

BROOKVILLE CITY COUNCIL
REGULAR MEETING
September 3, 2013

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on September 3, 2013 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber and Letner; Fire Chief Fletcher, Police Chief Jerome, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present. Member Howard and Manager Wright were absent.

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 August 20, 2013 Regular Meeting Minutes as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported the City received three bids for the "2013 Asphalt Resurfacing & Pavement Removal Project" and recommended that Council accept the lowest and best bid from Butler Asphalt Company LLC, with the contractor keeping the material.

Motion by Garber, second by Cantrell to accept the bid of \$77.75 per ton for approximately 1,395 tons of asphalt concrete overlay Type 1H, \$65.60 per ton for approximately 1,650 tons of asphalt overlay Type 1 and \$1.57 per square yard for pavement removal, Contractor keeps material for approximately 21,325 square yards from Butler Asphalt Company, LLC. All yeas, motion carried.

Assistant Manager/Finance Director Keaton presented a request from Brookville resident Kathy Wilson Hubley, who would like to organize a volunteer group to make Brookville a cleaner and weed-free community. Assistant Manager/Finance Director Keaton advised the City's insurance policy would provide liability coverage for these volunteers should they damage property or cause bodily injury to someone. There is no coverage for medical payments should a volunteer be injured while performing any of these duties. Assistant Manager/Finance Director Keaton advised she and Law Director Stephan will draft a waiver to be signed by volunteers that would hold the City harmless in the event one of the volunteers would be injured while performing these clean-up efforts. Assistant Manager/Finance Director Keaton stated this sounds like a great Program and the City supports it.

Mayor Seagraves suggested the volunteers wear safety vests.

Member Letner inquired if the volunteers planned to use any pesticides or roundup?

Assistant Manager/Finance Director Keaton replied she is not sure as the effort is still in the preliminary planning stages.

Member Letner advised it would become an EPA issue if pesticides are used.

Assistant Manager/Finance Director Keaton stated we have two employees who are licensed to use pesticides if that becomes an issue.

Member Cantrell stated it is a good idea and she is in support of the project.

Motion by Cantrell, second by Garber to authorize City Staff to meet with Kathy Wilson Hubley on this Volunteer Program as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported the City took delivery of the Sludge Dewatering Screw Press last week and put it into service today. If any Council Member is interested in watching the press in action, they should contact her or Manager Wright.

Assistant Manager/Finance Director Keaton reported we are in the midst of repainting our fire hydrants. The last time the fire hydrants were repainted was in 2008.

Fire Chief Fletcher reported 375 of our 475 fire hydrants have been re-painted to date, and the fire hydrant flushing maintenance has been completed.

Fire Chief Fletcher reported Brookville Firefighters set a record by collecting approximately \$3,800 in donations for the MDA "Fill the Boot Campaign" in just a few hours.

Fire Chief Fletcher requested Council permission to hold the Annual Fire Prevention Parade at 10:00 a.m. on October 5, 2013.

Motion by Apgar, second by Duncan to allow the Brookville Fire Department to hold their Annual Fire Prevention Parade at 10:00 a.m. on October 5, 2013. All yeas, motion carried.

Fire Chief Fletcher advised the parade length has yet to be determined as it is dependent on the number of parade entries they receive. Fire Chief Fletcher stated he has encouraged the schools to participate in the parade.

Fire Chief Fletcher reported call activity has rebounded from the brief lull in July. The month of August was busy with a record breaking number of calls. The Brookville Fire Department responded to 111 EMS calls and 32 Fire incidents for a total of 143 incidents for the month. The Brookville Fire Department has handled 1,070 incidents year-to-date, and the dollar loss for the year stands at \$506,400.

Police Chief Jerome reminded Council Members of the 2nd Annual 911 Ceremony on September 11, 2013 beginning at 9:30 a.m. at Brookville High School and invited them to attend.

Police Chief Jerome advised a car was stolen on Market Street and taken to Weavers Towing on Westbrook Road where it was set on fire. The car was a total loss and an arrest has been made in the case.

Member Garber asked for an update on the recent heroin problem?

Police Chief Jerome replied as Director of the Case One Agency comprised of all of the western Police Agencies, he has spoken with other Police Chiefs about the problem and they, along with the Case One Detectives, have been putting their heads together to come up with a solution.

Member Garber asked if Police Chief Jerome still thinks there is not much heroin drug dealing going on in Brookville?

Police Chief Jerome replied we have a moderate amount of users in Brookville but he does not have any evidence to support that there are any heroin dealers in town. Police Chief Jerome replied that is pretty consistent with the other Police Chiefs he has spoken with in our area. The Police Chiefs feel the heroin users are buying at a central location and bringing it back to the suburbs to use it.

Fire Chief Fletcher stated in the northern part of Montgomery County, there is a non-breathing drug overdose handled by EMS personnel an average of at least once per day.

Police Chief Jerome advised we are in a peak right now and we are trying to develop a plan with neighboring agencies to control the problem. Police Chief Jerome reported one of our Police Officers is doing a drug interdiction program with traffic stops, and has found drugs in 75% of the cars he stops. Police Chief Jerome advised this is a small step, but it will get the word out that we are watching.

Police Chief Jerome reported the Brookville Police Department handled 501 Reportable Incidents year-to-date, compared to 475 at this same time last year. Citations are down 41 from this same time last year for a total of 365 Citations and there were 170 Traffic Stops in August 2013 compared to 194 Traffic Stops in August 2012.

Law Director Stephan reported in 2012, the City took legal action to remove the abandoned, vacant structure located at 323 Western Avenue. The house was demolished and the property was transferred to the City. The City then took action to quiet title to the property, which was completed in July 2013. Law Director Stephan reported the City has now transferred the property for redevelopment and a new house is currently being constructed on the property. This is a successful example of redevelopment of a parcel within the City of Brookville.

Member Garber inquired if the new house will meet all of our set back and side yard requirements?

Law Director Stephan replied our Zoning Officer has reviewed the plans and everything complies with our zoning.

Member Cantrell stated the City of Dayton has made it an Ordinance that property owners must give contact information to the city for any abandoned properties that are not owner occupied, in case there are any problems with the property. Member Cantrell asked if we have this information on file for our vacant properties?

Law Director Stephan replied we work very hard to get contact information on our abandoned properties, which is usually the mortgage company, to make sure the property is maintained.

Assistant Manager/Finance Director Keaton stated we make sure the lawns at our vacant properties are mowed, and bill the property owner accordingly.

Member Cantrell stated the Ordinance she is referring to was passed so the city will have recourse if the property is not being maintained.

Assistant Manager/Finance Director Keaton presented the August 31, 2013 Fund Balance for Council review and approval.

Motion by Duncan, second by Apgar to approve the August 31, 2013 Fund Balance as presented.

Assistant Manager/Finance Director Keaton requested Council approval to transfer, out of the General Fund, \$50,000 into the Street M&R Fund and \$10,000 into the Park Fund as appropriated.

Motion by Apgar, second by Letner to approve the transfer of \$50,000 into the Street M&R Fund and \$10,000 into the Park Fund as appropriated. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported she received notification from the Ohio Division of Liquor Control whether or not to request a hearing for a new D1 and D2 Liquor Permit for COHP LLC, dba Carmela's Pizzeria at 302 Market Street. The D1 and D2 Liquor Permits are for Restaurants/Night Clubs. A D1 permit is for beer only for on premise consumption or in original sealed containers for carry out only until 1:00 a.m. A D2 permit is for wine and mixed beverages for on premise consumption or in original sealed containers for carry out until 1:00 a.m. Assistant Manager/Finance Director Keaton recommended that Council does not request a hearing on these two permits.

Member Duncan asked if alcohol will be served in the outdoor seating area that Carmela's is currently constructing and expressed concern if alcohol will be served in this area because it is so close to the street.

Member Cantrell said there are many restaurants with outdoor seating where alcohol is served and it is not a problem.

Motion by Garber, second by Cantrell to waive the right to an Ohio Division of Liquor Control hearing for a new D1 and D2 Liquor Permit for COHP LLC, dba Carmela's Pizzeria at 302 Market Street. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported she received a letter of interest for the open seat on the Income Tax Board of Appeals from Wayne Ward, and recommended that Council appoint Mr. Ward to fill the unexpired term of Treva Price, which runs through December 31, 2014.

Motion by Apgar, second by Cantrell to appoint Wayne Ward to fill the unexpired term of Treva Price on the Income Tax Board of Appeals, which runs through December 31, 2014. All yeas, motion carried.

Assistant Manager/Finance Director Keaton advised Council of a memo regarding the proper disposal of fluorescent bulbs as requested by Member Howard. This information will be published in our quarterly newsletter.

Member Cantrell asked who is responsible for the strip of pavement that runs between the north and southbound lanes of Rt. 49 near Brookville Salem as it is in need of repair.

Assistant Manager/Finance Director Keaton replied she will advise ODOT of the repairs needed on this roadway.


Mayor Seagraves had no report.

There was no Old Business.

Member Garber and Member Letner advised they will be absent from the October 1, 2013 Council Meeting.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor