

BROOKVILLE CITY COUNCIL
REGULAR MEETING
November 1, 2011

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on November 1, 2011 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Letner and Ullery; 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 Cantrell to accept the Agenda as presented. All yeas, motion carried.

Motion by Cantrell, second by Apgar to accept the October 18, 2011 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright reported the City was recently notified that on Wednesday, November 9, 2011 at 2:00 p.m., the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) and the Federal Communications Commission (FCC) will conduct the first nationwide test of the Emergency Alert System.

Manager Wright reported city crews will begin flushing hydrants tonight through Thursday night between the hours of 11:00 p.m. and 4 a.m. Residents may have some rust in their water in the mornings.

Manager Wright shared an invitation from Mayor Burnside of Englewood, for all elected officials to attend her Annual Prayer Breakfast to be held on November 17, 2011 at 7:30 a.m.

Manager Wright reported the Nutrition Way Project is complete. The road striping is done, the stop signs are installed and the road will be open for traffic early next week. Manager Wright stated the contractor did a fine job.

Member Ullery asked if the "No Trucks" signage is up yet?

Manager Wright replied there are "No Trucks" signs posted at both ends of the roadway.

Manager Wright reported he and Assistant City Manager/Finance Director Keaton attended an OPWC meeting that reviewed applications that were submitted in August. The City submitted an application for the same Waste Water Treatment Plant Project that did not receive funding last year. The total project cost is \$864,000 and we are asking for part of this as a grant and part of it as a loan. Manager Wright stated we should know by next week if we are one out of 65 applicants that will receive funding.

Manager Wright advised he has the results of a study commissioned by the Mayors and Manager Association with the University of Toledo which looks at the funding and service disparities between municipalities and townships in Montgomery County. Manager Wright advised he will copy it to any Council Member who is interested in reading through the study.

Member Garber asked whether the study drew any conclusions?

Manager Wright replied the study draws detailed conclusions and also makes recommendations. It is well worth Council's time to review it.

Member Garber commented he does not see how the study can compare municipalities and townships. It is like comparing apples and oranges as people who live out in the country expect different levels of service because they are so spread out.

Manager Wright stated the study is geared more toward urban townships, such as Washington Township, Miami Township and Harrison Township; all of whom have the same level of services as a city does. Manager Wright said the tax structure is so much different in the townships than in the cities. If your city is part of a township, you actually have to pay into the township for services that are not rendered to the city.

Manager Wright reported last Monday he attended a meeting where the Montgomery County Regional Dispatch Policy Committee approved new rates for the next four years. Manager Wright stated Council should each have a packet of information regarding the rate structure and said it explains not only where we started but where we are now and where they think we will be in 2015. Manager Wright said it is not a very rosy picture; we started in 2008 at \$47,000 a year for dispatching services, by the end of this year we will be at \$86,000 and at the end of 2015 we will be up to an estimated \$113,000 per year. Manager Wright asked Council to review this information and advised it will be discussed in the upcoming budget meetings for 2012.

Mayor Seagraves asked how long we are under contract with Montgomery County Regional Dispatch Center?

Manager Wright replied there is no actual end date. We did make a financial commitment but basically we are in it until we decide we do not want to use their services anymore.

Member Cantrell inquired if the original contract said anything about changing the per call pricing?

Manager Wright said the contract called for an Executive Committee that would determine the rates and that each community would have a representative to vote on the proposed rates. Manager Wright advised Brookville and Germantown were the only two communities to vote no on the proposed rate increases.

Member Cantrell commented given these new numbers, Council may want to think about getting out of the contract with the Montgomery County Regional Dispatch Center.

Member Garber asked if the new rates are on a per call basis?

Assistant Manager/Finance Director Keaton replied the new billing format is based on a percentage of priority calls, reduction of channels and average call length.

Member Letner commented that looking at the report it seems Regional Dispatch has been overwhelmed since taking on the City of Dayton and we are subsidizing them as a result.

Manager Wright requested an Executive Session on a Personnel Matter.

Fire Chief Nickel reported that tomorrow morning the 16" water line near Westbrook Road will be shut down for Montgomery County to replace a hydrant and valve. This means we may have to issue a boil advisory for 8-10 houses in the area. Fire Chief Nickel stated the residents of this area have been notified.

Manager Wright advised Montgomery County will be doing the majority of the work on this County water main with assistance from our city crews. Manager Wright said the maintenance work should only take 2-3 hours and a boil advisory is a possibility but will only be issued as a last resort.

Member Garber asked if there was much of a risk of something going wrong and residents being without water for an extended period of time?

Fire Chief Nickel stated we will identify lines beforehand where we can connect fire hoses if we need to.

Police Chief Preston presented the Call Analysis Report for the month of September, which shows the Brookville Police Department responded to 587 calls for service. The Brookville Police Department handled a total of 5,498 calls through September, which is a decrease of 144 calls or 2% compared to this same time last year. Total reportable incidents are up 7, or less than 1%.

Police Chief Preston presented the Brookville Police Department Incident Log Report for October 18 through October 31, 2011, which shows there were 25 new cases for investigation with 23 closed and 2 pending further investigation. The Brookville Police Department closed 9 of these cases by arrest.

Police Chief Preston advised the Neighborhood Watch Meeting for the downtown merchants has been set for November 10, 2011 at 7:00 p.m.

Police Chief Preston reported Beggars' Night went well with no problems.

Law Director Stephan had no report.

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

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

Assistant Manager/Finance Director Keaton requested Council authorization to transfer \$50,000 into the Street M & R Fund, \$15,000 into the Park Fund and \$25,000 into the Note Retirement-NorthBrook Fund as appropriated.

Motion by Cantrell, second by Duncan to approve the transfer of \$50,000 into the Street M & R Fund, \$15,000 into the Park Fund and \$25,000 into the Note Retirement-NorthBrook Fund as appropriated. All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council adopt proposed Resolution No. 11-14. During an audit at the Ohio Department of Administrative Services, they found that they did not have a Resolution from the City of Brookville that allows us to participate in state contracts which the Ohio Department of Administrative Services has entered into.

Motion by Duncan, second by Apgar to read proposed Resolution No. 11-14. 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. 11-14 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council authorization to adopt proposed Resolution 11-15 which amends our 2011 Estimated Resources and Appropriations.

Motion by Cantrell, second by Ullery to read proposed Resolution No. 11-15. 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. 11-15 entitled "A RESOLUTION AMENDING THE 2011 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council adopt proposed Ordinance No. 2011-07 which approves and adopts the 2011 replacement pages to our Codified Ordinances.

Motion by Ullery, second by Cantrell to read proposed Ordinance No. 2011-07. All yeas, motion carried.

Motion by Cantrell, second by Duncan to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2011-07 entitled "AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported to date 23 projects received funding over the three phases of our Downtown Revitalization Project totaling \$254,839. O'Rileys recently completed their project, Village Auto Parts is wrapping up and Village Auto Repair has their parking lot scheduled to be paved next week, weather permitting. Assistant Manager/Finance Director Keaton advised Phase 4 of the Downtown Revitalization Project is in the process of being approved by HUD.

Mayor Seagraves had no report.

Under Reports of Boards, Commission and Committees, Assistant Manager/Finance Director Keaton reported Planning Commission discussed the proposed Ordinance on the retention/detention ponds at their last meeting and the consensus was to table their recommendation to Council until Law Director Stephan can include minor revisions to the proposed Ordinance.

Motion by Duncan, second by Apgar to read proposed Resolution No. 11-12. All yeas, motion carried.

Motion by Apgar, second by Cantrell to accept the second reading of proposed Resolution No. 11-12. All yeas, motion carried.


There was no Old Business.

Motion by Duncan, second by Garber to go into Executive Session on a Personnel Matter as requested by Manager Wright. All yeas, motion carried.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor