

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
March 1, 2011

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on March 1, 2011 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Letner and Ullery; Manager Wright, Fire Chief Nickel, Police Chief Preston, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present.

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 February 15, 2011 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright reported a state bid of \$29,338.87 has been secured to purchase a 1-ton dump truck through Ohio DAS as approved by Council at the last meeting.

Manager Wright presented Council with the schedule for the Community Wide Garage Sales, which is set as a four weekend event beginning June 2, 3, and 4 and ending June 23, 24, and 25, 2011. The dates will be publicized in the City of Brookville Spring Newsletter and the Brookville Star.

Fire Chief Nickel presented the Incident Summary by District report for February 16 through March 1, 2011, which indicated the Brookville Fire Department responded to 54 calls for service during this time period. Fire Chief Nickel reported 36 of the calls were within the City of Brookville, 6 in Clay Township, 7 in Perry Township and 5 calls were outside of the Brookville Fire District. Fire Chief Nickel reported the Brookville Fire Department responded to several lightning strikes during the recent storm and several mutual aid structure fires.

Fire Chief Nickel stated he brought with him tonight one of the new SCBAs (Self Contained Breathing Apparatus) recently purchased with FEMA grant funds at a cost of \$5,284 each. Fire Chief Nickel reported several RIP paks (Rapid Intervention Paks) were also purchased which are used to deliver air quickly to a downed firefighter inside a burning building. Fire Chief Nickel stated the paks are also equipped with pak trackers which are locator devices that emit radio signals so that downed firefighters can be tracked and located. Fire Chief Nickel advised all of our mutual aid fire departments are using similar SCBA's which receive and transmit the same radio signals as ours, making them an invaluable safety measure when working mutual aid fires.

Police Chief Preston reported the Brookville Police Department Incident Log from February 4 through February 28, 2011 shows 41 new cases for investigation with 37 closed and 4 pending further investigation. The Brookville Police Department closed 19 of these cases by arrest.

Police Chief Preston reported all members of the Brookville Police Department were recently re-certified in CPR and have also completed their annual A.S.P. and Pepper Spray Training.

Law Director Stephan had no report.

Assistant Manager/Finance Director Keaton presented the February 28, 2011 Fund Balance for Council review and approval.

Motion by Duncan, second by Apgar to approve the February 28, 2011 Fund Balance as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported Council should have a copy of a Note Purchase Agreement that is part of our Note issuance and is also addressed within the Note Ordinance. This Note Purchase Agreement provides the purchase price, payment

of expenses, definition of certain words and terms, representations, warranties and covenants of the City and of the Original Purchaser, closing, delivery and payment of the Notes, and closing documents. The blanks on the Note Purchase Agreement will be completed after the Note is marketed. The original purchaser this year will be Fifth Third Securities, Inc. The Note Purchase Agreement is mentioned in Section 6 of the Note Ordinance.

Assistant Manager/Finance Director Keaton reported proposed Ordinance No. 2011-02, which is before Council tonight, authorizes the issuance of Notes in an amount of \$600,000 to retire, together with other monies, the City's outstanding 2010 Note dated April 20, 2010 and maturing on April 20, 2011. Assistant Manager/Finance Director Keaton stated Council should have a copy of a signed Fiscal Officer's Certificate that reads "As fiscal officer of the City of Brookville, I certify in connection with Council's proposed issue of notes in an aggregate principal amount of \$600,000, to be issued in anticipation of the issuance of bonds to pay costs of constructing a new street in the NorthBrook Industrial Park, together with all necessary appurtenances that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity is 20 years, and the maximum maturity of the Notes is April 26, 2027, which is 20 years from the original date the Notes were issued for this purpose."

Assistant Manager/Finance Director Keaton advised the new Note will be dated April 19, 2011 and will mature on April 19, 2012, however, if she determines it is necessary or advisable for the sale of the Notes, she may establish a maturity date that is up to 14 days less than one year from the date of their issuance. The Notes will bear interest at a rate or rates not to exceed 6%. The reason for this Ordinance to be in emergency fashion is to allow the Underwriter time to market the Note.

Motion by Apgar, second by Garber to read proposed Ordinance No. 2011-02. All yeas, motion carried.

Motion by Duncan, second by Cantrell to accept the first reading, dispense with the second and third reading and adopt Ordinance 2011-02 entitled "AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A PRINCIPAL AMOUNT OF \$600,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUTING A NEW STREET IN THE NORTHBROOK INDUSTRIAL PARK, TOGETHER WITH ALL NECESSARY APPURTEENCIES, AND DECLARING AN EMERGENCY". Cantrell yea, Duncan yea, Apgar yea, Ullery yea, Letner yea, Garber yea and Seagraves yea. All yeas, motion carried.

Assistant Manager/Finance Director Keaton stated she recently received notification from the Ohio Division of Liquor Control that there is an Application for Change of Corporate Stock Ownership for Brookville Express located at 237 Market Street. Council, by motion, can either request or not request a hearing on the advisability of issuing this permit. Assistant Manager/Finance Director Keaton advised she has spoken with Police Chief Preston and the Brookville Police Department has not had any problems with this establishment, so she recommended that Council not request a hearing.

Motion by Cantrell, second by Ullery to waive a hearing on the advisability of issuing the permit for Brookville Express located at 237 Market Street. All yeas, motion carried.

Assistant Manager/Finance Director Keaton advised Brookville Park Board has set Saturday, March 26, 2010 as our Annual Community Park Cleanup Day. Cleanup will be from 10:00 a.m. to noon. Trash bags and equipment will be provided at Golden Gate Park, Ward Park and the Westbrook Soccer Complex. Park Board and the City of Brookville will serve hot dogs and refreshments at noon in Shelter #3 at Golden Gate Park following cleanup. In case of inclement weather, Community Park Cleanup Day will be held on April 2, 2010 from 10:00 a.m. until noon.

Assistant Manager/Finance Director Keaton stated the City of Vandalia Income Tax Department will once again have representatives at our City Building to assist our residents with the preparation of their local income tax returns. The representatives will be

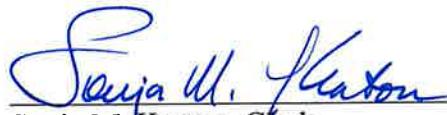
here on Friday, March 25 from 8:00 a.m. until 4:30 p.m. and again on Saturday, March 26 from 8:00 a.m. until noon. Assistant Manager/Finance Director Keaton advised this service is free to our residents.

Mayor Seagraves announced that the Annual Mayor's Ball will be held on April 15, 2011 at the Brookville VFW Post 3288 from 7:30 until 11:30 p.m. Mayor Seagraves stated the proceeds from the event will be used to provide Easter dinners for 45 needy families within the City of Brookville and the remainder will be donated to the Juvenile Diabetes Fund.

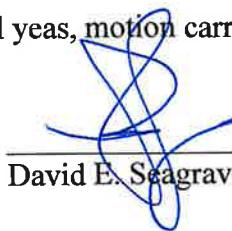
There was no Old Business.

There was no New Business.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor