

BROOKVILLE CITY COUNCIL
REGULAR MEETING
September 1, 2015

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on September 1, 2015 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Kirklin and Letner; Manager Burkholder, Fire Chief Fletcher, Police Chief Jerome, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present. Member Garber was absent.

Motion by Duncan, second by Apgar to accept the Agenda with an addition.

Mayor Seagraves requested a moment of silence for the teenagers who were involved in an accident last Friday night in Perry Township.

Mayor Seagraves stated there is an open motion on the floor and called for the vote. All yeas, motion carried.

Mayor Seagraves announced Member Garber is absent this evening as he is out of town on business.

Motion by Apgar, second by Kirklin to accept the August 18, 2015 Regular Meeting Minutes as presented. All yeas, motion carried.

Cecilia Ewers, of the Brookville Area Chamber of Commerce, requested Council authorization to hold the 3rd Annual Christmas Tree Lighting Ceremony on December 2, 2015 from 6:30 p.m. until 8:30 p.m. The Chamber would also like to have carriage rides again on the bikeway, parking the horses at the City building and loading and unloading near Carmela's Pizzeria. The Chamber is requesting that the streets be blocked off for this event.

Member Kirklin commented if the Chamber needs volunteers for the event to please let her know.

Kevin Dull, from Ohio Farm Bureau and Harvest Land, presented a check to the Brookville Fire Department to purchase a rescue tool specifically designed for grain bin entrapment.

Fire Chief Fletcher stated we are one of few Fire Departments in the area that still maintain a heavy rescue vehicle with specific equipment for specific rescue situations. Fire Chief Fletcher advised this donation will benefit the entire region as Brookville will respond with this equipment and with trained personnel to any jurisdiction that needs it.

Manager Burkholder presented his report and highlighted that the OpenGov presentation (online checkbook system) regarding the public side of the system is scheduled for the second Council meeting in September. This system is a robust reporting system which will provide transparency to both Council, staff, and the public. Manager Burkholder reported we have taken possession of 269 Foothill which is part of the Land Bank project and renovations will start fairly quickly. Manager Burkholder stated he would be happy to answer any questions regarding his report.

Member Apgar asked if the OpenGov presentation can be displayed with revenues and expenses side by side.

Assistant Manager/Finance Director Keaton stated it is her understanding that the OpenGov platform is customizable so hopefully we can work with it.

Member Cantrell asked for any thoughts regarding the marijuana amendment after attending the recent luncheon regarding the amendment?

Manager Burkholder deferred to Police Chief Jerome.

Police Chief Jerome stated there will be two items that must be voted on to pass it, with a 13 page constitution amendment. There will be 1,100 retailers in Ohio and a 10 grow site

monopoly. Police Chief Jerome commented his opinion is that it is ridiculous to think because marijuana is legal that there will not be criminal investigations resulting from those who go outside of the guidelines. Police Chief Jerome stated the good news for employers is that federal law trumps state laws so employers will have a say on how their employees use marijuana on their off time.

Mayor Seagraves asked if both Issue 2 and Issue 3 must pass to make it legal?

Police Chief Jerome stated both issues must pass for marijuana to become legal.

Fire Chief Fletcher stated one of the issues makes it legal, the other issue makes it legal to grow and distribute it.

Member Duncan asked about statistics from other states that have legalized marijuana?

Police Chief Jerome stated statistics from Colorado show that legalizing marijuana has generated 50 percent less money than they projected it would. Police Chief Jerome stated people will still buy illegally to avoid paying the 15% tax.

Member Cantrell inquired if all Council correspondence will now be electronic?

Manager Burkholder stated it is optional, but we would like to make this transition so that Council can review their packets from home, and save paper in the process.

Member Kirklin requested that the entire Council packet be emailed at one time.

Manager Burkholder agreed that would make it easier on everyone.

Assistant Manager/Finance Director Keaton presented the August 31, 2015 Fund Balance for Council review and approval.

Motion by Cantrell, second by Apgar to accept the August 31, 2015 Fund Balance as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton presented a Block Party Request from Junior Cruea of 227 Foothill Drive, for a block party on Foothill Drive from Ostend Drive to 233 Foothill Drive on September 26, 2015 from 4:00 p.m. until 8:00 p.m. as done in previous years.

Motion by Kirklin, second by Apgar to approve the Block Party Request for Foothill Drive from Ostend Drive to 233 Foothill Drive on September 26, 2015 from 4:00 p.m. until 8:00 p.m. All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council adopt proposed Resolution No. 15-09 which amends the Certificate of Estimated Resources and Appropriations for 2015. Section I creates the revenue line items and Section II creates the expense line items for the new Land Reutilization Fund that was approved at the last Council Meeting.

Motion by Kirklin, second by Apgar to read proposed Resolution No. 15-09. All yeas, motion carried.

Motion by Kirklin, second by Cantrell to accept the first reading, dispense with the second and third reading and adopt Resolution No. 15-09 entitled "A RESOLUTION AMENDING THE 2015 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE, AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton stated Member Garber has suggested inviting an RTA representative to attend a future Council Meeting to update Council on RTA services in Brookville?

Member Letner stated they were here about two years ago when they added a bus shelter.

Member Duncan stated that RTA ridership is very low in Brookville and he feels would be a waste of time to have a representative come to Council.

Member Cantrell commented that there was quite a bit of information on the RTA website, which she forwarded to Member Garber. Hopefully that will answer his questions.

Fire Chief Fletcher thanked Mr. Dull, the Ohio Farm Bureau and Harvest Land for their generous donation, stating he is looking forward to demonstrating it for the public after they are trained on that specific piece.

Fire Chief Fletcher reported that the Fire Department is in the process of upgrading their fixed burn facility for training, using cargo containers that were purchased with funds donated many years ago for that purpose. The work is being done in-house.

Fire Chief Fletcher reported the Fire Department responded to the traffic accident in Perry Township that the Mayor referred to at the beginning of the meeting. Fire Chief Fletcher reported the accident happened right at shift change, and the Fire Department was already up-staffed because there was a home football game. Fire Chief Fletcher stated he is proud of his personnel they were outstanding and did exactly what they have been trained and practiced to do. Fire Chief Fletcher reported mutual aid ambulances were called in from Trotwood and New Lebanon. Fire Chief Fletcher commented he is heartbroken over the results and touched by the number of calls he has received from the community from citizens who are concerned about the Fire personnel who responded to the call. Fire Chief Fletcher reported he was impressed with the citizens who stopped at the scene and took action to assist the victims, moving them to safety and possibly helping to prevent more fatalities.

Police Chief Jerome reported the Brookville Police Department handled 406 Reportable Incidents year-to-date, compared to 425 at this same time last year. Citations are down 17 from this same time last year for a total of 359 Citations year-to-date. Police Chief Jerome reported the Brookville Police Department made 134 Traffic Stops during the month of August, compared to 242 Traffic Stops during the same time period last year.

Police Chief Jerome reported the Brookville Police Department also responded to the traffic crash and immediately sent our Chaplain, Steve Whiteaker, to the hospital to provide any comfort and assistance to the families. Perry Township Chaplain Larry Baldwin and Chaplain Whiteaker took shifts to help the families in crisis. Police Chief Jerome reported he also met with the King family and helped make arrangements to set up an account at LCNB and Plainview Open Bible Church to assist the families with the funeral expenses. Police Chief Jerome reported approximately 500 people attended the candlelight vigil last night. Police Chief Jerome stated we are doing everything we can to help them out and encouraged everyone who can to make a donation. Any proceeds above the funeral expenses will go to a scholarship fund.

Member Cantrell stated Chaplain Whiteaker is exceptionally good at calming people and we are lucky to have him on our staff. Member Cantrell commented she has seen him in action at the Chamber, the Community Picnic and various events and he is so good with people. Member Cantrell asked Police Chief Jerome to thank Chaplain Whiteaker and tell him that he did a very good job.

Police Chief Jerome reported there were many Pastors from our community that stepped up to help the families. The Pastor's group that was organized several years ago really came into play.

Mayor Seagraves thanked Police Chief Jerome for everything the Police Department has done for the families.

Law Director Stephan had no report but requested an Executive Session on a Real Estate Matter.

Mayor Seagraves wished everyone a safe and happy Labor Day Holiday.

Motion by Duncan, second by Apgar to read proposed Ordinance No. 2015-03. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the second reading of proposed Ordinance No. 2015-03. All yeas, motion carried.

There was no Old Business.

In New Business, Manager Burkholder requested an Executive Session on Ohio Revised Code 121.22 G (2) regarding the appointment of a Public Official and 121.22 G (6).

Motion by Duncan, second by Cantrell to go into Executive Session on a Real Estate Matter as requested by Law Director Stephan and an Executive Session on Ohio Revised Code 121.22 G (1) regarding the appointment of a Public Official and 121.22 G (6) regarding security arrangements as requested by Manager Burkholder. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

Law Director Stephan requested a motion to repurchase a 1.586 acre lot known as Lot 2619 of the revised and consecutive lots of the City of Brookville for the price of \$45,000 from MBD Investments, LLC.

Motion by Duncan, second by Kirklin to repurchase a 1.586 acre lot known as Lot 2619 of the revised and consecutive lots of the City of Brookville for the price of \$45,000 from MBD Investments, LLC. All yeas, motion carried.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor