

BROOKVILLE CITY COUNCIL
REGULAR MEETING
September 20, 2011

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on September 20, 2011 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Letner and Ullery; Fire Chief Nickel, Manager Wright, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present. Police Chief Preston was absent.

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

Motion by Apgar, second by Ullery to accept the September 6, 2011 Regular Meeting Minutes as presented. All yeas, motion carried.

Anne Howard, of 339 Maple Street, introduced herself as a candidate for the open Council seat in the upcoming November election.

Manager Wright requested authorization and approval for a Change Order on the Wolf Creek Sanitary Sewer Improvement Project, for removal of underground debris due to a large amount of previously buried debris and additional asphalt quantities.

Motion by Ullery, second by Apgar to authorize and approve Change Order #1 on the Wolf Creek Sanitary Sewer Improvement Project, increasing the amount by \$5,322.67 for removal of underground debris due to a large amount of previously buried debris and additional asphalt quantities, changing the contract price from \$69,123.95 to \$74,446.62 as recommended by Manager Wright. All yeas, motion carried.

Manager Wright presented a letter from Sgt. Chris Cash from Huber Heights Police Department thanking the Brookville Police Department for solving some recent thefts in Brookville including the area that he lives and apprehending the suspects involved.

Manager Wright also presented a letter from Kris Ketron, of 530 Moose Court, complementing our refuse crews on their enthusiastic and positive attitude. Mr. Ketron thanked Manager Wright and all city staff for their efforts.

Manager Wright stated the Traffic Warrant Study is completed at Westbrook Road and June Place and the results show that a traffic signal is not warranted at this intersection. The existing traffic signal will be removed soon.

Member Letner inquired whether a stop sign will be placed at June Place?

Manager Wright responded there will be a stop sign at June Place.

Member Ullery asked whether there would be an article in the Brookville Star informing residents of the changes at this intersection?

Manager Wright stated we will be following ODOT recommendations for the removal of this traffic light, which transitions drivers first from a flashing light, to turning the light off for a few weeks but leaving it in place, and then removing it all together. Manager Wright stated residents will also be informed of the change in the Brookville Star.

Member Garber inquired if the Police Department reviewed the traffic backup at Johnsville Brookville Road and Westbrook Road and Arlington Road and Westbrook Road during school hours?

Manager Wright replied that Chief Preston is addressing this and will report his findings at the next Council Meeting.

Manager Wright reported on the Nutrition Way Project; the culvert boxes for the bridge were set yesterday and the water line is 80% complete. Manager Wright stated we have come to terms with Montgomery County Engineers and are in the process of getting permits to do the work in the Arlington Road right-of-way. The sanitary sewer has been installed and we are on schedule, if not ahead of schedule.

Manager Wright requested authorization to purchase a new Horton medic that will replace our 2004 medic and a new backhoe for our Service Department that will replace our 2000 model. Manager Wright stated the Caterpillar backhoe will be purchased through the Ohio DAS State Term Schedule at a cost of \$75,157, which is a 34% off the Caterpillar list price. Manager Wright asked Assistant Manager/Finance Director Keaton to go over the financing of this equipment.

Assistant Manager/Finance Director Keaton reported she is reviewing four municipal tax exempt lease proposals that she received from various banks and financial lending institutions. Tax exempt lease rates are very low, averaging between 1 $\frac{3}{4}\%$ and 3 $\frac{1}{2}\%$. Assistant Manager Keaton commented we budgeted and have cash to purchase the medic, which is estimated to cost \$190,000, but due to the cuts and eliminations handed down by the state this July, interest rates low as they are, and the unknown of what the state may reduce or take away in the future, she is strongly considering leasing these two pieces of equipment. Assistant Manager/Finance Director Keaton reported the Service Department has requested a new backhoe in their budget for several years now. With the cost that it is, we would have to pay for one over several years. Assistant Manager/Finance Director Keaton stated she is considering a four-year lease on both pieces of equipment. A packet will be prepared to present to Council at their next meeting.

Member Garber commented that we appropriated \$200,000 for a medic this year.

Assistant Manager/Finance Director Keaton replied we did appropriate for the medic and we have the cash to purchase, but she is looking at financing options due to the budget cuts that we received this year and additional cuts that we will see over the next two years from the state.

Member Garber commented that our income tax receipts are up this year.

Member Duncan inquired whether we should hold off on one or both of these purchases so that we don't have to borrow money without knowing what, if any, additional budget cuts we may be facing from the state.

Assistant Manager/Finance Director Keaton replied the purchases are coming out of different funds, and there currently is enough in the Fire Department's Capital Improvement Fund to pay cash for a new medic. Assistant Manager/Finance Director Keaton stated interest rates are so low right now she is weighing the options to decide whether to pay cash or to lease.

Member Garber asked if we plan to keep the medic we would be replacing?

Manager Wright replied the plan is to get rid of the old CERT vehicle and replace it with the old medic. The old backhoe will be sold on GovDeals.

Motion by Cantrell, second by Apgar to accept the State of Ohio Department of Administrative Services, State Term Schedule bid of \$189,999.10 for the construction of a new Horton Medic and to accept the State of Ohio Department of Administrative Services, State Term Schedule proposal of \$75,157 for a Caterpillar 420E Backhoe-Loader as requested by Manager Wright. All yeas, motion carried.

Manager Wright reported that he sent a letter to the Solid Waste Advisory Committee opposing the proposed closure of the North Transfer Station where we currently haul our refuse. Manager Wright stated it will not only cost us and other northern communities more money, but it will be inconvenient and cause additional delays.

Member Duncan asked whether it will overwhelm the South Transfer Station if the north one is closed?

Manager Wright stated if the North Transfer Station is closed, the South Transfer Station will have to be expanded. The cost to demolish the North Transfer Station is \$3,000,000, plus remedial costs of cleaning up the environment.

Mayor Seagraves asked if other northern communities are opposed to the closure as well?

Manager Wright responded they don't seem to realize the impact closing the North Transfer Station will have.

Manager Wright reminded everyone of the 2nd Annual Wolf Creek Run Car Show this Saturday from 10:00 a.m. until 3:00 p.m. sponsored by the Brookville Park Board.

Member Garber reported the tree trimmers contracted by DP&L are supposed to be back in Brookville soon; they have been assisting other parts of the nation with storm damage.

Fire Chief Nickel presented the Brookville Fire Department Incident by District Report from September 7 through September 20, 2011 that shows there were a total of 45 calls for service. Of those 45 calls for service, 38 were attributed to rescue calls.

Fire Chief Nickel stated the Brookville Fire Department did have significant activity during this time period, including an all-day training burn on north Diamond Mill Road, attended by five other fire departments, which resulted in a lot of quality training.

Fire Chief Nickel reported the Brookville Fire Department was called to a structure fire on North Kimmel Road, and although there were some complications with the fire itself, due to the recent training our department and the other responding agencies all functioned well as one unit.

Fire Chief Nickel reported on September 15, our medics responded to two drug related full arrests at the same address. Fire Chief Nickel stated the medics were able to bring the full arrests back and transported those subjects as well as one additional subject from this same address to the hospital.

Law Director Stephan had no report.

Assistant Manager/Finance Director Keaton requested Council authorization to adopt proposed Resolution No. 11-11, which accepts the amounts and rates as determined by the Montgomery County Budget Commission. The adoption of this Resolution is a formal approval of the rates and yields for the inside millage for the City. This authorization is required by the County Auditor in order to collect the city's real property tax.

Motion by Garber, second by Cantrell to read proposed Resolution No. 11-11. 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. 11-11 entitled, "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton presented a resignation letter from Planning Commission Member Joe Tobias, effective immediately. Assistant Manager/Finance Director Keaton reported some time ago Jeff Testerman, of 821 Kimmel Trail, expressed an interest in serving on Planning Commission should an opening occur. Council needs to fill this open seat quickly as there are several items coming before Planning Commission at the October 20 meeting. Assistant Manager/Finance Director Keaton reported city staff has discussed it and felt with Mr. Testerman's background in construction would make him a good candidate to fill this open seat. Assistant Manager/Finance Director Keaton recommended Council appoint Jeff Testerman to fill the unexpired term of Joe Tobias on Planning Commission. The term expires on December 31, 2012.

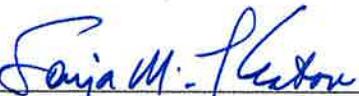
Motion by Cantrell, second by Apgar to appoint Jeff Testerman to fill the unexpired term of Joe Tobias on Planning Commission with the term expiring on December 31, 2012. All yeas, motion carried.

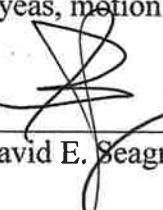
Mayor Seagraves announced Beggars Night will be held on October 31, 2011 from 6:00 p.m. until 7:30 p.m. as recommended by the Mayors and Managers Association.

In Old Business, Member Garber commented that he was at Golden Gate Park this weekend and was impressed with the number of people utilizing the park.

There was no New Business.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor