

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
April 5, 2011

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on April 5, 2011 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Letner and Ullery; Manager Wright, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present. Fire Chief Nickel and Police Chief Preston were absent.

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

Motion by Garber, second by Ullery to accept the March 15, 2011 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Seagraves presented a Proclamation to Harley Gentis, owner of the Brookville Barber Shop on Market Street, congratulating him on 50 years in business and thanking him for his service and dedication to the Brookville community.

Manager Wright reported the Service Department has been very busy. Our street sweeping program began several weeks ago and is 75% complete. Manager Wright stated one worker has been in charge of this and has been doing a great job.

Manager Wright stated the Service Department has also been working on re-grading some of our alleys and putting down asphalt chips. Manager Wright advised our crew has done an excellent job and he has received several compliments.

Manager Wright reported the Service Department also recently completed the re-siding of a storage building at our Waste Water Treatment Plant.

Manager Wright stated repairs have been completed at the lift station on Mosier Drive with one pump replaced and the other pump repaired.

Manager Wright asked Assistant Manager/Finance Director Keaton to comment on the Community Park Cleanup Day as he was out of town.

Assistant Manager/Finance Director Keaton reported despite the cold weather, the Community Park Cleanup Day was very successful with almost 75 volunteers.

Manager Wright thanked Assistant Manager/Finance Director Keaton for co-coordinating the event, stating that it saved many man hours for the Service Department. Manager Wright also expressed thanks to all of the volunteers and Council Members who participated in Community Park Cleanup Day.

Manager Wright reported the City recently submitted a \$250,000 ED/GE Grant for roadway and infrastructure improvements at the NorthBrook Industrial Park.

Manager Wright advised the City has also been awarded two Keep Montgomery County Beautiful Grants.

Assistant Manager/Finance Director Keaton stated the purpose of the Keep Montgomery County Beautiful Grant Program is to promote volunteerism and community beautification within Montgomery County. The City was eligible to apply as a past recipient of a Montgomery County Solid Waste District Grant. Assistant Manager/Finance Director Keaton stated one of the \$250 grants will be used to purchase three shade trees to be planted along the bikeway at Powell Park. Assistant Manager/Finance Director Keaton reported the second Keep Montgomery County Beautiful Grant was applied for on behalf of the Brookville Leaf & Blossom Club as they were an eligible recipient as a 501(c)3 organization. The \$250 grant will be used to purchase flowers for the planters on Market Street.

Manager Wright reported the City is experiencing a huge savings on our Worker's Compensation premiums due to Assistant Manager/Finance Director Keaton's diligence and hard work on this issue.

Assistant Manager/Finance Director Keaton stated the recent reduction in our Worker's Compensation premium is due to a 61% decrease in the rate for the paid-on-call Fire Department employees and a 32% decrease in the rate for all other employees of the City. The 2011 Workers' Compensation premium is \$25,356 less than the premium paid in 2010. Assistant Manager/Finance Director Keaton stated the City continues to participate in a Workers' Comp group, which provides the City with additional savings.

Manager Wright invited all Council members to attend an Officer Memorial Ceremony on May 6, 2011 to honor officers who have lost their lives in the Dayton/Montgomery County area.

Manager Wright stated proposed Resolution No. 11-07 is to allow ODOT to perform work on I-70 within the City limits. The work will be done in 2012 and there is no financial involvement required of the City of Brookville.

Motion by Cantrell, second by Apgar to read proposed Resolution No. 11-07. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third reading, and adopt Resolution No. 11-07 entitled "A RESOLUTION TO CONSENT AND COOPERATE WITH THE DIRECTOR OF TRANSPORTATION TO REPLACE DETERIORATED STRUCTURE, (SFN 5704839, MOT IR 70 3.44) WITH MINIMAL APPROACH WORK 3.1 MILES WEST OF THE JUNCTION OF SOUTHBOUND STATE ROUTE 49 AND INTERSTATE 70 OVER WOLF CREEK IN THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Manager Wright reported a grant application has been submitted to the Montgomery County Solid Waste District to purchase 28 tons of colored rubber mulch and rubber curbs for the playgrounds in Ward Park and Westbrook Park. The application requests \$10,467 or 55% of the cost, however there is only \$150,000 available countywide.

Manager Wright informed Council that letters have been sent to the three tow companies we currently use, and one to Englewood Towing, informing them of some minor changes to our towing contract. Manager Wright stated Police Chief Preston will address the changes at the next Council meeting.

Manager Wright requested an Executive Session on a Personnel Matter.

Member Garber asked whether a date has been set for the Dedication Ceremony at Golden Gate Park Shelter #3 in honor of Terry Fasnacht?

Assistant Manager/Finance Director Keaton stated it will be scheduled later in April or in May, after the weather warms up.

Member Garber stated he is in favor of the Annual Report in the calendar format that Assistant Manager/Finance Director Keaton presented at the last Council Meeting.

Member Letner inquired how the remodeling was progressing at Fire Station #1?

Manager Wright stated there is still quite a bit to be done but the work is progressing well.

Member Letner commented that he was impressed to read in the Annual Report that the City's Garage Mechanic does 95% of our mechanic work in-house.

Law Director Stephan reported the Tax Incentive Review Council met on March 16, 2011 as required by state law to review the Enterprise Zone Agreement compliance of Green Tokai Co., Ltd. and I.M.I. Norgren. The Committee found both businesses in compliance and recommended that the Enterprise Zone Agreements of Green Tokai Co., Ltd. and I.M.I. Norgren be continued. Law Director Stephan noted that these Agreements are for personal property taxes and because this tax has been phased out in Ohio, there were no actual taxes abated in 2010.

Motion by Duncan, second by Garber to read Resolution No. 11-05 and Resolution No. 11-06. All yeas, motion carried.

Motion by Duncan, second by Cantrell to accept the first reading, dispense with the second and third reading, and adopt Resolution No. 11-05 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" and Resolution No. 11-06 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR CONTINUATION OF THE ENTERPRISE ZONE AGREEMENT OF I.M.I. NORGREN, INC., AND DECLARING IT AN EMERGENCY". All yeas, motion carried.

Assistant Manager/Finance Director Keaton presented the March 31, 2011 Fund Balance for Council review and approval.

Motion by Duncan, second by Cantrell to approve the March 31, 2011 Fund Balance as presented. All yeas, motion carried.

Assistant City Manager/Finance Director Keaton requested authorization to transfer \$170,157 from the General Fund into the Bond Retirement Fund as appropriated.

Motion by Apgar, second by Garber to approve the transfer of \$170,157 into the Bond Retirement Fund as appropriated and requested. All yeas, motion carried.

Assistant Manager/Finance Director Keaton advised she was recently notified by the Ohio Division of Liquor Control that all permits to sell alcohol in the City of Brookville will expire on June 1, 2011. Assistant Manager/Finance Director Keaton advised Police Chief Preston has no objection to any of our current permit holders and recommended that Council waive the right to object to the renewal of the yearly permits to sell alcoholic beverages in the City that expire on June 1, 2011.

Motion by Cantrell, second by Ullery to waive the right to object to the renewal of the yearly permits to sell alcoholic beverages in the City that expire on June 1, 2011. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported the City of Vandalia Income Tax Department was at the City office on March 25<sup>th</sup> and 26<sup>th</sup> and assisted 69 residents with their local income tax returns. This is an increase of 23 returns compared to last year.

Assistant Manager/Finance Director Keaton reminded everyone that there is still time to register for the Life Line Screening event on Thursday, April 7<sup>th</sup> at Golden Gate Park.

Assistant Manager/Finance Director Keaton also reminded everyone of the E-Waste Collection Day to be held on Saturday, April 16 from 9:00 a.m. to 1:00 p.m. at Golden Gate Park.

Assistant Manager/Finance Director Keaton informed Council that their 2010 Financial Disclosure Statements are to be submitted to the Ohio Ethics Commission by Friday, April 15, 2011.

Assistant Manager/Finance Director Keaton stated the spring edition of the City Newsletter was mailed out the week of March 21<sup>st</sup> and advised if anyone did not receive a newsletter to contact the City office.

Mayor Seagraves expressed thanks to the Council Members and citizens that helped with Community Park Cleanup Day.

Mayor Seagraves reminded everyone of the annual Mayor's Ball "Tax Day" Dance on Friday, April 15, 2011 from 7:30 to 11:30 p.m. and encouraged everyone to attend. Mayor Seagraves stated 100% of the proceeds will provide Easter meals for 50 Brookville families. Mayor Seagraves commented that McMakens IGA has been very gracious in support of this effort. Mayor Seagraves stated the Easter meals will be assembled and delivered on April 23, 2011 if anyone would like to volunteer to help.

Ron Marlow, of Alpha & Omega Towing commented he has no personal vendetta against Englewood Towing, however, they are a large company and already tow for many jurisdictions in the area. Mr. Marlow stated he enjoys working with the Brookville Police Department and plans to renew his contract but is skeptical about whether there is enough work to add another company to the three companies that are already contracted to tow for the City. Mr. Marlow is concerned about another towing company cutting into his revenue.

Mayor Seagraves stated he received a call from another towing company that is currently under contract with the City of Brookville, expressing the same concern. Mayor Seagraves stated this towing company lives and works in our community, and supports the City not only with income tax revenue, but also gives back by sponsoring ball teams and supporting Brookville Schools.

Manager Wright commented he is very happy with the service we receive from our current tow companies. Manager Wright stated we had four towing companies for a long period of time and it worked out well.

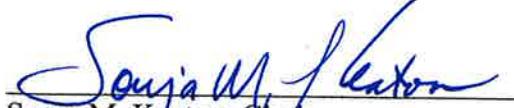
There was no Old Business.

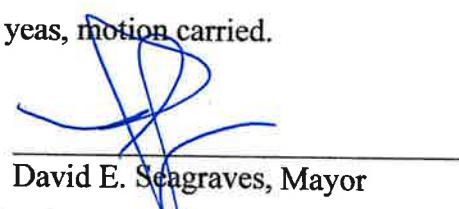
There was no New Business.

Motion by Duncan, second by Apgar to go into Executive Session on a Personnel Matter as requested by Manager Wright.

Mayor Seagraves called Council back into Regular Session.

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

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor