. He advised the audience they should address the Council and not Staff.

Bruce Garber, of 434 Sycamore Street, stated he read an article in the Brookville Star that quoted the City Manager for saying "where was the opportunity for the public to weigh in on the Charter Amendments other than signing a petition?" Mr. Garber stated that is how democracy works and everyone will get to vote in November.

Mr. Garber stated on page two of the recent Brookville Star there are statements about the tax credit not being a tax increase and that is not true. He stated that if someone who works outside of the City makes \$50,000 a year, then \$500 of their money will end up in the City's pocket.

Mayor Seagraves stated in Mr. Garber's example that person that works outside of Brookville, lives in Brookville though and pays taxes.

Mr. Garber stated when money goes from someone's pocket to a government, which is the only entity that can levy a tax, and since the amount is an increased amount, it should be considered a tax increase. He accused the City of misleading comments and calling it a tax credit when it is not a credit.

Mayor Seagraves stated the credit could be cancelled all together which would make people pay a full percent instead of just a half.

Mr. Garber stated if it looks like a pig and smells like a pig then it's a pig and this is a tax increase.

Mayor Seagraves stated that is his opinion.

Mr. Garber stated he will share the facts with people prior to voting. He asked for some sort of clarification to his questions.

Mayor Seagraves stated Council will get back with him on a response and no one is going to just blurt anything out.

Manager Burkholder stated he fully stands behind his comments to the Brookville Star. He stated there will be hearings on the Initiative Petition and the public will have an opportunity to speak at those hearings.

Kim Cheatham, of 565 Adrian Court, asked if the area mentioned earlier in the meeting to be repaved on Arlington Road was at the stop light at Arlington and Upper Lewisburg Road.

Public Service Director Williamson stated yes.

Ms. Cheatham stated that is good because that area seems to be out of control and gravel flies and traffic swerves to miss the gravel.

Ms. Cheatham asked if the Public Hearings will be held in the Council Chambers or a different location?

Mayor Seagraves stated the Public Hearing will be held in the Council Chambers.

James Zimmerlin, of 247 Plymouth, thanked Public Service Director Williamson on behalf of Cub Scout Pack #47 for meeting with the kids and taking the group on a tour of the water tower. He informed the kids loved it and learned a lot.

Mr. Zimmerlin asked if donations were still needed for Ghostly Night Out?

Chief Jerome stated a lot of food and candy get donated, they are currently looking for prizes for the contests. He stated he feels they may be off by about \$500 to \$1000 compared to this time last year. He explained that it really takes about two to three thousand dollars to pull the event off. He informed that Clay Township recently donated enough money to cover the Veteran's Day lunch at Rob's Restaurant in November, which is a huge relief. He informed that anything will help, especially monetary donations. Any monetary donation that comes in and is in excess after the event will go towards the next upcoming event for the Police Department.

Mr. Zimmerlin asked if money is donated who do they make it out to?

Police Chief Jerome stated to make it out to the City of Brookville Police Department.

Brian Smith, of 815 Flanders Avenue, reminded the Optimist Pumpkin Walk will be on November 5, 2016. It is a great family fun event. Mr. Smith wished the Service Department gets to feeling better. He stated it was a class act for Fire Chief Fletcher to allow the Homecoming Parade to tag team the Fire Prevention Parade.

Mr. Smith asked Police Chief Jerome if the school was informed of the Women's self defense class scheduled for November?

Police Chief Jerome stated they have advertised a lot between Facebook and the Brookville Star and they will continue to advertise.

Mr. Smith commended Mr. Monnin on how great the parks look.

Mr. Smith thanked Manager Burkholder for his almost immediate response to his question at the last meeting when he was asking for clarification on emergency legislation. He asked if it would be possible to make future responses public though? To not just receive a phone call, but to receive something in writing. He stated he has been asked by others who were at the last meeting what response he received in answer to his question.

Mr. Smith stated it can be very intimidating for people to stand up and make public remarks in front of Council and asked if the Mayor could help make it easier by calming his responses down and not calling people foolish.

Mayor Seagraves agreed and apologized. He stated that is the reason for not responding to questions right away. It can be tough sometimes to sit and take shots that you may or may not disagree with. He will take that under advisement and it will not happen again.

Member Cantrell asked Manager Burkholder to inform everyone of his response to Mr. Smith last week regarding emergency legislation on a resolution passed.

Manager Burkholder stated the Resolution was not about a tax but an approval from the budget commission.

Finance Director Keaton informed the Resolution was for the amounts and rates that would actually be charged to our residents for their inside millage on their real estate taxes.

Member Cantrell stated she had asked at the last meeting if this type of Resolution would be impacted by the petition on the ballot to eliminate emergency votes on any tax related issue and it was discussed at the last meeting and determined that it could possibly be affected. She asked what was the response given to Mr. Smith?

Manager Burkholder informed Mr. Smith's question was why did the Resolution have to be passed as an emergency. He explained he confirmed with Finance Director Keaton and informed that the particular Resolution had a deadline to meet. He explained emergency legislation doesn't mean you won't have three readings, you can still have more than one reading but it allows it to go into effect immediately and also to keep a referendum from happening but citizens still have the initiative petition tool. He stated he believes there is a lot of confusion about what emergency legislation means and how it is used by the City.

Member Cantrell stated her issue with this is if we have legislation that needs to be addressed immediately and are not able to use the emergency vote then they are going to have to gather as a group more frequently in Special Meetings in order to meet a deadline, which will in turn cost the tax payers more money because Council is paid per meeting.

Member Kirklin stated depending on certain circumstances, there could be a situation with a window of time so small that we are not even able to respond.

Member Henry stated for example a grant that we have a short deadline on or maybe just found out about.

Mr. Smith stated Manager Burkholder answered his question and he was happy with the response from Manager Burkholder. He just asked if formal responses could be done in writing in order for everyone to know the answers.

Mr. Garber suggested a question and answer section in the newspaper.

Manager Burkholder informed he has extended the invitation multiple times that anyone with a question can contact him by phone or email or citizen's can always make a public records request. He stated the City will do the best they can to respond back to any questions they receive depending on availability of Staff and the amount of projects currently going on but will get answers to questions asked in a timely manner.

Member Cantrell stated if a response to questions are reported at the next Council Meeting then it will be documented.

Member Kirklin stated responses made at a Meeting will be captured in the minutes.

Ms. Cheatham stated it would be nice if Council considered some sort of response for everyone to know the answers because she was the one that asked Mr. Smith for the answer that he had

received to his question.

Member Cantrell stated that is why they suggested verbal communication at the next meeting would be best, then everyone will know and it will be documented in the minutes.

Member Cantrell stated Council received a letter from two individuals that had decided to camp out in Brookville and declare Brookville their residency while it was so rainy for a few days. The letter commented on how nice our Police Department was to help them out by giving them money for a hotel room since it was so rainy. She stated that eventually, Karen Osswald from Community Methodist Church became involved and found them a camp site and helped them set up a tent and get their bicycles fixed, which all led to them getting a job at Lewisburg Container and then the opportunity to live with another couple in Eaton. Member Cantrell stated all of this transpired because of our Police Department's willingness to embrace these individuals instead of just making them move on to another community.

Mr. Smith asked the format of the Meetings on 1st and 15th?

Law Director Stephan advised the City Charter does not provide a specific format. Anyone who wishes to testify will be under oath and have about three minutes to speak. He wants to try to make sure everyone that wants to speak has a chance to speak between the two hearings. He stated he is not sure if Staff will make any sort of presentation or not. He stated the main purpose of the Public Hearings are to get public comments.

Mayor Seagraves informed there will be an Executive Session per Revised Code 121.22 (G)(6) related to security arrangements and emergency response protocol for a public body.

Motion by Apgar, second by Kirklin to go into Executive Session per Revised Code 121.22 (G)(6) related to security arrangements and emergency response protocol for a public body. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



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Meghan Wheeler, Clerk



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David E. Seagraves, Mayor