

BROOKVILLE CITY COUNCIL
REGULAR MEETING
March 19, 2013

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on March 19, 2013 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Duncan, Garber, Howard and Letner; Police Chief Jerome, Law Director Stephan, Assistant Manager/Finance Director/Clerk Keaton and Manager Wright were present. Fire Chief Fletcher arrived later. Member Cantrell was absent.

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

Motion by Apgar, second by Howard to accept the March 5, 2013 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright presented a request from the Brookville Baseball Club for the BBC Opening Day Parade on May 4, 2013 at 11:00 a.m. The parade will follow the usual route from Carr Drive to Albert Road to Salem Street to Market Street to Wolf Creek Street to Arlington Road to Golden Gate Park.

Motion by Duncan, second by Howard to allow the Brookville Baseball Club to hold their annual Opening Day Parade on May 4, 2013 at 11:00 a.m. as requested. All yeas, motion carried.

Manager Wright requested Council approval to adopt proposed Resolution No. 13-03 that authorizes him to execute an Agreement and any other necessary documents on behalf of the City for electric generation and transmission supply services with a competitive retail electric service provider. This requirement is due to the fact that prices in the electric generation supply market change daily and suppliers are not able to hold prices for an extended period of time. Manager Wright advised the Miami Valley Cable Council is once again negotiating and acting as Procuring Agents to identify a competitive retail electric service provider for electric generation and transmission supply services for us and a consortium of other cities. Our current agreement for electric generation and transmission supply ends on December 31, 2013.

Fire Chief Fletcher arrived.

Motion by Garber, second by Letner to read proposed Resolution No. 13-03. All yeas, motion carried.

Motion by Duncan, second by Letner to accept the first reading, dispense with the second and third reading and adopt Resolution No. 13-03 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ELECTRIC GENERATION SUPPLY WITH A COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER AND DECLARING IT AN EMERGENCY."

Member Garber remarked there are over 30 suppliers working in our area, along with our current supplier, DPLER. Member Garber agreed the market is volatile and very competitive and we will need to act quickly to lock in our rates when an agreement is reached.

Mayor Seagraves stated there is a motion on the floor to accept the first reading and adopt proposed Resolution No. 13-03 and called for the vote. Howard yea, Apgar yea, Duncan yea, Garber abstained, Letner yea and Seagraves yea. Motion carried with five yeas and one abstention.

Fire Chief Fletcher reported the frequencies on our weather warning sirens have been changed so they can be activated from our new dispatch center.

Member Letner inquired what the activation of our weather warning sirens is based on?

Fire Chief Fletcher stated our preference is to activate the sirens when inclement weather is specifically predicted to affect the City of Brookville, not just general to Montgomery County. We want our citizens to believe it is a valid alarm and take cover when our sirens sound with geographically pertinent information. Our dispatch center has been instructed to sound the weather warning sirens based on information from the National Weather Service, or upon the request of the City Manager, Fire Chief or Police Chief. Fire Chief Fletcher also commented that the purpose of the weather warning siren is to warn people who are outside and away from the television or radio to take cover. Fire Chief Fletcher stated he has had to remind people of this fact when they complain to him that they cannot hear the sirens from inside their homes. Fire Chief Fletcher stated the majority of these complaints are from residents of Arlington Woods, and if a grant opportunity would arise allowing us to install another weather warning siren on the west side of town, we will consider pursuing it. Fire Chief Fletcher stated the current saturation with our weather warning sirens is as good as any community he has ever seen.

Member Letner asked if the sirens are still tested the first Monday of the month at noon?

Fire Chief Fletcher stated that is correct. The only way the siren would not sound on the first Monday of the month is if there is threatening weather in the area at that time, so as not to confuse our residents.

Member Garber stated the schools have all-call technology when there is a snow day, and inquired if this is something we could use to notify residents of inclement weather?

Fire Chief Fletcher stated that is a subscription service which takes a considerable amount of time. Fire Chief Fletcher stated there are a handful of community notification opportunities we could implement to notify our residents of a police or fire emergency. The more detailed this call system gets and the quicker the notification gets out the price tag gets bigger.

