

BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 3, 2010

The Regular Meeting of the Brookville City Council was called to order by Vice Mayor Ullery at 7:30 p.m. on August 3, 2010 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, and Letner; Manager Wright, Police Chief Preston, Law Director Stephan and Assistant City Manager/Director of Finance/Clerk Keaton were present. Mayor Seagraves and Fire Chief Nickel were absent.

Motion by Duncan, second by Apgar to accept the Agenda with the addition of proposed Resolution No. 10-14 and proposed Resolution No. 10-15. All yeas, motion carried.

Motion by Cantrell, second by Garber to accept the July 20, 2010 Regular Meeting Minutes as presented. All yeas, motion carried.

Sheri Nore, representing the Brookville Band Association, presented a plan to hold a fund raiser for the Brookville High School band and guard members to raise money to travel to Florida to perform at Walt Disney World in February of 2011. Ms. Nore requested Council approval for the Brookville Band Association to host a Halloween Half Marathon and 5K Run & Walk on October 30, 2010. Ms Nore advised most runners would finish the half marathon in about 2½ hours but they are allowing four hours to finish. The route would be a loop so any one road would not be closed for an extended period of time. Ms Nore advised she would like to get the community, as well as Council, involved in the fund raiser.

Police Chief Preston stated Ms. Nore needs to provide a map of the route and inquired how much manpower the Band Association is planning to provide? Police Chief Preston advised there are currently two annual runs in Brookville and the intersections during these runs are an absolute nightmare due to limited manpower.

Ms. Nore advised the Band Association has partnered with the Miami Valley Career Technology Center to provide their Police Academy students and instructors who will help with intersections. The Optimist Club has also pledged to help with the event.

Police Chief Preston advised logistically that is still not enough people to handle the intersections for the race. Most runners will finish the half marathon in about 2½ hours however, the new trend is for walkers to participate in half marathons. The roads will have to be shut down as the walkers will cause the event to last at least four hours. Police Chief Preston advised both Clay and Perry Township Police Departments will need to be involved.

Vice Mayor Ullery stated the Chamber of Commerce should also be involved since closing the roadways may affect their businesses. It would be difficult to close both Arlington Road and Westbrook Road since both roads are major arteries and are heavily used for farm traffic at that time of year. Vice Mayor Ullery advised it sounds like a good event, however, it will require a lot of manpower and coordination of that manpower.

Member Garber commented in similar runs he has observed medical tents and water stations, as well as workers posted at each corner, or at least within sight, of the runners at all times.

Ms. Nore advised they have included water stops and a medical tent in their plan and she can provide a map of where the stops will be located.

Member Cantrell expressed concern that the race is already being publicized without approval from Council and coordination with the Police Department.

Ms. Nore stated the event is tentative until Council approves it.

Manager Wright stated he thinks it will be a great community event and advised Ms. Nore she needs to meet with Police Chief Preston and provide a map of the half marathon and 5k route before we can proceed with any plans. Manager Wright also suggested involving the Clay and Perry Township Police Chiefs in the planning process. Manager Wright stated it will take a lot of coordination but city staff will work with the Band Association to help make the event a success.

Police Chief Preston advised Ms. Nore to contact him as soon as possible to set up a meeting to discuss the event further.

Manager Wright reported a second stop sign and reflective posts have been installed at the intersection of Westbrook Road and Terrace Park Boulevard due to visibility concerns discussed at the last Council meeting. The trees near the intersection were also trimmed. Manager Wright advised there is not a good place to put stop-ahead signs due to resident on-street parking and ODOT requirements advise a stop-ahead sign is not warranted at this intersection. Manager Wright provided pictures which showed the visibility at this intersection is greatly improved. Manager Wright also provided before and after pictures of the intersection of Carr Drive and Albert Road where city crews trimmed vegetation to improve visibility.

Manager Wright presented a request from residents on Albert Road and Urban Lane to hold a Neighborhood Watch Block Party at the end of Urban Lane on Saturday, September 11, 2010 beginning at 5:00 p.m. The road will not be blocked off.

Motion by Cantrell, second by Apgar to allow the residents of Albert Road and Urban Lane to hold a Neighborhood Watch Block Party at the end of Urban Lane on Saturday, September 11, 2010 beginning at 5:00 p.m. All yeas, motion carried.

Manager Wright reported the new playground equipment purchased with the Solid Waste Grant has been installed at Golden Gate Park near the Pee Wee Football complex. All the equipment, including the playground surface is made of 100% recycled material.

Manager Wright advised a colored sidewalk has been installed in Gruenig Park on Market Street. Topsoil and sod will be laid later this week, weather permitting. Manager Wright stated benches and picnic tables will be added after the landscaping is complete.

Manager Wright reported the green space area where the gazebo sits at Mulberry and Salem Streets will be dedicated as a park in honor of Dr. Thomas Powell. Manager Wright presented a plaque honoring Dr. Powell which will be mounted at the park. After the plaque is installed and lighting is added, a dedication ceremony will be held.

Manager Wright requested Council adopt proposed Resolution No. 10-14 which allows staff to submit an OPWC grant application to install a relief sanitary sewer at Wolf Creek Street and Karland Drive. The relief sewer is needed due to development west and north of this area. Manager Wright also requested Council adopt proposed Resolution No. 10-15 to apply for an OPWC grant to make needed upgrades and improvements to our Wastewater Treatment Plant.

Motion by Duncan, second by Letner to read Resolution No. 10-14 and Resolution No. 10-15. All yeas, motion carried.

Motion by Duncan, second by Agar to accept the first reading, dispense with the second and third reading and adopt Resolution No. 10-14 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING IT AN EMERGENCY?" and to accept the first reading, dispense with the second and third reading and adopt Resolution No. 10-15 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING IT AN EMERGENCY?" All yeas, motion carried.

Manager Wright advised we have tentative approval from the Montgomery County Economic Community Development Advisory Committee and the Citizen Advisory Committee for Phase III of our Downtown Building Reinvestment Program. The action plan will be submitted for approval to HUD. Manager Wright stated there should be no problem getting their approval. The grant amount is \$50,000 in Federal funds and \$50,000 in local funds.

Manager Wright commented the Community Picnic went well for the City. There were no major problems requiring the Service Department and clean up went well. Manager Wright advised he has received numerous citizen comments and compliments on the fireworks display and commended the Brookville Chamber of Commerce for a great event.

Police Chief Preston reported the Brookville Police Department Incident Log from July 20 through August 2, 2010 shows there were 28 new cases for investigation with 25 closed and 3 pending further investigation. The Brookville Police Department had 13 arrests for this time period.

Police Chief Preston advised the Community Picnic went fairly well for the Police Department with one arrest for intoxication on Friday evening. Police Chief Preston stated the heat made several police officers ill, and one citizen went down because of the heat. The parking went well and the designated parking area was never filled to capacity. Several police officers had to be stationed on Arlington Road due to heavy amounts of traffic on Saturday evening after the fireworks display.

Police Chief Preston advised he has been in contact with local youth and they are excited that the construction is nearly complete on the new ramp for the skate park.

Member Garber asked Law Director Stephan if any portion of our Ordinance conflicts with the Ohio Revised Code, is only the conflicting portion thrown out or is the whole Ordinance invalid?

Law Director Stephan replied it is specific to the sections that would be pre-empted by Ohio Revised Code so the whole Ordinance would not have to be thrown out. Our Ordinance is written so that if the court would decide a section of an Ordinance is in conflict, the rest of the Ordinance would remain valid.

Assistant City Manager Keaton presented the July 31, 2010 Fund Balance for Council review and approval.

Motion by Cantrell, second by Apgar to approve the July 31, 2010 Fund Balance as presented. All yeas, motion carried.

Vice Mayor Ullery thanked all of the organizations, the Brookville Police Department and city staff who participated in another successful Community Picnic.

Motion by Cantrell, second by Duncan to read proposed Ordinance No. 2010-06. All yeas, motion carried.

Motion by Apgar, second by Garber to accept the third reading and adopt Ordinance No. 2010-06 entitled "AN ORDINANCE ESTABLISHING CERTAIN REGULATIONS FOR MOBILE FOOD VENDORS IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Member Garber inquired about additional cones near the intersections to direct runners during the Picnic Run?

Police Chief Preston advised the Picnic Run is a great event, however he does not have the manpower to handle it. This is something we will have to look at for future runs.

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


Sonja M. Keaton, Clerk


Ron Ullery, Vice Mayor