

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
October 7, 2014

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

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

Motion by Apgar, second by Kirklin to accept the September 16, 2014 Regular Meeting Minutes. All yeas, motion carried.

John Hoelscher, of 9800 Pleasant Plain Road, Brookville, Ohio, inquired about the Montgomery County Fairgrounds coming to Brookville and asked if everything was going according to plan?

Law Director Stephan replied the project cannot move forward until the current fairgrounds site in Dayton is sold.

Mr. Hoelscher asked if any other sites are being considered?

Law Director Stephan replied not at this time. We have not received any applications for any another site. If another site were to be considered, it would have to go through the same review process and Public Hearing process as the current site.

Mayor Seagraves commented until the Fair Board can raise the money to purchase the site, the project cannot move forward.

Mr. Hoelscher stated the date to move the Montgomery County Fairgrounds keeps getting pushed back and now he understands why.

Lilian Martin, of 3 Deger Court, thanked Council and the City for the paving that has been done in the Terrace Park plat. Mrs. Martin stated it looks nice and it should improve the neighborhood. Mrs. Martin stated she plans to continue living in her home until the good Lord takes her home and said the City needs to step up and take care of some of the bank owned homes in the plat that need maintenance. Mrs. Martin stated these unmaintained homes bring her property value down and she wants to be proud of where she lives.

Law Director Stephan replied our Zoning Officer addresses nuisance abatement issues. If Mrs. Martin has a certain property in mind she should give us the address so that our Zoning Officer can check the property for violations. Law Director Stephan stated we recently adopted an Ordinance that allows us to use the Land Reutilization Program through Montgomery County to potentially address one or two vacant properties in that subdivision where there are delinquent taxes.

Mrs. Martin stated she did not have a specific house number but one of the houses is right in front of Deger Court and the other one may be 274 Doyle.

Member Kirklin stated both of the properties Mrs. Martin is referring to are on Doyle Avenue and are bank owned.

Mrs. Martin stated whatever the City can do will be appreciated.

Law Director Stephan stated there are situations during foreclosure where the property is in foreclosure and although it is vacant, the owner still owns it, until the foreclosure is complete, which makes it difficult to impose legal responsibility. Law Director Stephan

asked Mrs. Martin to call the City Office with the address of the property she is concerned about and our Zoning Officer will take a look at it.

Mayor Seagraves stated Mrs. Martin also asked what the street selection process is for our Annual Street Resurfacing Program.

Manager Wright advised that we survey every street annually, usually in the spring or early summer, to determine which streets need immediate attention and which streets can wait another year. Manager Wright stated the streets with the highest traffic count take priority. Manager Wright stated we have a budgeted amount for repaving each year.

Mrs. Martin stated it would be nice if the curbs could also be replaced.

Manager Wright reminded Mrs. Martin that it is not the City's responsibility to maintain the curbs and sidewalks. That is the responsibility of the property owner. The City's responsibility is to see to it that the curbs and sidewalks are maintained.

Mrs. Martin commented that she does not think it is fair for property owners to have to pay for the curbs because anyone can park on the curb and run right up on them.

Manager Wright stated he does not make that decision that is the law. Manager Wright stated if property owners cannot pay for their curb and sidewalk maintenance, the City will contract the work out and pay for it and then attach it to the property owner's taxes, if a property owner does not pay their invoice.

Mrs. Martin asked if that is the way it has always been?

Manager Wright replied yes, and that is the way it is in every city that he is aware of.

Margaret Wastler, of 230 Doyle, stated she appreciates our Service Department for the excellent job they do picking up limbs and leaves.

Manager Wright reported the Annual Street Resurfacing Project is underway and is approximately 2/3 finished and should be finished later this week, weather permitting. After the paving is done, the Service Department will stripe the streets.

Manager Wright reported the gravel berms along the sides of the bikeway are complete and the concrete approaches and striping should be completed within the next two weeks, weather permitting.

Manager Wright reported our Annual Leaf Pickup Program will begin the week of October 13. Crews will pick up leaves daily as necessary, beginning at one end of town and cycling through every street until complete, and then begin again.

Manager Wright reported excavation for underground conduit and piping has begun at the Wastewater Treatment Plant.

Manager Wright advised the new refuse truck has been delivered and is in service.

Manager Wright reported that Brookhaven recently had an individual wander away from one of the cottages. Manager Wright advised he was impressed with the cooperation from our Police and Fire Departments, who excelled in helping to locate the subject quickly for a happy ending.

Fire Chief Fletcher advised the missing person call came in prior to a fire training session, so there were quite a few firefighters to assist with the search. Fire Chief Fletcher reported they quickly coordinated with the Police Department and identified the areas they wanted searched before dark. Fire Chief Fletcher reported that 30 trained searchers were enroute to Brookville, along with several trained search dogs, when the subject was located after only 8 minutes of coordinated searching. The subject was found curled up in a fetal position in a bean field, sunburned but otherwise unscathed. Fire Chief Fletcher stated he is proud to have a wonderful group of fire and police employees who do their

best to execute a plan whether it is a fire, medical situation, or in this case a lost person search. Fire Chief Fletcher stated he is thrilled for the family and how this turned out.

Manager Wright commented hats off to the Fire and Police Department on this incident.

Member Duncan asked if the two ground-out areas on Arlington Road in front of Speedway is Speedway's responsibility?

Manager Wright advised the two areas were damaged during Speedway's construction and during a water main break earlier this year. Manager Wright advised that section is actually scheduled to be repaved tomorrow.

Mayor Seagraves commended Fire Chief Fletcher on a nice Fire Prevention Parade and event.

Fire Chief Fletcher presented the Brookville Fire Department Operations report for the month of September, which shows the Fire Department had 98 EMS Incidents and 26 Fire Incidents during September, which is slightly down from the 130 incidents handled in September of 2013.

Fire Chief Fletcher reported that October is Fire Prevention month and crews will be spending a lot of time at Brookville Schools teaching our Fire Safety Education Programs.

Fire Chief Fletcher reported the Fire Department has responded to several serious accidents recently.

Member Apgar commented the chicken during the Fire Parade was outstanding as usual.

Member Kirklin stated it was fun to ride on a fire truck and participate in the Fire Prevention Parade.

Police Chief Jerome commented the Breast Cancer Walk was a well-organized and fun event, with a turnout of nearly 500 walkers.

Police Chief Jerome commended Fire Chief Fletcher for a job well done in the missing person incident. Police Chief Jerome commented that the Fire Chief did not give himself enough credit as he was the one who actually started the response. At the time of dispatch all of our Police Officers were tied up on another call.

Police Chief Jerome reported the Brookville Police Department has handled 498 Reportable Incidents year-to-date, compared to 533 during this same time period last year. Citations are up 15 for a total of 427 Citations year-to-date. The Brookville Police Department made 136 traffic stops during the month of September, which is a decrease of 24 traffic stops over this same time period last year.

Police Chief Jerome reported that Montgomery County is issuing Civil Protection Order (CPO) Wallet cards to subjects that are protected under a protection order. The card can be presented to the Police if there is a call involving a CPO violation.

Police Chief Jerome presented an Informational Guide on protecting oneself from EBOLA and other infectious diseases.

Police Chief Jerome reported Bethany Morrisette will be sworn in as a part-time Police Officer tomorrow.

Police Chief Jerome advised this past weekend was very busy with a dead body possibly due to a drug overdose at the Brookville Inn, which led to a drug investigation and several arrests for drug trafficking.

Law Director Stephan commented on proposed Ordinance No. 2014-09, which vacates an alley adjacent to East McKinley Street, which runs north from McKinley Street to

another alley that runs east and west between Maple Street and Wolf Creek Street. This is arising from the new parking lot that was installed in the lot adjacent to Community United Methodist Church. The Church discussed vacating the alley with City Staff and adjacent property owner Glen McBride. Law Director Stephan advised all of the property owners are in agreement. When this is complete the property owners on the east side of the alley will be conveying their property to the McBrides who live on the west side of the alley.

Motion by Apgar, second by Cantrell to read proposed Ordinance No. 2014-09. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading of proposed Ordinance No. 2014-09. All yeas, motion carried.

Assistant Manager/Finance Director Keaton presented the September 30, 2014 Fund Balance for Council review and approval, along with the 3<sup>rd</sup> Quarter Detail Trial Balance.

Motion by Duncan, second by Cantrell to accept the September 30, 2014 Fund Balance as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported she received notification from the Ohio Division of Liquor Control for a transfer of a C1 and C2 liquor permit from Roger and Virginia Baker, dba, Brookville Party Supply to Brookville Drive Thru, LLC located at 408 Main Street. Council has the authority to request a hearing or not request a hearing on this transfer. Assistant Manager/Finance Director Keaton advised she has met with Police Chief Jerome on this transfer and he does not have any concerns. Assistant Manager/Finance Director Keaton recommended that Council waive the right to a hearing on this transfer.

Motion by Kirklin, second by Apgar to waive the right to a hearing on the transfer of a C1 and C2 liquor permit from Roger and Virginia Baker, dba, Brookville Party Supply to Brookville Drive Thru, LLC located at 408 Main Street. All yeas, motion carried.

Assistant Manager/Finance Director Keaton advised she is pleased to announce our second winner of the Look Who's Recycling promotion. The winner is Elizabeth Corder of 630 Market Street. Rumpke will be presenting Mrs. Corder with a \$100.00 Carmela's gift card.

Assistant Manager/Finance Director Keaton presented Council with a notification received from Comp Management that the Bureau of Workers' Compensation Board of Directors recently approved another rebate that we should receive from the BWC later this month.

Assistant Manager/Finance Director Keaton presented a Memorandum regarding the Mayor and Council's last pay increase for review as requested at the last Council Meeting.

Mayor Seagraves had no report.

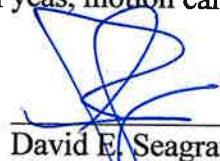
Kevin O'Boyle, of 436 Heather Street, Englewood, Ohio, advised he covered the Breast Cancer Walk for the Brookville Star and as soon as Gale Colston began her opening remarks, a Sun Dog rainbow appeared over the Brookville Community Theatre.

There was no Old Business.

There was no New Business.

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

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor