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BROOKVILLE CITY COUNCIL
REGULAR MEETING
January 5, 2010

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on January 5, 2010 in the City Council Chambers. The pledge of allegiance was recited.

Law Director Stephan administered the Oath of Office to the newly elected Council Members, Bob Apgar and Bruce Garber.

Motion by Cantrell, second by Letner to name Ron Ullery as Vice Mayor. Garber yea, Letner yea, Ullery abstained, Apgar yea, Cantrell yea and Seagraves yea. Motion carried with five yeas and one abstention.

Members Apgar, Cantrell, Garber, Letner and Ullery; Manager Wright, Fire Chief Nickel, Police Chief Preston, Law Director Stephan and Director of Finance/Clerk Keaton were present. Member Duncan was absent.

Mayor Seagraves announced Council Member Duncan will be missing three consecutive regular Council Meetings, due to illness. The Charter states that such leave shall be excused by a majority vote of the other Members of Council.

Motion by Ullery, second by Garber to excuse the absence of Member Duncan from Council Meetings until such time his medical conditions improve and his doctor releases him to return for Council Meetings. All yeas, motion carried.

Member Ullery stated he will miss three consecutive regular Council Meetings, and requested Council excuse his absence per the Charter.

Motion by Garber, second by Apgar to excuse the absence of Member Ullery from Council Meetings for the month of February and the first meeting of March. Cantrell yea, Apgar yea, Garber yea, Letner yea, Ullery abstained and Seagraves yea. Motion carried with five yeas and one abstention.

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

Motion by Cantrell, second by Apgar to accept the December 15, 2009 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright presented an update on the CDBG Downtown Revitalization Project. Manager Wright reported four of the seven applicants are currently under construction, with one project completed. Two of the applicants experienced minor setbacks, but should be completed within the next couple of months, weather permitting. Two of the applicants will delay their work until spring. Applications for Phase II of the Downtown Revitalization Project will be released some time in February or March.

Manager Wright reported the church on the corner of Market and Mulberry Streets, the former Brookville National Bank building, experienced a structural problem when a main roof truss failed. Greater Dayton Construction Group is currently working to secure this truss and will be finishing up within one to two weeks. National Inspection Corporation, our building inspection company, has been contacted for permits and inspections.

Manager Wright reported a letter was sent to the Montgomery County Engineers, on the Johnsville Brookville Road project, per Member Letner's request at the last Council Meeting.

Manager Wright reported as a follow-up to Member Letner's question if June Place in front of the Westbrook Elementary could be connected with June Place in the Terrace Park plat, once the current Westbrook Elementary School is demolished; he spoke with the School Superintendent and they expressed concern due to loss of parking along the east side of the school since they will

continue to use that portion of the building. However, both the City engineer and the School's engineer and architect will review and assess the situation.

Manager Wright requested authorization to purchase a replacement cruiser for the Police Department.

Motion by Garber, second by Letner to authorize Manager Wright to purchase a 2010 Ford Crown Victoria for \$21,508 to replace a cruiser in the Police Department under the State of Ohio Purchasing Program as recommended by Manager Wright. All yeas, motion carried.

Fire Chief Nickel announced the Brookville Fire Department is the recipient of an Assistance to Firefighters Grant through FEMA. This grant award totaled \$131,915, of which the City of Brookville must match 5%, or \$6,596. This grant will allow the Brookville Fire Department to purchase Self Contained Breathing Apparatus (SCBA), 2" and 3" hose, nozzles, RIT Packs, and Wyes. Fire Chief Nickel reported the Brookville Fire Department has applied for this grant in the past and this is our first award. Fire Chief Nickel commended FF/EMT Ditttrick for his lead on this grant submission.

Fire Chief Nickel presented an unaudited Brookville Fire Department Monthly Activity Report for 2009. The report shows the Brookville Fire Department responded to 239 fire calls and 1,325 medic calls.

Police Chief Preston presented the Brookville Police Department Incident Log from December 15, 2009 through January 4, 2010, which shows there were 39 new cases for investigation with 32 closed and 7 pending further investigation. The Brookville Police Department Arrest Log for the month of December showed there were 37 arrests.

Police Chief Preston reported the Brookville Police Department responded to a residence on McKinley Street in reference to a death. Immediately following this case, there was a rumor circulating that the victim was beaten and strangled to death. Police Chief Preston stated that was not true, there is no evidence to support anything other than natural causes and the coroners office is awaiting toxicology reports.

Police Chief Preston reported news broke on January 1 on a case that they were investigating since early October. An individual was charged and plead guilty to charges stemming from the theft of money from her employer. Over the last four years, this individual stole \$348,000. There is a pre-sentencing investigation being conducted by the courts and the individual will be sentenced later this month.

Police Chief Preston reported the holiday season was very quiet this year. There were no DUI arrests or traffic crashes.

Police Chief Preston reported there was an attempted robbery of the Rite Aid Pharmacy on January 4, 2010. The clerk refused to give the suspect prescription medication and called Police. The suspect fled the building, and the case is still under investigation.

Law Director Stephan had no report.

Finance Director/Clerk Keaton presented the December 31, 2009 Fund Balance for Council review and approval.

Motion by Cantrell, second by Garber to approve the December 31, 2009 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton requested approval for our membership with the Miami Valley Regional Planning Commission (MVRPC) for 2010.

Motion by Cantrell, second by Apgar to approve our membership renewal with the MVRPC, and to appoint Mayor Seagraves as Member and Manager Wright as Alternate to the MVRPC Board, and Manager Wright as Member and Mayor Seagraves as Alternate to the Technical Advisory Committee for 2010. Cantrell yea, Apgar yea, Garber nay, Letner yea, Ullery yea and Seagraves yea. Motion carried with five yeas and one nay.

Finance Director/Clerk Keaton requested Council approval to transfer \$50,000 into the Street M&R Fund, \$25,000 into the Park Fund and \$25,000 into the Note Retirement-NorthBrook Fund. These are portions of the transfers we appropriated for in 2010.

Motion by Garber, second by Letner to authorize the transfer of \$50,000 into the Street M&R Fund, \$25,000 into the Park Fund and \$25,000 into the Note Retirement-NorthBrook Fund as appropriated and requested by Finance Director Keaton. All yeas, motion carried.

Finance Director/Clerk Keaton requested authorization to set the labor rate of \$45 per hour for the Service Department Mechanic to charge for work performed on the City fleet.

Motion by Garber, second by Ullery to set the labor rate of \$45 per hour for the Service Department Mechanic to charge for work performed on the City fleet in 2010. All yeas, motion carried.

Finance Director/Clerk Keaton announced Representative Seth Morgan will be in our Council Chambers on Friday, January 22, 2010 from 10:00 a.m. to noon for our citizens to come and meet him and to voice any concerns they may have.

Mayor Seagraves reminded everyone that the 7th Annual Mayor's Prayer Breakfast will be on January 7, 2010 and everyone is welcome.

Motion by Garber, second by Letner to read proposed Resolution No. 09-26. All yeas, motion carried.


Motion by Garber, second by Letner to accept the third reading and adopt Resolution No. 09-26 entitled "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME CITY EMPLOYEES." All yeas, motion carried.

There was no Old Business.

There was no New Business.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor