

BROOKVILLE CITY COUNCIL
REGULAR MEETING
June 18, 2013

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on June 18, 2013 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Howard and Letner; Fire Chief Fletcher, Police Chief Jerome, Law Director Stephan, Manager Wright and Assistant Manager/Finance Director/Clerk Keaton were present.

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

Motion by Apgar, second by Cantrell to accept the June 4, 2013 Regular Meeting Minutes as presented. All yeas, motion carried.

Leon Williamson, of 130 Cherry Drive, stated he lives at the dead end of Church Street and people are constantly turning around in his driveway because they do not see or read the dead end sign. Mr. Williamson asked if red tape or something can be put on the sign to make it more visible?

Manager Wright advised he will check the "No Outlet" sign and make sure it is at the right height and check on putting some reflective tape on it to make it more visible.

Manager Wright reported work is scheduled to begin on the traffic signal at Arlington and the I-70 westbound exit ramp on July 17 or sooner. The completion date is dependent on delivery of materials because mast arms are hard to get. Manager Wright reported the signals will be triggered by a combination of video and radar detection that counts traffic and tells the signal when to change. There will be two mast arms with two traffic signals. ODOT's projected cost is \$114,000 with no cost to the City of Brookville.

Manager Wright reported ODOT also plans to resurface the I-70 overpass that goes over West Upper Lewisburg Salem Road. Cross-over lanes will also be added during this project which could cause bottlenecking of traffic until the project is completed. This project began on June 17 and has a projected finish date of July 31, 2014, but could be finished sooner. The traffic on West Upper Lewisburg Salem Road should not be affected.

Manager Wright reported new home construction is picking up and submitted a building report showing the City has issued more new residential construction permits this year than we have since 2008.

Manager Wright advised Council should have a memo regarding the Fire/EMS levies and contracts, which was prepared by Assistant Manager/Finance Director/Clerk Keaton in response to Member Duncan's inquiries at the last Council meeting.

Manager Wright asked Assistant Manager/Finance Director Keaton to address the answers to questions that were raised at the last Council meeting regarding the DP&L Energy Program.

Assistant Manager/Finance Director Keaton reported if the City endorses the DP&L Community Savings Program the City cannot endorse another competitive retail electric service supplier. Assistant Manager/Finance Director Keaton also advised if the City endorses the Community Savings Program, residents who are currently under a DP&L Energy program will not automatically get the lower rate, as this would be a violation of "slamming" rules provided by the Public Utilities Commission of Ohio. Customers will have to call DPLER directly to request the new rate. Assistant Manager/Finance Director Keaton stated if a resident currently has a lower rate than the Community Savings Program rate, they cannot negotiate a lower rate through the Community Savings Program.

Member Duncan commented he recently signed up with an electric supplier for a lower rate than the Community Savings Program rate. Member Duncan stated he has heard the Chamber of Commerce is also pushing a plan and asked if anyone knows what the rates are on that plan?

Manager Wright stated he does not know; the City office has not received anything from the Chamber. Manager Wright said staff is certainly not pushing the Community Savings Program, they are merely presenting it to Council. Manager Wright stated we have never been approached by any other company to endorse something like this.

Member Howard stated she feels this is a slippery slope for how residents may perceive the City's endorsement versus what it truly represents; as well as the restrictions on the ability to do the same with any other company.

Manager Wright indicated he can see both sides; the downside of not endorsing the Community Savings Program is that the offered rate will not be available.

Member Cantrell commented you could go to a supplier other than DP&L for a lower rate.

Member Cantrell asked if there are any legal issues regarding endorsing the Community Savings Program that Council should be aware of?

Law Director Stephan stated this is not aggregation but a voluntary program for the City and legally there is no liability for Council to endorse this program.

Member Letner advised he thinks Council should table this. He understands that DP&L wants to re-coup their money because they installed the infrastructure. Member Letner stated they are offering a decent rate but it should be up to our residents to decide who to purchase from.

Motion by Letner, second by Apgar to table the Community Savings Program offered by DP&L. Cantrell yea, Garber abstain, Letner yea, Howard yea, Apgar yea, Duncan yea and Seagraves yea. Motion carried with six yeas and one abstention.

Manager Wright reported the handicap door accessibility installation has been completed for three exterior doors at the City building, and also at the Christena Leiber Center at Golden Gate Park.

Assistant Manager/Finance Director Keaton reported the City was approved for a Community Development Block Grant (CDBG) in the amount \$31,313 to install ADA operators for handicap door accessibility, however, the doors were installed for \$15,993 by Modern Entrance Systems. Since the bid came in so low, CDBG will pay the entire amount of the project.

Member Duncan asked if we are required to put ADA operators on the doors at the other park shelters?

Manager Wright stated there are no plans to do that as it is not required and is costly.

Manager Wright advised his next few items to report concern the Wastewater Treatment Plant (WWTP) and acknowledged Ron Brandt, Service Department Superintendent and Joe Hamiel, our Wastewater Treatment Plant Operator; who were both in attendance to answer any questions Council may have.

Manager Wright presented a picture of a sludge dewatering press, which staff has been researching for the past year and are looking to purchase. Manager Wright advised he and staff has done extensive research on the press, have seen it in action at other treatment plants and demonstrated at our WWTP. Manager Wright said sludge is a by-product of the treatment process that has to be disposed of at some point, which is called wasting. We used to haul the sludge ourselves and more recently we have contracted it out to be spread on farm fields. This process is weather related so there are times we need to get rid of sludge and we can't. We have some storage facilities for sludge at our WWTP, but we need to be able to waste sludge whenever we need to. The sludge that is hauled to the fields now is 98% water. With the dewatering process, we can reduce the sludge to wet dirt, called a cake that can be loaded in a dump truck and hauled to a landfill or put into a building to dry it even further. This process may not be a money saving proposition, but something that is necessary for us to do.

Mayor Seagraves asked if the sludge can be sold?

Manager Wright stated the sludge we will make with this process will be Class B sludge, which cannot be sold.

Member Letner commented the main thing we are dealing with is the EPA. By using the dewatering process we will be able to meet the EPA requirements that are coming our way. Currently, we have one farmer that we rely on who is willing to accept and haul our sludge and we are at their mercy. The dewatering process is a one step process where the sludge goes through the machine and comes out ready to load into a truck with a forklift.

Manager Wright stated we used to have four or five fields that were approved by the EPA for us to dump on, but we are currently down to one field because the testing is time consuming.

Member Garber asked if the cakes have to be tested to ensure they are a class B?

Wastewater Treatment Operator Joe Hamiel replied that is correct, we will have to pull fecal samples and send them out to make sure they are in the approved range.

Mayor Seagraves asked how much the volume, for example by truckload, of material that we have to haul out will be reduced with the dewatering process?

Manager Wright stated that will vary, some is weather dependent, but it will probably be a wash because we have been hauling the bare minimum and storing the rest.

Member Howard inquired since last year was a drought situation would that then put us in a position where we could get away with hauling less?

Manager Wright replied probably, he is not sure.

Service Department Superintendent Ron Brandt stated the flow of the wastewater stream was still heavy last year, even with the drought.

Member Letner commented with the dewatering press we will stay ahead of the curve because we are currently not maxed out, but operating at a fairly high percentage. This dewatering press can be run as needed to keep us at a minimum, keeping it at our discretion.

Member Duncan asked if there is an advantage to producing Class A sludge?

Member Letner stated that would require having to blend the sludge with other materials to disperse it, and would involve the EPA. We are just looking to dispose of it.

Manager Wright advised we have budgeted \$170,000 this year to purchase this dewatering press. We have looked at three different types of presses, including re-conditioned units, and determined the screw press, which is mounted on a fully enclosed trailer, is the best one for our WWTP. The price for a new skid mounted screw press in a mobile trailer is \$350,000, a new screw press without the trailer is \$275,000, and the demo unit mounted on a trailer with less than 100 hours on it was offered to us for \$285,000. Manager Wright said he has negotiated with the company and is confident they will accept \$250,000 for this demo unit. This demo unit would have the same warranty as a new unit and we would receive the same training we would receive if we purchased a new unit. Manager Wright recommended we purchase the demo unit and advised Assistant Manager/Finance Director Keaton will present our financing options.

Member Garber inquired whether other municipalities would be able to use the unit?

Manager Wright replied we could take it to other municipalities, operate it and charge them accordingly, which is why he would like to purchase the screw press mounted on a trailer.

Member Letner stated the unit runs off of 480, which is what we currently have at the WWTP. The company claims all of the repair parts are available locally, which is an added benefit.

Assistant Manager/Finance Director Keaton stated as indicated by Manager Wright, the current price for the press is \$250,000. With the \$170,000 budgeted, we are short \$80,000. Assistant Manager/Finance Director Keaton reported she is researching several options; such as a municipal lease or a Note. Assistant Manager/Finance Director Keaton said we could pay for it out of our current Sewer Fund budget; however, it would be very tight, especially if there are any issues at the WWTP between now and the end of the year. Assistant Manager/Finance Director Keaton stated she will continue to work on financing options and will present the options to Council at the July 2nd Council Meeting.

Member Garber inquired about offering the company more money for the press in exchange for paying half this year and half next year.

Manager Wright replied the company will not finance for us. Manager Wright stated he is confident that we can borrow the money and budget to pay it off next year.

Manager Wright advised our Charter allows Council to approve the purchase of this equipment where competition is not practicable.

Motion by Cantrell, second by Garber to authorize Manager Wright to purchase a BDP Screw Press Demo Unit, Model 3012, per Section 8.02 (B)(3) of the Municipal Charter depending on securing financing. All yeas, motion carried.

Manager Wright reiterated that Superintendent Brandt and WWTP Operator Hamiel have done extensive research on this equipment and the process and he is confident about the decision to purchase a dewatering press.

Manager Wright reported we have applied for and been denied funding several years in a row for an Ohio Public Works Commission (OPWC) grant/loan to rehab our existing equipment at our Wastewater Treatment Plant. Last year we applied for a zero interest 100% loan through OPWC. It was not approved initially, however, we ranked next in line for funding if any money came back in from other projects. Manager Wright stated we were recently notified that the \$2,090,000 we requested is available to fund our project. Manager Wright reported we have not done any upgrades at the WWTP for about 20 years and it is time to do some upgrading, as a lot of the equipment is nearing the end of its 20 year lifespan. Manager Wright stated he and Assistant Manager/Finance Director Keaton have studied this and neither feels that it will be a burden to the ratepayer or the City to borrow the money to fund this rehab project.

Assistant Manager/Finance Director Keaton reported the estimated project cost for this project is \$2,138,640. OPWC has approved \$2,090,000 at a zero percent loan for the useful life of the equipment, which is 20 years. Assistant Manager/Finance Director Keaton reported local revenue toward this project is \$48,640 or 2%. If the construction project comes in at \$2,090,000, annual payments will be \$104,500. Assistant Manager/Finance Director Keaton advised in July of 2010, we paid off a \$1,150,000 WWTP Ohio Water Development Authority loan (5% interest) with annual payments of \$91,623; and in July of 2012, we paid off a \$100,000 Wolf Creek Sanitary Sewer Trunk Line OPWC loan (zero interest) with annual payments of \$5,000. Assistant Manager/Finance Director Keaton stated the new loan payment will not be much more than these two payments were combined. In July of 2018, we will pay off the \$853,875 WWTP OPWC loan (zero interest) which has an annual payment of \$42,694. Assistant Manager/Finance Director Keaton reported basically once this project is complete, we will be in the same budget position that we were in several years ago. Payments would begin the January or July following completion of the project. Assistant Manager/Finance Director Keaton reported we are not transferring any funds from the General Fund for this project.

Motion by Howard, second by Apgar to authorize Manager Wright to move forward with the Wastewater Treatment Plant OPWC Project as submitted. All yeas, motion carried.

Member Letner congratulated Manager Wright on his recent hole in one at the Penn Terra golf course.

Member Howard commented several young citizens are concerned about the condition of the picnic tables and shelter at Ward Park and asked Manager Wright if anything could be done about this?

Manager Wright stated he will look at them and have it taken care of it.

Fire Chief Fletcher reported Englewood Dispatch Center has recently entered into an agreement with ODOT that gives them access to every camera from I-75 and I-70 to eastbound I-70 near the Crestway Road overpass. As development continues and ODOT invests money west on I-70, Englewood Dispatch will have access to any technological advances there as well. These cameras will be useful to us for incident management. Fire Chief Fletcher reported in the near future, the Englewood Dispatch Center may also have access to cameras inside our schools.

Mayor Seagraves inquired if the activity has slowed down for the Fire Department?

Fire Chief Fletcher advised the activity level is still up. There have been quite a few fire calls lately between our own and mutual aid calls. There was a structure fire on Shaney Lane last week which our crews made a great stop on.

Member Howard commented that she knows the resident on Shaney Lane whose house burned and the resident asked her to convey to the Fire Chief that she could not believe how many firefighters and how much equipment responded to the fire at her home. The resident said everyone was moving with purpose and direction, and she is so grateful for the great job they did containing the fire in her home.

Member Garber asked Fire Chief Fletcher and Police Chief Jerome if the Chamber of Commerce has been keeping them updated about the Community Picnic activities?

Fire Chief Fletcher and Police Chief acknowledged that they are keeping them informed.

Police Chief Jerome reported the Brookville Police Department handled 322 Reportable Incidents year-to-date, compared to 316 at this same time last year. Police Chief Jerome commented this is the first time in his tenure as Chief that incidents have been up over the same time last year. Citations are down 47 from this same time last year for a total of 254 Citations year-to-date. Police Chief Jerome stated the department has received quite a few phone calls reporting possible suspicious activity since the Brookville Star reported on heroin use in the area.

Police Chief Jerome reported Perry Township recently arrested a suspect in approximately 20 breaking and entering offenses within the City of Brookville. The suspect had a riding mower stolen from our City in his truck at the time of his arrest, and since that time we have recovered a lot of our stolen items with information from this arrest. Police Chief Jerome stated his detective has exceeded his expectations, and with support from other detectives has recovered a lot of our citizens' stolen property. Police Chief Jerome stated you cannot get a charge every time on every crime but what is important is getting stolen property back to our residents undamaged. Police Chief Jerome reported this investigation is still ongoing.

Police Chief Jerome also reported Captain Tom Simon just returned from an 11 week management school sponsored by the Ohio State University John Glenn School of Public Affairs and the Ohio State Patrol. The school was completely paid for, with no charge to the City, and included a week in Washington D.C., a trip to Quantico, Virginia; all of his uniforms and food and lodging at the Ohio State Academy. Police Chief Jerome stated this was a great opportunity for Captain Simon and he is proud of his accomplishment.

Member Letner commented he has seen three golf carts on our city streets that are licensed and asked Police Chief Jerome what criteria it falls under, as in minimum and maximum speed safety wise.

Police Chief Jerome responded legally, to his knowledge, the Indian Lake Police Department has a deal with the State to license golf carts to drive on the street. As part of that licensing, they should be required to follow the licensed motor vehicles requirements of turn signals,

horn, headlights, taillights and things like that. Police Chief Jerome stated if the golf cart doesn't meet the minimum speed of the roadway in his opinion it should have a slow moving vehicle sign on it. Police Chief Jerome advised there has been a big push in the state to license ATV's and similar recreational vehicles. Police Chief Jerome said he has not seen the golf carts on the streets, or received any complaints on them, but any resident driving a golf cart 15 mph down Arlington Road would be problematic because it is a traffic hazard. Police Chief Jerome stated there are other communities where these vehicles can be licensed and he is going to research this issue.

Member Letner asked if we need to look at an Ordinance to allow or disallow these vehicles on the road?

Law Director Stephan stated we can get some information on whether these vehicles can be licensed and pass an Ordinance to either allow or disallow it, or allow it with certain rules so that we have enforcement rules. Discussion followed.

The consensus is to have Law Director Stephan and Police Chief Jerome research the issue so that Council can address it.

Member Duncan expressed concern about Park Board approving a rental for heavy metal bands coming in from Los Angeles, Detroit and other cities to play at Golden Gate Park.

Assistant Manager/Finance Director Keaton advised the person who requested use of the shelter for this concert has not paid for the rental yet so it may not happen.

Member Apgar stated the same concerns were already addressed at the Park Board meeting and he does not foresee any problems.

Fire Chief Fletcher advised if there were more people than the 150 fire capacity of the building they will be asked to leave.

Law Director Stephan had no report.

Assistant Manager/Finance Director Keaton reported she received a request from Matt Windham of 426 Edgebrook to hold a Block Party this Thursday, June 20, from noon until 5:00 p.m., with Edgebrook blocked off from Sunrise to Mound Street. Mr. Windham stated emergency vehicles will still be able to get through.

Motion by Garber, second by Howard to allow Matt Windham of 426 Edgebrook to hold a Block Party this Thursday, June 20, from noon until 5:00 p.m., with Edgebrook blocked off from Sunrise to Mound Street. All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council approval to accept our Commercial Property, Automobile and Liability Insurance coverage through The Ohio Plan which renews on July 1 for a one year period. The renewal premium came in at \$58,723, which is a \$1,000 decrease from last year. This decrease is attributed to the reevaluation of our assets in 2012, where we were able to attach a value to each large component of our Wastewater Treatment Plant versus having a blanket value on the plant. Property values decreased \$4,250,000 and our scheduled equipment increased \$3,100. Our Advantage Plan Premium Credit totaled \$2,397 this year; last year that credit totaled \$1,064. Property and casualty insurance nationwide is seeing a 6% to 10% increase.

Motion by Cantrell, second by Apgar to allow Assistant Manager/Finance Director Keaton to renew the Commercial Property, Automobile and Liability Insurance coverage through The Ohio Plan, which renews on July 1, for a one year period. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported the summer newsletter, which includes our annual water quality report, is being mailed out this week. Assistant Manager/Finance Director Keaton thanked staff for their articles to the newsletter and Deputy Clerk Duncan for designing the newsletter.

Member Letner asked if we keep a count on how many hits our website gets and if the website can be freshened up?

Assistant Manager/Finance Director Keaton stated she is unsure how many hits the website gets. She has plans to meet with a company later this year to review our website options,

Mayor Seagraves inquired if Council Members will be available for the July 2 meeting due to the holiday?

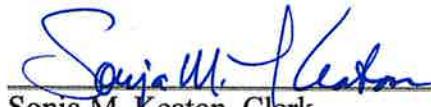
Member Howard stated she will be out of town.

Mayor Seagraves stated if no one else will be gone the meeting will go on as scheduled.

Mayor Seagraves had no report.

There was no Old Business.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor