

BROOKVILLE CITY COUNCIL
REGULAR MEETING
January 17, 2012

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on January 17, 2012 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Howard and Letner; Fire Chief Nickel, Police Chief Preston, Manager Wright, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present.

Motion by Duncan, second by Apgar to accept the Agenda with a correction. All yeas, motion carried.

Motion by Cantrell, second by Garber to accept the January 3, 2012 Regular Meeting Minutes as presented. All yeas, motion carried.

Kathryn Polk, of the Miami Valley Regional Planning Commission (MVRPC), presented a Power Point presentation on their planning initiative labeled Going Places: An Integrated Land Use Vision for the Miami Valley Region. Ms. Polk advised that MVRPC represents 77 jurisdictions in a 3 county area and is responsible for regional transportation planning, distribution of Federal transportation funding, environmental planning and regional land use planning. Ms. Polk stated that MVRPC is aware that many of our communities are struggling, residential vacancies are around 10% and non-residential vacancies range from 16-25%. Ms. Polk commented that while budget cuts are rampant, our region is blessed with a lot of assets. The goal of the Going Places initiative has been to work with the public to build a collective vision for the future of land development in the Miami Valley Region. MVRPC has worked with people from all over the region to develop a Concentrated Development Vision for land use in the Miami Valley Region. The vision is represented by four primary principles: focusing new development around the Region's assets, making use of existing infrastructure before building new, preserving the region's agricultural land and open spaces, and cooperation between the region's communities regarding land use issues. Ms. Polk advised if the vision becomes a reality, people will choose to live closer together and closer to things like schools, libraries, shopping centers and parks. This will allow people more options like taking the bus or walking to their destinations. Ms. Polk advised in order to implement the vision, MVRPC is asking for community support by concentrating new development on existing developed land with infrastructure in place or vacant buildings or parcels. Ms. Polk stated MVRPC's hope is that using this vision will create a more vibrant region and better quality of life for our children and our children's children. MVRPC is asking for our support by considering this vision and relying on MVRPC's staff expertise, framework map, lists of potential funding policies and opportunities to secure funding when we are planning for our community. Ms. Polk asked Council to review and comment on the map draft of the projected growth framework for the region before it is presented to the MVRPC Technical Advisory Committee in March of 2012. Ms. Polk also asked for an endorsement of the plan by way of a Resolution, and provided a sample resolution for Council review.

Member Garber inquired if the Austin Road project was developed according to the MVRPC plan?

Ms. Polk advised the Austin Road project was about a decade in the making and has been incorporated into the map of the MVRPC growth framework.

Member Garber stated he does not see the infill growth developing east of Brookville as it is projected on the growth framework map.

Ms. Polk told Member Garber to mark this area with comments on the draft and MVRPC will be happy to make changes.

Mayor Seagraves thanked Ms. Polk for her presentation and stated the first reading of an endorsement Resolution for the MVRPC Going Places vision will be voted on later in tonight's meeting.

Mayor Seagraves reported that Dottie Watkins, long time good friend of the community passed away recently. Mayor Seagraves stated Dottie was a tremendous asset to our community and will be sorely missed.

Manager Wright presented the 2011 annual report from Miami Valley Lighting. Manager Wright stated this is a very comprehensive and informative report that is a positive result of our street light contract.

Manager Wright presented a copy of a letter from the Englewood Police Chief Mark Brownfield commending Brookville Police Officer Mark Miller for his help in the apprehension of several robbery suspects. Chief Brownfield said Officer Mark Miller is a credit to the Brookville Police Department and to the Law Enforcement Community. Manager Wright stated hats off to Officer Mark Miller for doing a fine job and to Police Chief Preston for his Officers following up the way they did.

Police Chief Preston said Officer Mark Miller did an outstanding job and this shows the caliber of employee he is. Police Chief Preston said Officer Mark Miller could have easily walked away from that traffic stop but he spent a lot of time and very diligently inventoried and photographed everything in the vehicle. Police Chief Preston stated this letter has been placed in Officer Mark Miller's employee file.

Manager Wright requested Council approval to purchase a replacement pickup truck for the Fire Department and a replacement pickup truck for the Service Department through the Federal GSA Program. Both vehicles were budgeted for this year and have different specs because they are for different departments. Manager Wright stated the price for the Fire Department vehicle is not to exceed \$24,000 and the price for the Service Department vehicle is not to exceed \$21,000.

Motion by Apgar, second by Cantrell to authorize Manager Wright to purchase a 2012 Chevrolet pickup truck at a cost not to exceed \$24,000 and a 2012 Chevrolet pickup truck at a cost not to exceed \$21,000 under the Federal GSA Program. All yeas, motion carried.

Manager Wright requested an Executive Session on a Real Estate and Legal Matter.

Fire Chief Nickel reported he has attended both the Clay and Perry Township Trustee's Meeting to introduce Assistant Fire Chief Ron Fletcher.

Fire Chief Nickel reported the new medic ordered last year is currently in production and should be delivered in March or April.

Police Chief Preston introduced Brookville Police Officer Michael Molchan to give a presentation of the tasers that the Police Department currently use for law enforcement. Police Chief Preston reported half of the department is certified and the remainder will be certified next weekend. Police Chief Preston advised Officer Molchan has been a part time officer here in Brookville for 3 years, is a Captain at Grandview Police Department and is a Certified Taser Instructor.

Officer Molchan advised a taser is an electro-shock weapon that sends 50,000 volts of electricity to an individual to incapacitate them. The Brookville Police Department is using a second generation model X-26 taser which can be used as a drive stun to get them to release something or with a cartridge which causes neuro-muscular incapacitation that will lock up all of the muscles and cause the person to fall to the ground unable to move. Officer Molchan stated this reduces the risk of injury to both the subject and the Officer.

Manager Wright asked how far the cartridge will shoot?

Officer Molchan demonstrated the cartridge and said they normally use a 25 foot cartridge but optimal range is 7-10 feet.

Member Duncan inquired about the effect a taser would have on someone with a heart condition?

Officer Molchan said the taser manufacturer advises to avoid shooting the taser around the heart.

Assistant Fire Chief Fletcher stated he has been involved with tasers for several years with the City of Englewood and said there are zero instances where a medical examiner has ruled the cause of death the result of being tased. Assistant Fire Chief Fletcher advised that Police and EMS workers need to work together to identify those persons who have a higher risk for dying in custody. This way we will have the best interest of the patient, of the city, and of the Police and Fire departments so we get the people who would potentially die in custody to the hospital for treatment.

Member Letner inquired who is responsible for removing the taser probes?

Assistant Fire Chief Fletcher said the barbs cause a very simple soft tissue injury and both EMS crews and Police Officers are trained to remove the barbs. The City of Englewood has a policy that they do not remove barbs from the face, neck or genitalia.

Law Director Stephan had no report.

Assistant Manager/Finance Director Keaton presented a letter from the State of Ohio Tax Commissioner Joseph Testa acknowledging receipt of Resolution No. 11-12 adopted by Brookville City Council opposing centralized administration and collection of municipal income taxes. Mr. Testa appears to be strongly in favor of the state administering and collecting municipal income tax.

Assistant Manager/Finance Director Keaton reported Council should have a copy of a 2011 Success Report from the Access Project, the group that assisted the City last spring with our E-Waste Recycling event. Assistant Manager/Finance Director Keaton stated she is looking at holding another E-Waste Recycling event in Brookville possibly on March 10 or 31 since it was a big success last year. Assistant Manager/Finance Director Keaton stated she will follow-up with Access Project to schedule the event and report back to Council at a later date.

Mayor Seagraves announced the Wright State Raiders have invited Council to the 3rd Annual Country Night on January 25 and encouraged them to attend.

Mayor Seagraves advised the Annual Mayors Ball will be held on March 3 and tickets are \$10 in advance and \$15 at the door. The proceeds will be used to provide an Easter dinner to 40 area families, with the remainder going to the Dan Linville Fund.

Member Letner commented the Mayor's Breakfast was a success and was well attended.

Mayor Seagraves thanked everyone for attending and stated it was the best turn-out to date. Mayor Seagraves also thanked the front office staff for helping to organize the breakfast.

Assistant Manager/Finance Director Keaton announced Planning Commission will not meet this month due to lack of items for an Agenda.

Gary Horstman, of the Brookville Historical Society invited everyone to a fundraiser being held jointly for the Historical Society and Brookville Area Handivan Ministry this Sunday, January 22, at the Brookville Waffle House. Proceeds from patrons who mention one of the two organizations will be donated by Waffle House to be split between the Historical Society and the Handivan Ministry.

Motion by Garber, second by Apgar to read proposed Ordinance No. 2012-01. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2012-01 entitled "AN ORDINANCE LEVYING ASSESSMENTS FOR THE CUTTING AND REMOVAL OF WEEDS, VINES, GRASS AND/OR OTHER VEGETATION DURING THE YEAR 2011 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY". All yeas, motion carried.

Motion by Cantrell, second by Duncan to read proposed Resolution No. 12-02. All yeas, motion carried.

Motion by Duncan, second by Cantrell to accept the first reading of proposed Resolution No. 12-02. All yeas, motion carried.

Motion by Apgar, second by Duncan to read proposed Resolution No. 12-03. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading of proposed Resolution No. 12-03. All yeas, motion carried.

There was no Old Business.

There was no New Business.

Motion by Duncan, second by Apgar to go into Executive Session on a Real Estate and Legal Matter as requested by Manager Wright. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.


Law Director Stephan asked Council for a motion authorizing the City Manager to negotiate and enter into a contract to purchase the property located at 7719 Arlington Road, Brookville, Ohio from the owners Jerry and Kathryn McDowell.

Motion by Cantrell, second by Garber to authorize the Manager Wright to negotiate and enter into a contract to purchase the property located at 7719 Arlington Road, Brookville, Ohio from the owners Jerry and Kathryn McDowell. All yeas, motion carried.

Motion by Duncan, second by Apgar to set a Special Council Meeting for January 24, 2012 at 6:30 p.m. All yeas, motion carried.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor