

BROOKVILLE CITY COUNCIL
REGULAR MEETING
May 7, 2013

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:31 p.m. on May 7, 2013 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Howard and Letner; Fire Chief Fletcher, Police Chief Jerome, Law Director Stephan, Manager Wright and Assistant Manager/Finance Director/Clerk Keaton were present. Member Garber arrived later.

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

Motion by Apgar, second by Letner to accept the April 16, 2013 Regular Meeting Minutes as presented. All yeas, motion carried.

Margaret Wastler, of 230 Doyle, stated she is greatly concerned over the aesthetics in the area of her home, stating the entrance to the Terrace Park plat is rather disastrous the way the curbs and gutters are breaking down. Mrs. Wastler asked if it would be appropriate to remind residents that they should pick up their grass when they mow, so that it does not accumulate in the gutters. Mrs. Wastler also stated when the grass is left to decompose in the gutters it propagates weeds; which breaks down the concrete. Mrs. Wastler stated the nitrogen also causes destruction as it washes into the mainstream. Mrs. Wastler asked if the holes in the gutters can be patched with black top.

Member Garber arrived.

Manager Wright stated there are a number of holes in the streets of the Terrace Park plat that were caused by excavation work that was necessary in order to repair water main breaks this past winter. Manager Wright advised we can only patch with cold mix compound in the winter but the asphalt plants have recently opened, making hot mix patching compound available. City crews are scheduled to begin tomorrow with excavation and patching with hot mix. Manager Wright asked Mrs. Wastler what she meant by using the asphalt to patch the curbs?

Mrs. Wastler replied she would like to see the holes patched with the same asphalt that is on the roads. Mrs. Wastler stated the holes are getting critical and she worries that a car will get their wheel stuck and not be able to get out. Mrs. Wastler stated she thinks the homes in the Terrace Park plat are worthy to be considered nice homes, and the current aesthetics of the streets are detrimental to prospective buyers. Mrs. Wastler stated she realizes that funds are a big issue.

Manager Wright stated with Council's approval, a curb and sidewalk replacement program could be considered, which would have to be broken down into smaller sections of the City, as the City has to front the money. Manager Wright stated we could target the Terrace Park plat and start there. Manager Wright stated this type of program is unpopular because each property owner is responsible for the curb and sidewalk in front of their residence. Manager Wright stated once the City determines what needs to be replaced, the property owner can either hire it done or have it done by the City's contractor. The City then fronts the money to pay the contractor and the property owner pays back the City either over a period of time or through property taxes.

Member Letner commented Council entertained this issue about three years ago, but decided not to act on it due to the poor economy and the burden it might place on the homeowners. Member Letner agreed that Council needs to revisit the issue at this time.

Member Duncan asked if the streets need replaced along with the curbs?

Manager Wright stated every street in the Terrace Park plat needs to be rebuilt as the streets and utilities were not built properly to begin with. Manager Wright advised if we do a curb replacement now and in two years we go back and reconstruct the street, we can either keep the portions of curbs that were repaired or replace the curbs and not hold the property owners liable for it.

Member Duncan inquired if it is more feasible to replace the streets first?

Manager Wright advised we do not have the money to replace streets at this time and he does not anticipate that changing in the near future. Manager Wright commented the OPWC Grant that we applied for to do the Terrace Park plat street replacement was not funded. Manager Wright stated these types of programs do not score high on the OPWC grant list. Manager Wright commented that based on this, the wise thing to do is to institute a curb replacement program and what better place to start than in the Terrace Park plat.

Mayor Seagraves commented that the media should be advised that this will be a City wide program that will take place over a period of several years.

Mrs. Wastler asked if the homeowners could be notified that it would be advantageous for them to clean up their yard debris to keep the gutters from further deteriorating.

Mrs. Martin, of 3 Deger Court, said the public should be made aware that if they park on the curb, it will break the curb down and they will have to pay to have them replaced.

Mayor Seagraves stated most of the curbs in the Terrace Park plat are over 50 years old. Mayor Seagraves stated he has a curb section in front of his home that needs to be replaced and wants everyone to know that the curb replacement program will include all of our City streets, not just the Terrace Park plat.

Manager Wright stated the long term goal is to rebuild the Terrace Park plat from the bottom up, but the curbs are in terrible shape now and to wait that long is probably not a wise thing to do.

Mrs. Wastler stated there are some six inch craters in the gutters and asked for a stop gap method of patching this with asphalt until the curbs can be replaced.

Mayor Seagraves stated it would be cost prohibitive for the City to patch all of the gutters, which are really the homeowners' responsibility. The fastest way to address these concerns is to initiate a curb replacement program.

Mrs. Wastler stated she is also concerned about the environmental situation created by residents not cleaning up their yard waste and asked if a letter can be sent with the utility bill reminding people to clean up their yard waste.

Mayor Seagraves advised a reminder will be published in our newsletter, which will be mailed to every residence.

Manager Wright asked if Council is in favor of him instituting a curb replacement program as soon as possible?

Motion by Howard, second by Letner to initiate a Curb Replacement Program in the City and have it begin with the Terrace Park plat.

Manager Wright commented that funds were not appropriated to do a curb replacement project this year. We may be able to fund a portion this year, but he will need to discuss it with Assistant Manager/Finance Director Keaton. Manager Wright also advised that the replacement curbs will have to match existing curbs, which is rollback curb. Manager Wright stated when rollback curbs are built and installed correctly, they are designed to handle traffic.

Mayor Seagraves advised there is a motion on the floor and called for a vote. All yeas, motion carried.

Manager Wright requested Council approval to submit a CDBG Application to build new ADA compliant restrooms at Golden Gate Park.

Mayor Seagraves asked what material the proposed restrooms would be constructed with?

Manager Wright replied the restrooms would be concrete block with vandal resistant fixtures.

Motion by Apgar, second by Howard to allow Manager Wright to submit a CDBG Application to build new ADA compliant restrooms at Golden Gate Park. All yeas, motion carried.

Manager Wright reported he received notice today that the three Solid Waste District Grant applications submitted by the City of Brookville were approved. The first grant is to purchase an additional 500 of the 65 gallon recycling toters. The grant is for \$15,681, with the City contributing \$8,444. The second grant was for \$8,222 to purchase 200 bumper stops made of recycled plastic for Golden Gate Park, with the City contributing \$4,427. The third grant is for \$5,684 to purchase an above ground used oil storage tank, with the City contributing \$3,788.50. The used oil is used to heat our service garage buildings with Clean Burn furnaces.

Mayor Seagraves reported Manager Wright and Assistant Manager/Finance Director Keaton worked with the AmVets to help them secure a grant to purchase picnic tables. Mayor Seagraves stated this is a nice addition to the site.

Manager Wright advised AmVets found and applied for the grant, City Staff just helped guide them through the process and helped with assembly of the product.

Manager Wright advised City Staff is in the process of negotiating with the Ohio EPA to renew our National Pollution Discharge Elimination System (NPDES) permit for our Wastewater Treatment Plant. Manager Wright stated the negotiations involve meeting EPA water mandates that are constantly changing, which can be costly to the City. Manager Wright advised part of this 30-60 day process is an EPA notice that will be published in local newspapers.

Member Letner inquired if we are still pursuing the purchase of a sludge press for the Wastewater Treatment Plant?

Manager Wright replied we are in line for two things for the Wastewater Treatment Plant; the sludge press, which will improve and give us better control over how we handle our sludge; and we should find out in July if we received OPWC funding for the rehab of our Wastewater Treatment Plant.

Manager Wright reported the ED/GE Committee will be touring the Flow Dry Technology, Inc. site on Friday and we should know by the next Council meeting if the project receives funding.

Member Cantrell inquired about the greenhouse frame in the City parking lot on Arlington Road?

Manager Wright advised this is a temporary greenhouse frame for Brookville Lawn and Garden, who will be selling flowers and bedding plants in this designated Farmer's Market area. Manager Wright stated the hope is to generate interest for other vendors to set up in this lot.

Member Cantrell stated Golden Gate Estates residents are complaining about doggie waste bags being tossed into the catch basin near the pond. Member Cantrell asked if anything could be done about this?

Manager Wright stated he will look into it.

Member Howard asked where to direct vendors who are interested in participating in the Farmers Market?

Assistant Manager/Finance Director Keaton advised interested vendors should contact Zoning Officer Jim Snedeker.

Fire Chief Fletcher reported the Brookville Fire Department responded to 72 EMS and 23 Fire incidents during the month of April. Crews handled a total of 95 incidents for the month compared to 102 incidents in April of 2012. The Brookville Fire Department has handled 512 incidents in 2013, an increase of 85 incidents over this same time last year. There were zero dollar loss fires for the month of April.

Fire Chief Fletcher reported there was a significant fire loss to a residence on Foothill Drive over the weekend. Fire Chief Fletcher stated the four firefighters who were on duty were able to respond quickly and the remainder responded from home. Fire Chief Fletcher commended his fire crews and reported having the station manned saved four minutes in first responder time, which absolutely saved the residence from being a total loss. Fire Chief Fletcher stated all residents were able to get out of the home without injury.

Fire Chief Fletcher reported crews will be busy inspecting hydrants and draining rusty water in a controlled circumstance. Fire Chief Fletcher stated the office may receive a few calls about rusty water. Fire Chief Fletcher reported crews are also visually inspecting street signs during this process to ensure any fire and police units are able to locate addresses quickly.

Member Apgar commented both the Fire and Police Departments did a terrific job on the Prom Promise Program. It was put on well and very informative.

Fire Chief Fletcher stated Prom Promise is a good training opportunity for the Fire Department and he considers the program successful if it reminds just one student to make a better decision.

Member Duncan asked if our Fire Department participated in Calamityville?

Fire Chief Fletcher replied that Calamityville is a program put on by a private company and the cost is significant to participate. Fire Chief Fletcher stated he is an instructor for a similar program and he trains our Fire Department as well as other Fire Departments in this program.

Police Chief Jerome reported the Brookville Police Department handled 215 Reportable Incidents year-to-date, compared to 243 at this same time last year. Citations are down 39 from this same time last year for a total of 182 Citations year-to-date.

Police Chief Jerome stated one of the highlights of the past week is the artwork hung in the hall created by the Brookville Intermediate School. The Community Pre-School Trike-a-Thon was held at the Police Department last week with approximately 40 kids attending. Police Chief Jerome reported upcoming events are the Optimist Bike Rodeo and the Neighborhood Watch meeting for all subdivisions to prepare for summer.

Law Director Stephan had no report.

Assistant Manager/Finance Director Keaton presented the April 30, 2013 Fund Balance for Council review and approval.

Motion by Apgar, second by Howard to accept the April 30, 2013 Fund Balance as presented. All yeas, motion carried.

Manager Wright commented that we may take the same beating on income tax that we have taken on the Estate Tax if House Bill 5 (HB5) passes. Manager Wright reported the local Mayors and Managers as well as those around the State are really lobbying hard to get HB5 changed.

Member Howard commented Golden Gate Park looked fantastic during BBC Opening Day, with a sea of kids. Member Howard said the parade was terrific and thanked Manager Wright and Fire Chief Fletcher for their efforts.

Mayor Seagraves wished all moms a Happy Mother's Day and reminded everyone not to forget their mother.

Assistant Manager/Finance Director Keaton read aloud Planning Commission's recommendation, "Motion by Cantrell, second by Williamson to recommend to Council to adopt proposed Ordinance No. 2013-05, which zones Lot 2627 as HS, Highway Service District and to adopt proposed Ordinance No. 2013-06, which rezones Lot 2619 from its present zoning classification of R-1B, Urban Residential District, to the new zoning classification of HS, Highway Service District. All yeas, motion carried.

Motion by Duncan, second by Apgar to read proposed Ordinance No. 2013-05 and proposed Ordinance No. 2013-06. All yeas, motion carried.

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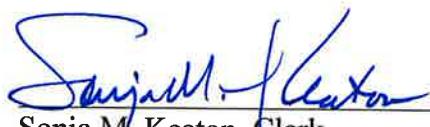
Motion by Apgar, second by Howard to accept the second reading of proposed Ordinance No. 2013-05 and proposed Ordinance No. 2013-06. All yeas, motion carried.

In Old Business, Member Garber inquired if we received information from the Miami Valley Communications Council (MVCC) on the electric rates that they are negotiating for us.

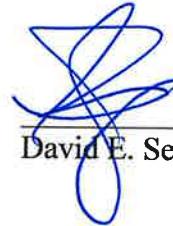
Manager Wright stated we have not heard from MVCC yet.

There was no New Business.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor