

BROOKVILLE CITY COUNCIL
REGULAR MEETING
April 20, 2010

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on April 20, 2010 in the City Council Chambers. The Pledge of Allegiance was recited. Members Cantrell, Garber, Letner and Ullery; Manager Wright, Police Chief Preston, Law Director Stephan and Interim Asst. City Manager/Director of Finance/Clerk Keaton were present. Members Apgar and Duncan and Fire Chief Nickel were absent.

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

Motion by Letner, second by Ullery to accept the April 6, 2010 Regular Meeting Minutes as presented. All yeas, motion carried.

Stephanie Rogers, Wellness Director at BrookHaven Retirement Community, presented a Power Point slide show on their Community Wellness Program. Ms. Rogers advised by educating people with a wellness program, health care costs can be lowered for employers, employees and private citizens. A wellness program can also lead to a happier and healthier community. Ms. Rogers stated that BrookHaven has partnered with Good Samaritan Hospital to provide health education seminars open to the community on the first Wednesday of each month. BrookHaven employees can also participate in the wellness program by attending events focused on health and prevention held each Wednesday. Ms. Rogers encouraged Council to take a leadership role in the program by helping to distribute information and by being wellness role models to help build a stronger and healthier community.

Member Garber stated that Council would be willing to put information about BrookHaven's Wellness Program in the city newsletter and on the city website.

Member Ullery inquired whether the Wednesday Wellness Program activities were ever extended to the weekends?

Ms. Rogers stated that they had found weekdays to work best for their employees, however if participation increases within the community she would be willing to extend the program to include weekends.

Member Ullery asked what kind of health care cost benefits companies could expect to receive from a wellness program?

Ms. Rogers stated that it varies with a company's high health risk population and employee participation. BrookHaven has experienced a reduction in their health care premiums in the last four years with the introduction of a wellness program.

Member Cantrell inquired about presenting the program to other businesses in the community?

Ms. Rogers advised she has done phone canvassing and sent letters outlining the program to businesses in the Brookville community. She will be following up on those letters next week.

Member Cantrell stated she felt the program was a great idea for BrookHaven and the community and thanked Ms. Rogers for presenting it to Council.

Jan Kelly, candidate for Montgomery County Commissioner introduced herself. She stated she has lived in Montgomery County for twelve years and used to work for former Montgomery County Commissioner Curran. Ms. Kelly advised she was running her campaign on a platform entitled "Jan for Jobs", which proposes the Montgomery County Commissioners involvement in heavily promoting Montgomery County to bring jobs and companies back to the area.

Ms. Kelly inquired about Brookville's economic climate?

Manager Wright advised that Brookville is struggling a bit just like a lot of other communities, but has been very fortunate to attract a few new major businesses which employ over 560 combined. Brookville's largest employer has reduced their employees by nearly 200 but these new businesses have helped to offset our losses. Manager Wright concluded that as a whole, Brookville is doing ok.

Police Chief Preston commented that he would like to see the County Commissioners look at a funding stream to offset the costs of running the Regional Dispatch Center. Chief Preston advised that as it is now, costs per call have doubled, plus we are responsible for the cost of maintenance and upgrading all of our equipment, which with changing technology is never ending. Police Chief Preston stated that the Regional Dispatch Center is a county operation, and a funding stream would help smaller departments like ours offset the costs of utilizing the Regional Dispatch services.

Ms. Kelly inquired how the Regional Dispatching was working out for our police department?

Police Chief Preston responded that our response times are good, and in general the regional dispatching is working out very well.

Darrell Reel, of 784 Randy Sue Court, inquired whether we were better off when we had our own dispatch center?

Police Chief Preston advised that the Regional Dispatch Center costs are \$80,000 annually compared to the \$270,000 annual costs to run our own dispatch center. Although the \$80,000 does not cover the cost of equipment upgrades, our old dispatch center would have required over \$500,000 in equipment upgrades just to keep it operating. Chief Preston stated that we were due to lose our license to operate the dispatch center in 2012, so it just wasn't cost effective to keep it running.

Leon Williamson, of 130 Cherry Drive, thanked Council and Manager Wright for the sidewalk that was installed within Westbrook Park. Mr. Williamson stated he observes people using the sidewalk daily for exercise and kids riding their bikes as well, making it a nice addition to the park.

Garnett Buckley, of 31 March Avenue, stated that the speed limit sign on Sycamore Street off Westbrook Road is faded and needs to be replaced or repainted as it is difficult to see.

Member Garber agreed the sign is old and needs to be replaced.

Manager Wright reported the sidewalk project at Westbrook Park has been completed. The West Westbrook Road Project is also complete. The contractor returned to fill in the topsoil and the area was hydro-seeded last week.

Manager Wright reported the city sold a 1980 truck this week on GovDeals online auto auction. The truck sold for over \$5,000.

Manager Wright asked Police Chief Preston to report on a notice received from the federal government in reference to a Hiring Program application we submitted to fund a COPS program, which stands for Community Oriented Policing Services.

Police Chief Preston stated we applied for the Hiring Program in 2009, however there were so many applicants that there was no money left for us. Our application has been pending the release of 2010 federal stimulus funds for the program. We have received notice that \$300 million has been appropriated to continue the program, and our application is still active. Police Chief Preston stated that he expects to be notified in June if our application is approved. The program provides total salary replacement for the COPS program for three years, and requires a one year commitment from the city to continue the program after the three years have expired.

Member Ullery stated he recently heard a news report of another city that turned down a similar funding program because of the commitment required to continue the salary for one year or more after the funds had expired. The news report stated that this city was not sure they could afford to pay the salary in a few years, and the program stipulated that if the city did not continue the program for the required amount of time, they would be required to pay back all funds received from the program.

Discussion followed.

Manager Wright commented that we are just about to the point that we need to increase the size of our police force and that he has discussed it with staff and feels comfortable with the program grant requirements to continue salary for the one year period.

Manager Wright presented a news release for a Free Shred Day for residents of Montgomery County to be utilized on Saturday April 21, 2010 from 9:00 a.m. to 1 p.m. on East River Road in Moraine.

Manager Wright presented a packet of information concerning our street light contract and negotiations with DP&L. Council will need to pass an ordinance, which is included in the packet, that expresses the City's intent to negotiate jointly with other cities for a street lighting contract. Manager Wright stated that this would allow us to get a more uniform contract at a lower cost as we would not have to pay our own legal counsel to negotiate the contract.

Motion by Ullery, second by Letner to read proposed Ordinance No. 2010-05. All yeas, motion carried.

Member Ullery stated Council should accept the first reading and dispense with the second and third reading to pass Ordinance No. 2010-05 at this meeting.

Member Garber inquired if there was anything unique about our lights that would make us better off negotiating our own contract rate rather than negotiating with other cities as a group?

Manager Wright responded to the best of his knowledge there was nothing unique or different about our lighting compared to other cities.

Member Garber advised he is abstaining from the vote because he is employed by Dayton Power and Light.

Member Cantrell inquired if after the coalition of cities is formed to negotiate the contract, can other cities join or can participating cities pull out of the negotiations?

Manager Wright stated that once the coalition is formed probably no other cities can join. He doesn't know why anyone would want to pull out, as costs would be minimal to negotiate the contract, but they probably could. Manager Wright stated the City of Brookville was invited to participate in the coalition of cities to negotiate a street lighting contract because we are a former member of the Miami Valley Cable Council.

Motion by Ullery, second by Letner to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2010-05 entitled "AN ORDINANCE EXPRESSING THE CITY'S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING, AND DECLARING IT AN EMERGENCY." Cantrell yea, Garber abstained, Letner yea, Ullery yea and Seagraves yea. Motion carried with 4 yeas and one abstention.

Darrell Reel, of 784 Randy Sue Court, inquired whether the state or ODOT had done a study of the I-70 overpass on Arlington to determine if traffic signals are warranted?

Manager Wright replied the study is underway but has not yet been completed.

Member Garber inquired whether Manager Wright had met with Police Chief Preston about the situation with teenagers at Ward Park that some Maple Street residents who live adjacent to the park had brought up at the last Park Board meeting?

Manager Wright replied that he and Police Chief Preston had discussed the situation and are in the process of trying to get it resolved. Manager Wright stated that if the teens are not breaking any laws it is difficult for the police to take any action.

Member Garber inquired whether residents could videotape the teenagers and would that be admissible?

Police Chief Preston replied the police can use video tapes to determine what the teens are doing.

Police Chief Preston presented the Brookville Police Department Call Analysis for March 2010. Police Chief Preston reported the Brookville Police Department responded to 352 Priority 1 calls, 83 Priority 2 calls and 224 Priority 3 calls. The Brookville Police Department handled a total of 1,603 calls year to date, which is an increase of 95 calls or 6% compared to this same time last year. Total reportable incidents are up 8, or 5.7% from this same time last year. Police Chief Preston reported the Brookville Police Department had 24 arrests from April 1 through April 19. The Incident Log from April 6 through April 19 shows there were 33 new cases for investigation with 30 closed and 3 still pending further investigation.

Police Chief Preston advised that prom is just around the corner and training for retail establishments that sell alcohol has been completed to help prevent the sale of alcohol to minors.

Police Chief Preston reported on April 13, 2010 a chipper was stolen from Brookville Rental & Sales when a vehicle came in off of I-70 and cut the fence. The vehicle then drove away on I-70 with the chipper in tow. Police Chief Preston advised there is a video tape of the incident, however the view of the license plate is obstructed. The Police Department is working with Richmond, Indiana authorities on this investigation.

Police Chief Preston reported on April 15 and 16, 2010 the Community Preschool came to the Brookville Police Department, where officers worked with them on bicycle safety.

Law Director Stephan had no report.

Finance Director/Clerk Keaton reported the City's 2010 Note went to market on April 7, 8, and 9 and was finally priced on Monday, April 12 2010. The same investment firm that bought the Note in previous years purchased our 2010 Note. The interest rate on the 2010 Note is 2.75%. The 2009 Note had a 2.876% interest rate. We closed on our 2010 Note today and tomorrow the 2009 Note will be paid off.

Finance Director/Clerk Keaton stated Council should have a copy of a Memorandum regarding the comments raised at the last Council Meeting by Dan Swigart, of 803 Shaney Lane. Mr. Swigart had questioned the possibility of a business being run out of the home at 770 Randy Sue Court. Zoning/Property Maintenance Officer Snedeker sent the property owner a Violation Notice in April of 2009 for not obtaining a Home Occupation Permit. During this process it was found that the property owner is a registered nurse and works for a medical transportation company. The vehicle is registered to an address in Lewisburg. The property owner drives the ambulette home and parks it on or around their property.

Finance Director/Clerk Keaton advised Council should have a copy of an update on the status of Going Places, Phase II, an integrated Land Use Vision Plan for the Miami Valley Region. There will be a Planning Advisory meeting on Phase II on May 27, 2010 if anyone is interested in attending.

Finance Director/Clerk Keaton reported the community garage sale issue was discussed at a staff meeting and there are several options for Council to consider. Discussion followed.

The consensus was to designate one fourth of the city as a community garage sale area each week in the month of June.

Mayor Seagraves expressed condolences on behalf of Council to the family of long time business owner Terry Fasnacht, who recently passed away. Mayor Seagraves advised Terry Fasnacht was very influential in the start-up of the Brookville Community Theatre and played a vital role within the Community Theatre since its inception. Mayor Seagraves stated Terry will be sorely missed.

Member Ullery reminded everyone to get out and vote on May 4th as we have both a fire and school levy on the ballot.

Member Letner suggested that Council should sponsor a "Walkabout Brookville", where the community would be invited to meet on a summer night on the bikeway, chat with Council and walk around Brookville.

Mayor Seagraves stated a "Walkabout Brookville" was an excellent idea and that Council should plan further and set a date soon.

Member Ullery commented he was unable to attend, but heard that the Brookville Chamber of Commerce Business Expo and the ribbon cutting for the All American Store went well.

Member Cantrell advised she attended the Business Expo, which appeared to have a steady stream of people; however the business participation seemed a little light this year. Member Cantrell stated she also was not able to attend the ribbon cutting for the All American Store but has received good feedback about the store. Member Cantrell stated curiosity about the store is drawing people from other communities after reading the article about it in the Dayton Daily News.

Manager Wright stated that the All American Store is to have three locations. Their corporate office will be here in the Brookside Plaza, adjacent to the store.

Member Garber inquired whether there was any more discussion by Council on the ordinance concerning temporary food vendors as he was absent from the last Council Meeting?

Law Director Stephan replied he is working on that Ordinance and would present it to Council for review at a later date.

Motion by Garber, second by Cantrell to read proposed Ordinance No. 2010-02. All yeas, motion carried.

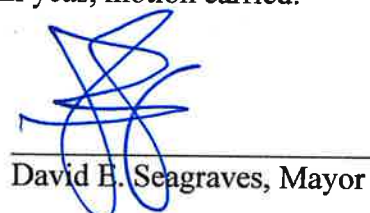
Motion by Garber, second by Letner to accept the third reading and adopt Ordinance No. 2010-02 entitled "AN ORDINANCE ADOPTING CERTAIN REGULATIONS FOR CONSTRUCTION AND MAINTENANCE OF PARKING LOTS AND DRIVEWAYS IN THE CITY OF BROOKVILLE, OHIO". All yeas, motion carried.

There was no Old Business.

There was no New Business.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor