

BROOKVILLE CITY COUNCIL
REGULAR MEETING
April 1, 2014

The Regular Meeting of the Brookville City Council was called to order by Vice Mayor Cantrell at 7:30 p.m. on April 1, 2014 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Duncan, Garber, Kirklin and Letner; Fire Chief Fletcher, Police Chief Jerome, Manager Wright, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present. Mayor Seagraves was absent.

Motion by Duncan, second by Apgar to accept the Agenda as presented. All yeas, motion carried.

Vice Mayor Cantrell announced that Mayor Seagraves was admitted to the hospital today for an emergency surgery on his foot. Vice Mayor Cantrell stated the Mayor regrets that he cannot be present as he has worked tirelessly on this subject, and that he wishes to convey that his heart and thoughts are with Council and the community this evening.

Motion by Apgar, second by Kirklin to accept the March 18, 2014 Regular Meeting Minutes as presented. All yeas, motion carried.

Gail Colston, of 205 N. Wolf Creek Street, thanked Council for approving the Annual Breast Cancer Awareness Walk in past years and requested authorization to hold the 5th Annual Breast Cancer Awareness Walk on Saturday, September 27, 2014 beginning at 9:00 a.m. with the same route as last year.

Motion by Kirklin, second by Garber to authorize the 5th Annual Breast Cancer Awareness Walk on Saturday, September 27, 2014 beginning at 9:00 a.m. at the Brookville Community Theatre and traveling south on Arlington Road to Westbrook Road to Wolf Creek Street and back to the Community Theatre lot. All yeas, motion carried.

Ms. Colston stated last year the proceeds from the walk and the fundraising by the Challenge for the Cure Team totaled over \$10,000 for the American Cancer Society.

Vice Mayor Cantrell stated tonight's meeting is not a Public Hearing but invited anyone who would like to speak to do so at this time.

Belinda Herkins, of 55 Mound Street, stated she has had a lot of people come to her with first-hand knowledge that there may be an issue of religion and/or race concerning the fairgrounds approval. Ms. Herkins asked if each Council member would address this issue individually or one member collectively, particularly regarding the use of words like bigotry, racism, religion and the like, because she has heard that these things may be an issue.

Vice Mayor Cantrell stated all of the Council meetings regarding the fairgrounds have been conducted publicly. Vice Mayor Cantrell stated she has never heard any comments in regard to Ms. Herkins concerns.

Member Apgar agreed.

Member Garber stated he has some questions regarding the fairgrounds tonight, but they are all financial or signage questions. Member Garber stated horses do not have a religion or a race. Member Garber said he has never heard any comments regarding these issues in any of Council's deliberations.

Ms. Herkins asked Member Duncan if the people attending the fair who might be a different religion and/or race has never come up for him? Ms. Herkins stated actually she has heard there is a petition.

Member Duncan replied the reason he has been against the fair project is because he does not think the Brookville site is the right area for the fairgrounds and it is not the right usage of the land.

Ms. Herkins asked Member Duncan why he felt the site was not the right area for the fairgrounds?

Member Duncan replied the land is zoned industrial and it could bring in a lot more revenue down the road if it stays industrial, which brings in jobs which in turn helps the community.

Ms. Herkins commented not tax abatement people.

Member Duncan replied jobs make up for any tax abatement.

Ms. Herkins said the people do not just leave after the 10 years?

Vice Mayor Cantrell interrupted, stating this is information that probably should have been shared at the Public Hearings.

Ms. Herkins stated she was not aware of the issue at that time.

Vice Mayor Cantrell said she appreciates the question, and she thinks Council has answered it to the best of their ability. Vice Mayor Cantrell thanked Ms. Herkins for her comments.

Ms. Herkins thanked Council and stated she appreciated the opportunity to voice her concerns.

Janice Havermale, of 4112 Weaver Road, Germantown, Ohio, commented on behalf of the fair committee that they have had 4-H members that are of a different race as well as exhibitors of different races. No one has ever been refused to exhibit or be a part of the fair because of race.

Ms. Herkins stated she just wanted to make sure that this is not a deal breaker for the Council Members.

Ms. Havermale said there is a lot of racial diversity at the fair.

Vice Mayor Cantrell turned the meeting over to Law Director Stephan for his report.

Law Director Stephan stated at this time Council will discuss and take final action on proposed Ordinance No. 2014-02 and 2014-03 regarding the Montgomery County Fairgrounds Project. These proposed Ordinances are before Council tonight for a third and final reading. Law Director Stephan stated he would like to first review the revised preliminary Development Plan and Development Agreement as required by Council at the March 4, 2014 Council Meeting. Law Director Stephan advised the plan has been amended to require the extension of West Campus Boulevard to Upper Lewisburg Salem Road as a roadway improvement for this project. Law Director Stephan reported Council had also directed City Staff to work with the interested parties to seek funding for this roadway improvement. Law Director Stephan reported an agreement has been reached regarding the funding for this roadway. Under the terms of the proposed agreement, the City will assist with the construction of the roadway improvements by contributing an amount equal to the lesser of 25% of the cost of the construction or \$200,000, and the Montgomery County Agricultural Society shall be responsible for the remaining cost of construction. Law Director Stephan stated this agreement is reflected in Section 5 of the revised Development Agreement. Council has received an updated version of the complete Development Agreement which contains the revisions to Section 5 regarding the roadway improvements and contains a revised site plan which shows that West Campus Boulevard will be extended to Upper Lewisburg Salem Road. Law Director Stephan asked City Council if there are any other questions or comments regarding the Development Agreement, the Preliminary Plan or any other issue related to this project.

Member Garber said page 2 of the Developmental Agreement says that the City recognizes MCAS will require some flexibility in the ultimate design and construction of the improvements on the property. Member Garber asked if that means they may or may not build some of the buildings?

Law Director Stephan stated our Planned Development Code is a two-step process with the first step being rezoning, which is what is before Council tonight, and a Preliminary Site Plan and Preliminary Development Plan being approved. Under Section 1151.04, the applicant must then bring in a Final Plan, which must substantially conform to the Preliminary Site Plan that is before Council tonight. To substantially conform means that the design will be the same and the buildings will be the same, there may be minor changes as a result of engineering, but if the design is totally changed or buildings shown on the Preliminary Plan are not present, that is not substantial conformity.

Member Garber commented the larger buildings for showing horses near the promenade are not shown as Phase I on the site plan. Member Garber said he thought the initial plans showed they were included in Phase I.

Vice Mayor Cantrell stated those buildings were never a part of Phase I.

Law Director Stephan confirmed those buildings are not a part of Phase I.

Member Garber stated in the Development Agreement where it states under Police, Fire and EMS services and states additional personnel “may” include the Montgomery County Sheriff’s Office. Member Garber stated his understanding was that the fair was the responsibility of the Montgomery County Sheriff’s Office, with our Police Department supplementing.

Law Director Stephan replied Brookville will be the primary jurisdiction, and our Police Chief will make the determination of when we need mutual aid assistance. We have a Mutual Aid Assistance Agreement with the Montgomery County Sheriff’s Office which provides for their assistance, as well as correspondence from the Montgomery County Commissioners stating they will provide assistance during the fair. The Development Agreement also specifies that the County will provide assistance during the fair.

Member Garber stated he just wanted to clarify the word “may”.

Member Letner asked Member Garber if he was inquiring about during the fair itself or for other functions as well?

Member Garber replied that is correct, he was only inquiring about the fair.

Member Garber stated the Preliminary Plan provides for two signs, each totaling 250 square feet and up to 40 foot in height. Member Garber commented that he thought our sign ordinance is 200 square feet and asked where these signs would be placed?

Law Director Stephan stated it is his understanding that these signs will be placed on the property, with the exact location to be presented as part of the final site plan. Law Director Stephan advised the 250 square feet sign size is an increase over code and he believes the sign height is up to 35 feet in industrial zoning districts, so Council would be approving an increase in the height and size of these two signs only. All of the other signs will be in compliance with the code.

Member Garber commented that the fairgrounds are in an isolated area, and although well lit, he is concerned about vandalism. Member Garber stated he did not see any cameras or motion detectors that may alert the Brookville Police Department for intrusions.

Alan Schaeffer, of Pickerel, Schaeffer and Ebeling, replied this concern was raised at a previous meeting and they fully expect at the end of the first Phase to have an electronic surveillance system in place at the fairgrounds when it is not occupied. This is built into the budget.

Member Letner asked who the surveillance would be monitored by?

Mr. Schaeffer stated it will probably be a surveillance company, but he is not exactly sure how this will be set up.

Police Chief Jerome stated the Police Department would not be in charge of monitoring the surveillance, as they do not do this for any other business.

Vice Mayor Cantrell asked if the entrance will be gated?

Mr. Schaeffer stated yes that is correct.

Vice Mayor Cantrell asked if the road will be in Phase I, because it is not shaded yellow in the site plan?

Law Director Stephan replied the site plan has been revised and the road is now labeled West Campus Boulevard instead of future road.

Member Duncan stated the \$200,000 for the roadway was not budgeted for and asked where it is coming from?

Assistant Manager Keaton replied this expense will not be paid for this year. It will be budgeted and paid for next year or the year after.

Member Duncan inquired whether we would have to borrow the \$200,000?

Assistant Manager/Finance Director Keaton replied we will not have to borrow the \$200,000.

Member Garber asked if an architect has reviewed moving the Round House and asked what percentage of the building will need to be new materials when it is moved?

Montgomery County Commissioner Dan Foley said the County has budgeted a little more than one million dollars to deconstruct and relocate the Round House, which is on the National Registry of Historic Properties. Commissioner Foley stated he cannot answer that question at this time as he does not think they have had anyone analyze it that closely.

Vice Mayor Cantrell commented that if the Round House cannot be moved for some reason, something else will need to be put in its place.

Member Duncan asked if any Dayton businesses or the Dayton Historical Society have protested the move of the Round House? If so, could the \$1,000,000 budgeted by the County be given to the Fair Board?

Commissioner Foley replied there have been a few people who have voiced concerns to him over moving the fair due to the historical significance of having it in Dayton.

Member Duncan stated he has heard that the Dayton Historical Society and some Dayton businesses are planning to protest moving the Round House and try to keep it in Dayton and commented if that happens and the Round House stays in Dayton, the Fair Board should still get the \$1,000,000 that was budgeted for the move.

Commissioner Foley stated it became apparent during deliberations over the past year with the Fair Board, that the Round House was very important to many of the members of the Fair Board to bring that structure to the new location. Commissioner Foley said the County's commitment is to move the Round House to the new fairgrounds location.

Law Director Stephan stated we do have some legal remedies with respect to the Round House as it is shown on the Preliminary Site Plan and the Development Agreement states the Round House is being moved here. If the Round House is not in the site plan on the Final Site Plan approval, they will not get final approval from us unless an alternate building is going to be constructed and there is funding in place for that alternative building.

Mr. Schaeffer stated the County has not only indicated they are going to move the Round House here, they have agreed to do so in a formal fashion through an inter-governmental agreement with the Port Authority and the Fair Board.

Commissioner Foley stated to their understanding and to the legal work that they have done so far, they are allowed to move the Round House here and the question as to whether people would raise concerns about that has not risen to the level that it has been a consistent concern.

Vice Mayor Cantrell asked Law Director Stephan to continue.

Law Director Stephan stated in his recent memorandum to City Council he set forth the procedure to amend the proposed Ordinances to emergency measures, which requires a two-thirds vote of the members of Council. Law Director Stephan stated if Council would like to proceed to consider a motion to amend, he can read a proposed motion to move them to an emergency.

Member Garber said he would like to make that motion, because there have been two Public Hearings, we have had a lot of input from everyone and discussed it. Member Garber stated he is ready to pass the proposed Ordinances in emergency form so that the fairgrounds and the County can move forward on this and hopefully have the fair here in 2015.

Motion by Garber, second by Kirklin to amend the title of proposed Ordinance No. 2014-02 to add "AND DECLARING IT AN EMERGENCY" and to amend Section III of the proposed Ordinance to the following provision: "This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, or welfare, and necessary for the further reasons that having the rezoning in effect at the earliest possible time is critical to achieving the complex financing necessary for the project and necessary to provide adequate time for the Montgomery County Agricultural Society to construct and open the Montgomery County Fair Facility in the City of Brookville by August, 2015 for the annual County Fair.

Member Duncan stated Council has never passed an Ordinance as an emergency in the third reading and said he is skeptical and thinks others are probably skeptical that this emergency reading is so citizens cannot take action. Member Duncan commented that from now on whenever there is a controversial project, Council can just pass it in an emergency fashion when they want the project and think that the citizens do not want it. Member Duncan asked if that is where we are heading?

Member Kirklin stated we have held Public Hearings on this topic.

Member Apgar stated Council has held two Public Hearings and heard from the people.

Member Duncan asked why Council is afraid that they will hear from the people in another way, in the right that they have with our Charter, which we are circumventing so they cannot use that right?

Member Letner commented that the people get to speak every two years when they go to the polls.

Member Duncan stated we went through this a few years ago on the proposed water park issue.

Vice Mayor Cantrell interrupted, stating we are going backwards, and told Member Duncan he has stated his case and there is a motion and a second on the floor.

Vice Mayor Cantrell called for the vote. Letner yea, Kirklin yea, Apgar yea, Duncan nay, Garber yea and Cantrell yea. Motion carried with five yeas and one nay.

Motion by Garber, second by Apgar to read proposed Ordinance No. 2014-02 as amended. Kirklin yea, Apgar yea, Duncan nay, Garber yea, Letner yea and Cantrell yea. Motion carried with five yeas and one nay.

Motion by Apgar, second by Garber to accept the third reading and adopt Ordinance No. 2014-02 entitled "AN ORDINANCE AMENDING SECTION 1143.02(a) PERMITTED USES IN THE I-1, LIGHT INDUSTRIAL DISTRICT, AND SECTION 1139.02(a)

PERMITTED USES IN THE HS, HIGHWAY SERVICE DISTRICT, AND DECLARING IT AN EMERGENCY." Apgar yea, Duncan nay, Garber yea, Letner yea, Kirklin yea and Cantrell yea. Motion carried with five yeas and one nay.

Law Director Stephan stated if Council would like to amend proposed Ordinance No. 2014-03 to an emergency fashion, the title will have to be amended to declare an emergency and amend Section III of the Ordinance to the provision that "This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health safety or welfare and necessary for the further reasons that having the rezoning in effect at the earliest possible time is critical to achieving the complex financing necessary for the project and necessary to provide adequate time for the Montgomery County Agricultural Society to construct and open the Montgomery County Fair Facility in the City of Brookville by August of 2015 for the annual county fair."

Motion by Apgar, second by Kirklin to amend the title of proposed Ordinance No. 2014-03 to include "AND DECLARING IT AN EMERGENCY" and to amend Section III of the proposed Ordinance to the following provision: "This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, or welfare, and necessary for the further reasons that having the rezoning in effect at the earliest possible time is critical to achieving the complex financing necessary for the project and necessary to provide adequate time for the Montgomery County Agricultural Society to construct and open the Montgomery County Fair Facility in the City of Brookville by August, 2015 for the annual County Fair. Duncan nay, Garber yea, Letner yea, Kirklin yea, Apgar yea and Cantrell yea. Motion carried with five yeas and one nay.

Motion by Garber, second by Apgar to read proposed Ordinance No. 2014-03 as amended. Garber yea, Letner yea, Kirklin yea, Apgar yea, Duncan nay and Cantrell yea. Motion carried with five yeas and one nay.

Motion by Apgar, second by Garber to accept the third reading and adopt Ordinance No. 2014-03 as amended, entitled "AN ORDINANCE REZONING A PART OF LOT 2173 OF THE REVISED AND CONSECUTIVE NUMBERS OF LOTS OF THE CITY OF BROOKVILLE, OHIO FROM ITS PRESENT CLASSIFICATION OF I-2, GENERAL INDUSTRIAL DISTRICT, AND HS, PLANNED HIGHWAY SERVICE DISTRICT, TO THE NEW CLASSIFICATION OF PI, PLANNED INDUSTRIAL DISTRICT, AND DECLARING IT AN EMERGENCY", and to approve the Preliminary Plan Development Plan and Development Agreement for the Montgomery County Fair Facility subject to the findings and recommendations of Planning Commission in its February 20, 2014 motion, as amended by City Council in its March 4, 2014 motion, and subject to submittal of a Final Planned Development Plan and Development Agreement that shall conform substantially with the Preliminary Planned Development Plan and Development Agreement as required by 1151.04(c) of the Code of Ordinances of the City of Brookville. Letner yea, Kirklin yea, Apgar yea, Duncan nay, Garber yea and Cantrell yea. Motion carried with five yeas and one nay.

Vice Mayor Cantrell stated this has been an interesting process since it came before Council in December of 2013. Everyone has worked extremely hard, including city staff, Mr. Schaeffer, the Fair Board, the Commissioners and the news media, and most importantly the people have really come out in force. Vice Mayor Cantrell stated she feels very confident and she knows Mayor Seagraves would share her thoughts that Council is doing what the people want because they were in favor of the fair coming to Brookville and passionate about their belief. Member Cantrell stated she has not had one person come to her to say they are against this project and she does not know that anyone else from Council has. Vice Mayor Cantrell said she is confident and excited and wants to see it go forward and hopefully everything will be as we all hoped and dreamed, and we will have a lot of fun and we will have places that we can get to easily in Brookville to enjoy the quality of life that we have all become so familiar with. Vice Mayor Cantrell thanked everyone, including Council.

Vice Mayor Cantrell recessed the meeting so that the fair crowd could disperse.

Vice Mayor Cantrell called the meeting back into session at 8:15 p.m.

Vice Mayor Cantrell welcomed Wayne Ward back to the Council Meeting after an extended illness.

Mr. Ward thanked the Brookville Fire Department for responding so quickly when he fell from a ladder. Mr. Ward also thanked the Brookville Police Department for notifying him when he left the rear hatch of his car up. Mr. Ward said he has nothing but good things to say about both the Police and Fire Departments.

Manager Wright stated although we are through the first hurdle with the fairgrounds project, he would like to remind everyone that the current fairgrounds location must be sold before the Agricultural Committee can secure financing and the project can move forward. If the project does not move forward, the land will revert back to its original zoning.

Manager Wright reported the Service Department is very busy now that the warmer weather has arrived. The Golden Gate restroom project is underway and is on schedule. Manager Wright reported the winter weather took a toll on our streets, and crews have 11 major street repairs to make that resulted from winter water main breaks. There are also street base repairs to make. Manager Wright reported crews have started street sweeping and the goal is to sweep all of the streets within the next month. Manager Wright reported we have begun work at the Waste Water Treatment Plant, to ready the plant for a major renovation planned for this year. This preliminary work will allow our WWTP Operators to shut the plant down in sections while the renovations are underway. Manager Wright advised the Service Department will be extremely busy for the next few months.

Vice Mayor Cantrell thanked Manager Wright for all of his work on the fairgrounds project.

Manager Wright replied he did not do nearly the amount of work that Law Director Stephan and Assistant Manager/Finance Director Keaton did, who both put a tremendous amount of hours into this project. Manager Wright thanked both of them for all of their hard work.

Fire Chief Fletcher reported the Fire Department is hosting a rescue class on excavation emergencies, and thanked Manager Wright and the Service Department for assisting them by digging a trench for the training. Fire Chief Fletcher stated he appreciates the good working relationship between the departments.

Manager Wright commented he observed some of the excavation training and it was impressive. Manager Wright commended Fire Chief Fletcher on a good training program.

Vice Mayor Cantrell asked when the old Dairy Queen building will be coming down?

Manager Wright replied the building is scheduled to come down on Thursday.

Vice Mayor Cantrell asked if the Fire Department has to be present when the building comes down?

Fire Chief Fletcher replied they had requested to use the Dairy Queen building for fire training but unfortunately the scheduling with the building owner did not work out.

Member Duncan said the street is marked in front of the Dairy Queen building and asked if the street will be torn up.

Manager Wright replied the street should not be torn up, the markings are to mark the utility lines for safety during the building demolition. The new construction will hook into the existing water and sewer taps.

Police Chief Jerome reported the Brookville Police Department has handled 142 Reportable Incidents year-to-date, compared to 154 during this same time period last year. Citations are down 8 for a total of 114 Citations year to date.

Member Garber inquired about training local store clerks regarding the sale of alcohol to prevent sales to minors.

Police Chief Jerome advised the Police Department is currently working on this and is also working closely with the schools regarding the Prom Promise. Police Chief Jerome reported the Police Department has involved the elementary students in the program as well, hoping to make a big impact on our young drivers.

Member Garber commented he hopes the recent fatality of three teens in Clark County will hit home with our local students and cause them to take heed and drive safely.

Member Kirklin thanked Police Chief Jerome for attending the Washington D.C trip with the 8th grade students, stating his presence had a positive impact on the kids.

Police Chief Jerome stated he enjoys the annual trip, which allows him to get to know the whole grade level and staff. It is a good community policing event.

Law Director Stephan advised the Tax Incentive Review Council (TIRC) recently met to review the Enterprise Zone Agreement with Green Tokai, which was entered into on August 3, 2004. The TIRC found that Green Tokai was in compliance and recommended that the Enterprise Zone Agreement be continued. This was originally a tax exemption for personal property investment that Green Tokai made in 2004. Personal property tax has been eliminated in Ohio, so there are no taxes being abated, but we must continue to report to the Ohio Department of Development until the agreement expires. Law Director Stephan advised Council must take action on proposed Resolution No. 14-13 to accept the recommendation of the TIRC.

Motion by Garber, second by Kirklin to read proposed Resolution No. 14-13. All yeas, motion carried.

Member Duncan commented this is being passed in emergency fashion and stated he thinks Council should start informing the public why something is being passed as an emergency.

Motion by Garber, second by Kirklin to accept the first reading, dispense with the second and third reading and adopt Resolution No. 14-13 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR CONTINUATION OF THE ENTERPRISE ZONE AGREEMENT OF GREEN TOKAI CO, LTD., AND DECLARING IT AN EMERGENCY." Assistant Manager/Finance Director Keaton also read Section III which states "This Resolution is hereby declared to be an emergency measure to permit timely reporting of this Resolution to the Ohio Department of Development, and thereby insure the continuation of the aforementioned Enterprise Zone Agreement. Therefore, this Resolution shall take effect and be in force from and after its passage as provided by the Charter of the City of Brookville, Ohio." All yeas, motion carried.

Vice Mayor Cantrell thanked Law Director Stephan for all of his hard work on the fairgrounds project.

Assistant Manager/Finance Director Keaton presented the March 31, 2014 Fund Balance and the 2014 First Quarter Detail Trial Balance for Council Review and approval.

Motion by Garber, second by Apgar to accept the March 31, 2014 Fund Balance as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council authorization to adopt proposed Resolution No. 14-14 that amends the 2014 Appropriations and Estimated Resources.

Motion by Garber, second by Kirklin to read proposed Resolution No. 14-14. All yeas, motion carried.

Motion by Garber, second by Kirklin to accept the first reading, dispense with the second and third reading and adopt Resolution No. 14-14 entitled "A RESOLUTION AMENDING THE 2014 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, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council authorization to transfer \$202,491.98 out of the General Fund to the Bond Retirement Fund as appropriated.

Motion by Apgar, second by Kirklin to authorize the transfer of \$202,491.98 from the General Fund to the Bond Retirement Fund as appropriated. All yeas, motion carried.

Assistant Manager/Finance Director Keaton advised she recently received notification by the Ohio Division of Liquor Control that all permits to sell alcoholic beverages in the City of Brookville will expire on June 1, 2014. In order to maintain permit privileges, every permit holder must file a renewal application. Ohio Revised Code Section 4303.27(B) provides Council with the right to object to the renewal of a permit and to request a hearing. Assistant Manager/Finance Director Keaton advised she met with Police Chief Jerome on the renewal of the liquor permits in Brookville and he had no concerns or objections. Assistant Manager/Finance Director Keaton recommended that Council waive the right to object to the renewal of the yearly permits to sell alcoholic beverages in the City that expires on June 1, 2014.

Motion by Apgar, second by Duncan to waive the right to object to the renewal of the yearly permits to sell alcoholic beverages in the City that expire on June 1, 2014. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported Rumpke has provided information regarding a recycling incentive program they have available and asked Council if they would like to participate.

Motion by Kirklin, second by Garber to participate in the Rumpke "Look Who's Recycling in Your Community" recycling incentive program. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported there was a poor turnout for our annual Community Park Cleanup Day that was held on March 22. Assistant Manager/Finance Director Keaton reported we were still able to chip 3,000 pounds of tree limbs and bag a large amount of leaves. Assistant Manager/Finance Director Keaton thanked all the volunteers and staff for their assistance as the Cleanup Day saves the City a lot of man hours cleaning the parks.

Assistant Manager/Finance Director Keaton reported the City of Vandalia Income Tax Department assisted 73 residents with their local income tax returns, which is an increase of 9 taxpayers over last year. Assistant Manager/Finance Director Keaton reminded residents that local income tax returns are due on April 15, 2014.

Assistant Manager/Finance Director Keaton reminded Council their 2013 Financial Disclosure Statements are due on April 15, 2014 and advised this Statement can be filed online.

Vice Mayor Cantrell asked everyone to keep Mayor Seagraves in their prayers.

Member Kirklin requested Council be updated on the Mayor's condition when it becomes available.

Vice Mayor Cantrell announced the Hill Street Community Garden meeting is on Tuesday, April 8, 2014 at 6:00 p.m. at Brookville Schools.

Manager Wright reported it was decided at the last Community Garden meeting that the City will provide a 500,000 water tank on a trailer on-site. The City will be responsible for keeping the tank full.

Vice Mayor Cantrell stated the project is moving forward and the organizers are actively seeking grant monies. Vice Mayor Cantrell said she thinks it is a good project and encouraged interested parties to participate.

Member Kirklin commented the organizers have done a great job in bringing the idea to fruition.

There was no New Business.

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


Sonja M. Keaton, Clerk


Margo Cantrell, Vice Mayor