Police Chief Jerome reported the Brookville Police Department handled 127 Reportable Incidents year-to-date, compared to 141 at this same time last year. Citations are down 49 from this same time last year for a total of 98 Citations year to date.

Police Chief Jerome reported the patrol rifle training is complete and there are now rifles in each police cruiser on all shifts. Police Chief Jerome reported 50 people attended the Police Department's Bank Robbery Response Training co-sponsored by the FBI on March 14, 2013. Police Chief Jerome reported Police Officer Steve Whiteaker will be honored as the Officer of the Year by the Optimist Club on March 25, 2013.

Member Garber said it is spring and in light of the UD St. Patrick's Day incident, will the Police Department be checking the establishments that sell beer and alcohol to make sure they are trained and watching for underage purchases?

Police Chief Jerome stated the Police Department does this right before prom every year.

Law Director Stephan reported the Tax Incentive Review Council met on March 15, 2013 to review the compliance of two businesses with their Enterprise Zone Agreements. The Tax Incentive Review Council found I.M.I. Norgren to be in compliance with its agreement dated February 19, 2002 and found Green Tokai to be in compliance with its Enterprise Zone Agreement dated August 3, 2004. Both agreements originally provided exemptions for personal property taxes, investments, and machinery and equipment in their factories. Law Director Stephan stated since the personal property tax has been repealed in Ohio there were no actual taxes exempted in 2012. The proposed Resolutions before Council tonight are to accept the recommendations of the Tax Incentive Review Council and to find the companies in compliance and continue the Agreements. The proposed Resolutions are in emergency form because we must file the annual Enterprise Zone Report with the State of Ohio by March 31, 2013.

Motion by Apgar, second by Garber to read proposed Resolution No. 13-04 and Resolution No. 13-05. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading, dispense with the second and third reading and adopt Resolution No. 13-04 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR CONTINUATION OF THE ENTERPRISE ZONE AGREEMENT OF I.M.I. NORGRN, INC., AND DECLARING IT AN EMERGENCY."; and Resolution No. 13-05 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." All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council authorization to transfer \$206,255.99 out of the General Fund to the Bond Retirement Fund to pay down the 2012 Note, originally the 2007 Note for the Payless Project. Assistant Manager/Finance Director Keaton advised this transfer was included in the 2013 Appropriations.

Motion by Letner, second by Apgar to authorize the transfer of \$206,255.99 out of the General Fund to the Bond Retirement Fund to pay down the 2012 Note, as appropriated. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reminded everyone of the Annual Community Park Cleanup Day on Saturday, March 23, 2012 from 10:00 a.m. until noon at Golden Gate, Ward and Westbrook Parks. In case of inclement weather, the event will be rescheduled for Saturday, April 6 at the same time.

Assistant Manager/Finance Director Keaton also reminded everyone that the City of Vandalia will once again have representatives at our City Building to assist our residents with the preparation of their local income tax returns on Friday, April 5, 2013 from 8:00 a.m. until noon and on Saturday, April 6, 2013 from 8:00 a.m. until noon. This is a free service to our residents.

Assistant Manager/Finance Director Keaton announced the Planning Commission Meeting scheduled for March 21, 2013 has been cancelled due to lack of items for an agenda.

Assistant Manager/Finance Director Keaton reminded everyone there are two Public Hearings beginning at 8:00 p.m. at the April 2, 2013 Council Meeting.

Mayor Seagraves encouraged everyone to attend the Community Park Cleanup Day. Mayor Seagraves also advised the Easter dinners will be assembled for our needy families on Saturday beginning at 9:00 a.m. at the VFW. Mayor Seagraves advised this will conclude in time for people to attend the last hour of the Community Park Cleanup.


Motion by Duncan, second by Apgar to read proposed Ordinance No. 2013-02. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the third reading and adopt Ordinance No. 2013-02 entitled "AN ORDINANCE AMENDING REGULATIONS FOR ACCESSORY BUILDINGS IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Member Howard advised the Brookville High School Wizard of Oz production opens Thursday, March 21, 2013. Member Howard advised the production will run Thursday, Friday and Saturday and encouraged everyone to attend.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor