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BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
September 7, 2010

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

Motion by Duncan, second by Apgar to accept the Agenda with two additions. All yeas, motion carried.

Motion by Cantrell, second by Garber to accept the August 17, 2010 Regular Meeting Minutes as presented. All yeas, motion carried.

Mike Henne, introduced himself as the Republican candidate for the Ohio 36<sup>th</sup> District and welcomed any questions or comments.

Member Letner thanked Mr. Henne for attending and supporting local 4H youth at the Montgomery County Fair.

Rhonda Wagner stated she is representing the "Challenge for the Cure" team that walks in October from Brookville to Dayton to raise money for the American Cancer Society's Making Strides for Breast Cancer fundraiser. Ms. Wagner advised they are holding a Community Breast Cancer Awareness 5K walk on September 18, 2010 at 9:00 a.m. to kick off the campaign, and requested permission to paint the streets along the route with water soluble paint made of corn starch and food coloring.

Mayor Seagraves inquired if the route for the 5K walk has been discussed with Police Chief Preston?

Ms. Wagner stated the route is on the sidewalks only and the walkers' start times will be staggered to avoid congestion. The walk will begin at the Brookville Community Theatre, down Westbrook to Wolf Creek Street and back to the Community Theatre

Police Chief Preston advised the route was acceptable and he will notify his first watch officers on September 18, 2010 of the 5K walk.

Motion by Cantrell, second by Duncan to allow the "Challenge for the Cure" team to use water soluble paint to paint the streets along the September 18, 2010 5K walk route with pink ribbons one day prior to the walk. All yeas, motion carried.

Dottie Watkins, of 124 Maple Street, commented that Gruenig Park looks very nice and thanked Manager Wright for putting the dedication plaque back up.

Manager Wright reported three bids were recently opened for the "2010 Asphalt Resurfacing and Pavement Removal Project" and recommended that Council accept the lowest and best bid from Barrett Paving Materials, Inc. with the contractor keeping the material.

Motion by Garber, second by Apgar to accept the bid of \$60.85 per ton for approximately 1,645 tons of 448 asphalt concrete overlay and \$1.65 per square yard for pavement removal, Contractor keeps material for approximately 14,200 square yards from Barrett Paving Materials, Inc. All yeas, motion carried.

Manager Wright requested Council authorization to go out to bid for a new leaf vacuum. Manager Wright stated we did not specifically budget for this equipment but our current leaf vacuum was used when we purchased it eight to ten years ago and it is worn out. If we replace the leaf vacuum now we can use our current equipment as a backup.

Member Garber inquired where the funds would come from to purchase a new leaf vacuum?

Assistant Manager Keaton advised half of the funds would come from the Street Fund and the other half from the Capital Improvement Fund. There is enough money built into the budget to cover unexpected expenses such as this.

Member Duncan inquired whether they make a self contained leaf vacuum so that we do not have to pull a trailer behind to contain the leaves?

Manager Wright replied the leaf vacuum he is looking at is a tow behind referred to as self contained, which is what we have now. We use a small one ton dump truck to pull it.

Motion by Cantrell, second by Ullery to allow Manager Wright to go out to bid for a new leaf vacuum. All yeas, motion carried.

Manager Wright advised we have implemented a new procedure to ensure that new Brookville residents receive a welcome packet put together by the Brookville Chamber of Commerce and our administrative office. Economic Development Specialist/Zoning & Property Maintenance Officer Snedeker will be delivering the packets directly to the residents' homes.

Manager Wright reminded everyone of the ribbon cutting on Thursday, September 9, 2010 at 6:30 p.m. for Dr. Don Shaffer's "Brookville Nutrition Center" at 428 N. Wolf Creek Street in the Brookside Plaza.

Manager Wright reported local Brookville resident Jennifer Szwec donated a tree to the community through the Modern Woodmen of America Association. The tree was planted along the bike path near Thomas Powell Park.

Manager Wright presented a copy of a letter from the Ohio Department of Transportation (ODOT) summarizing a traffic study that was conducted at the interchange of Interstate 70 and Arlington Road. The study determined that traffic signals are not warranted at either ramp intersection at this time but ODOT will monitor the interchange for increases in traffic volume, crash frequencies or any other changes in traffic patterns.

Manager Wright encouraged Council members to show their support and attend the Wolf Creek Run I Car Show at Golden Gate Park on Saturday, September 18, 2010 from 10:00 a.m. until 3:00 p.m. Park Board has and will continue to put a lot of hard work into organizing this event.

Manager Wright reported eleven tracts of land that compose the remainder of Sterling Meadows are to be sold at auction tomorrow through a court ordered absolute action. Manager Wright stated he is aware of several builders that are interested in the land.

Member Duncan inquired if the City has any liens against the property?

Manager Wright advised we have minimal mowing bills on the properties. Manager Wright commented that his priority is that the property is purchased and developed.

Law Director Stephan stated he has reviewed the case and all the liens are to be released at closing so that whoever purchases the lots will have a clear title and will be able to move forward. Liens will be paid with the proceeds of the sale in an order of priority set by the courts.

Manager Wright presented a picture of the new all-steel ramp built for the SK8 Park by the Service Department. The existing skate park equipment was repainted.

Police Chief Preston reported the youth were very excited and were lining up to use the new ramp.

Member Cantrell commented that this project has really helped foster a relationship with the local youth of our community and commended Police Chief Preston for building a rapport with the teens.

Police Chief Preston agreed this project has helped the Police Department connect with the youth. The police officers now seem to have a good relationship with the youth uptown and are not seeing the problems they have had in the past.

Manager Wright reported ODOT is finally changing the signs on Interstate 70 at the Brookville exit to read Arlington Road rather than County Road 533. The eastbound sign is up and the westbound sign should be installed soon.

Police Chief Preston reported the Brookville Police Department Incident Log from August 17 through September 6, 2010 shows there were 51 new cases for investigation with 46 closed and 5 still pending further investigation. The Brookville Police Department closed 22 of these cases by arrest. Police Chief Preston advised there was nothing unusual during the holiday weekend.

Police Chief Preston reported he has had several conversations with Sheri Nore regarding the Halloween Half Marathon & 5K she proposed to Council at the August 3, 2010 Council meeting. Police Chief Preston stated he has also met with Clay and Perry Township Police Departments to discuss revising the route to make it safe for everyone involved. Police Chief Preston stated Ms. Nore could not be here this evening so he is presenting the revised route and other pertinent information for Council's approval.

Police Chief Preston stated the revised route begins in front of Brookville High School (BHS), right on Western Avenue to left on Rock Street to left on Mound Street to right on Meadow Glen. The 5K walkers will then retrace their route back to BHS. The runners continue on Meadow Glen until it crosses over Upper Lewisburg Salem Road, then left on the bike trail to mile marker 6.5 just past Sweet Potato Ridge Road. The runners will then retrace their route back to BHS to the finish line at the rear of the school. Police Chief Preston stated the revised route will require 7 police officers and about 10 volunteers versus the original proposed route which would have required 18 police officers. Volunteers are being recruited from Miami Valley CTC's Law Enforcement Program and ROTC Program. Police Chief Preston advised the roadways will not be closed and the route will be residential areas only. The band association parents have an organizer who is working with them and he will provide cones and signage. The cones will be placed 4 feet from the curb to create a lane and runners will be required to stay in these lanes. Police officers will be stationed at the highest volume intersections and volunteers and signage will be placed at lower volume intersections. Police Chief Preston stated they are expecting about 120 to run the half marathon and the larger number will walk or run the 5K. The race begins at 9 a.m. on October 30 and runners are allotted 4 hours to complete it.

Police Chief Preston advised the band association is requesting Council's approval of the event with the revised route. Police Chief Preston stated he will continue to meet with organizers as well as Clay Township police to work out the rest of the details.

Motion by Apgar, second by Duncan to approve the revised route and allow the Brookville Band Association to hold the Halloween Half Marathon & 5K on October 30, 2010 at 9:00 a.m. All yeas, motion carried.

Fire Chief Nickel reported he attended the Clay Township Trustee meeting and they have pledged their support for Issue 10, the proposed income tax increase to fund the construction of the new fire station.

Member Garber asked how the "Pass the Boot" campaign went for the Fire Department?

Fire Chief Nickel stated "Pass the Boot" was very successful. The Fire Department collected \$3,027 for the Muscular Dystrophy Association.

Member Cantrell asked whether anyone has toured the firehouse yet?

Fire Chief Nickel advised they have given several tours to date.

Member Garber asked Law Director Stephan if he is aware of proposed Senate Bill 297 that deals with annexation?



Law Director Stephan advised he is aware of the proposed bill which will make economic development in annexed areas more difficult by requiring township approval for tax exemptions. Law Director Stephan advised the Dayton Mayors and Managers and the Ohio Municipal League are looking closely at the proposed bill.

Assistant City Manager/Finance Director Keaton presented the August 31, 2010 Fund Balance for Council review and approval.

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

Assistant City Manager/Finance Director Keaton requested Council approval to transfer \$100,000 into the Capital Improvement Fund and \$50,000 into the Street M&R Fund as appropriated.

Motion by Letner, second by Ullery to approve the transfer of \$100,000 into the Capital Improvement Fund and \$50,000 into the Street M&R Fund as appropriated. All yeas, motion carried.

Mayor Seagraves thanked Jim Hoffman and other citizens who step up and help to make the Montgomery County Fair a successful event. Mayor Seagraves expressed appreciation and pride for the tremendous amount of Brookville participation in the Montgomery County Fair.

Mayor Seagraves reported the annual charity fundraiser Chili Cook-off at Amvets will be held on October 10, 2010 and encouraged Council participation in the event.

Mayor Seagraves stated he is proud of the way business owners on Market Street have stepped up and made improvements. The Gruenig Park clean-up looks fabulous.

Member Letner commented he is happy to see that Pizza Hut is opening a store soon in the vacancy at Brookside Plaza.

Motion by Garber, second by Letner to read proposed Resolution No. 10-16. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading, dispense with the second and third reading and adopt Resolution No. 10-16 entitled "A RESOLUTION IN SUPPORT OF THE NOVEMBER 2, 2010 HUMAN SERVICES LEVY BY BROOKVILLE CITY COUNCIL, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Cantrell, second by Garber to read proposed Resolution No. 10-17. All yeas, motion carried.

Motion by Apgar, second by Duncan to accept the first reading, dispense with the second and third reading and adopt Resolution No. 10-17 entitled "A RESOLUTION TO AUTHORIZE AND APPROPRIATE THE EXPENDITURE OF PUBLIC FUNDS TO PROVIDE INFORMATION TO THE CITIZENS OF THE CITY OF BROOKVILLE ON ISSUE 10, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Duncan, second by Apgar to read proposed Ordinance No. 2010-08. All yeas, motion carried.

Motion by Duncan, second by Ullery to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2010-08 entitled "AN ORDINANCE LEVYING ASSESSMENTS FOR THE CUTTING AND REMOVAL OF WEEDS, VINES, GRASS AND/OR OTHER VEGETATION DURING THE YEAR 2010 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Under New Business, Member Ullery recommended Manager Wright and Administrative Staff review requiring sidewalk in front of 20 Arlington Road to connect finished sidewalks on Arlington and Westbrook Roads that abut this property. Currently there is no sidewalk here at all and residents, particularly kids traveling to and from school, have to walk in the street to get around the corner of Arlington and Westbrook.

Motion by Ullery, second by Letner to review the installation of sidewalk in front of 20 Arlington Road. All yeas, motion carried.

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

  
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Sonja M. Keaton, Clerk

  
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David E. Seagraves, Mayor