

BROOKVILLE CITY COUNCIL
REGULAR MEETING
April 21, 2009

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on April 21, 2009 in the City Council Chambers. The pledge of allegiance was recited. Members Cantrell, Duncan, Garber, Letner and Ullery; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, Police Chief Preston and Director of Finance/Clerk Keaton were present. Member Reel was absent.

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

Motion by Duncan, second by Ullery to accept the April 7, 2009 Public Meeting and Regular Meeting Minutes as presented. All yeas, motion carried.

Law Director Stephan requested Council approval for the Record Plan for the McGregor Subdivision. Planning Commission approved this Record Plan on April 16. Law Director Stephan reported this Record Plan creates right-of-way for the extension of Market Street to Upper Lewisburg-Salem Road which will provide utilities to the proposed site for the new firehouse and the land owned by McGregor's which will then be available for economic development. Law Director Stephan stated the Record Plan has been reviewed by the Montgomery County Engineer and will be before the Montgomery County Planning Commission at their May 14, 2009 Meeting. The Montgomery County Engineer has requested that we plat an additional five feet of right-of-way on E. Upper Lewisburg-Salem Road. It is going to go to 35' of right-of-way from the center line. Law Director Stephan commented approval of this subdivision is the first step to establish right-of-way and utilities for the proposed new firehouse and for future economic development of the McGregor's property.

Motion by Garber, second by Letner to approve the Record Plan for the McGregor Subdivision as presented. All yeas, motion carried.

Jeff Sewert, President of the Brookville Chamber of Commerce, requested authorization for the Brookville Chamber of Commerce to hold their annual Downtown Brookville Block Party on Saturday, June 13 from 6:00 to 11:00 p.m. The event will be held on Market Street between Mulberry and Sycamore Streets. The band will be staged just in front of the bikeway on Market Street. Mr. Sewert indicated the event will be the same as last year.

Motion by Duncan, second by Garber to allow the Brookville Chamber of Commerce to hold their 7th Annual Downtown Block Party on Saturday, June 13 from 6:00 to 11:00 p.m. with Market Street to be barricaded from Mulberry to the bikepath, including Sycamore Street, and with proper permits being obtained from the Division of Liquor Control. All yeas, motion carried.

Manager Wright reported Council should have a copy of a letter signed by the Montgomery County Sheriff and the Montgomery County Administrator that provides an update on the progress being made to correct the issues that occurred at the Regional Dispatch Center. Testing continues and they also installed a program that allows dispatchers to see all 911 calls and the availability of dispatchers to answer the calls. Manager Wright reported the City has not experienced any problems during the switch over.

Manager Wright reported the Brookville Police Department recently received a thank you letter from a family that attended the Optimist egg hunt at Golden Gate Park. The letter states they lost and were reunited with their three-year old child. The officers were terrific with their child.

Manager Wright reported the Brookville Chamber of Commerce held their annual Business Expo and asked Assistant Manager Sewert for an update.

Assistant Manager Sewert reported the Brookville Chamber of Commerce hosted their 18th Annual Business Expo where 30 businesses were represented. The Board of Directors appreciates Chief Nickel and Chief Preston for their participation in the Expo.

Manager Wright announced North American Nutrition Companies, Inc., Headquarters Office, will be holding an Open House at their new office at 10 Payless Way on Friday, May 1 from 3:00 to 6:00 p.m.

Member Cantrell inquired if we can send a thank-you to the Montgomery County Engineers for their quick response for the installation of an all-way stop at the intersection of Brookville-Salem and Upper Lewisburg-Salem Roads.

Manager Wright commented we will take care of that.

Fire Chief Nickel presented the Brookville Fire Department Response Time Analysis report from April 8 through April 21, 2009. The report indicates the Brookville Fire Department received 53 alarms during this time period. The average response time was six minutes and 53 seconds.

Police Chief Preston presented the Brookville Police Department Call Analysis report for March 2009. The report indicates the Brookville Police Department had 126 Priority 1 calls, 308 Priority 2 calls, and 111 Priority 3 calls. Total calls handled year-to-date shows a decrease of 259 calls or a 14.6% decrease from this same time last year. Total reportable year-to-date incidents show a decrease of 30 or a 17.8% decrease.

Police Chief Preston presented the Incident Log from April 8 through April 20. Police Chief Preston reported there were 36 new cases with 24 closed and 12 pending further investigation.

Police Chief Preston reported on April 18 the Brookville Police Department received six cases of criminal damaging from Gaines, Hay and Western Avenue. Unknown subjects flattened tires and broke the windows of two vehicles. The crimes are still under investigation.

Police Chief Preston reported on April 19 the Brookville Police Department responded to 5½ Osage on the report of a subject threatening to shoot his neighbors and then the Officers responding to the call. Police Chief Preston reported they had Montgomery County SWAT respond to assist. After an approximate four-hour standoff, entry was made and the subject was arrested.

Police Chief Preston reported the Brookville Police Department recently held the pre-school bike-a-thon. On May 12, the Westbrook Elementary first grade classes will tour the Police Department and on May 16, the Brookville Police Department will conduct the Optimist Club Bike Rodeo.

Law Director Stephan had no report.

Finance Director/Clerk Keaton reported the City of Dayton has contracted with Utility Sales Agency, LLC to implement the Automatic Water Meter Reading System Project. These new electronic water meters will allow the City of Dayton to read water meters without entering a home or business. All water meters in the City of Brookville will be replaced beginning June 9, 2009. All property owners and businesses, with inside water meters, are urged to contact Utility Sales Agency, LLC to schedule their appointment to change out their meter. The water meter update is at no cost to the homeowner or business owner.

Finance Director/Clerk Keaton announced the Youth-In-Government program will be held the third week of May versus the last week of May as in years past. The program will last three days with the Fire, Police and Service Departments holding their respective departments on one day. The Police Department is scheduled to hold their program on Wednesday, May 20, the Service Department on Thursday, May 21 and the Fire Department on Friday, May 22. The Youth-In-Government Council Meeting was originally scheduled for Thursday, May 21, which is the same night as our scheduled Planning Commission Meeting. Brookville Schools agreed to move the Youth-In-Government Council Meeting to Tuesday, May 19, which is the regular meeting night for Council.

Motion by Duncan, second by Garber to move the May 19, 2009 Council Meeting to the Brookville High School Auditorium and to change the start time of the Meeting to 7:00 p.m. in conjunction with the Youth-In-Government Program. All yeas, motion carried.

Mayor Seagraves had no report, but reminded citizens with warmer weather approaching to lock their vehicles at night and be aware of their surroundings and keep a watch on your neighbors.

Motion by Duncan, second by Ullery to read proposed Ordinance No. 2009-06. All yeas, motion carried.

Motion by Duncan, second by Ullery to accept the third reading and adopt Ordinance No. 2009-06 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.20 (a), FIXING THE RATES AND CHARGES TO ALL WATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Garber, second by Letner to read proposed Ordinance No. 2009-07. All yeas, motion carried.

Motion by Garber, second by Cantrell to accept the third reading and adopt Ordinance No. 2009-07 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 935.14(c)(1) OF THE CITY OF BROOKVILLE, OHIO." Garber yea, Letner yea, Ullery yea, Duncan nay, Cantrell yea and Seagraves yea. Motion carried with five yeas and one nay.

Motion by Garber, second by Cantrell to read proposed Resolution No. 09-10. All yeas, motion carried.

Manager Wright reported proposed Resolution No. 09-10 is for the Wolf Creek Street Mill and Resurfacing Project that was recently awarded federal funding through the stimulus program.

Motion by Duncan, second by Cantrell to accept the first reading, dispense with the second and third reading and adopt Resolution No. 09-10 entitled "A RESOLUTION TO CONSENT AND COOPERATE WITH THE DIRECTOR OF TRANSPORTATION FOR MILL AND OVERLAY OF THE EXISTING ROADWAY, INCLUDING RESTRIPIING AND IMPROVING CURB RAMPS, ON WOLF CREEK STREET (COUNTY ROAD 230) FROM MCMACKEN LANE TO MARKET STREET, PLUS OR MINUS, WITHIN THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, AND DECLARING IT AN EMERGENCY." Duncan yea, Cantrell yea, Garber nay, Letner yea, Ullery yea and Seagraves yea. Motion carried with five yeas and one nay.

Motion by Duncan, second by Garber to read proposed Resolution No. 09-11. All yeas, motion carried.

Manager Wright reported proposed Resolution No. 09-11 is for pavement planing and resurfacing of Interstate 70 from Preble/Montgomery County Line to State Route 49. Manager Wright reported there is no financial involvement from the City on this project, which is scheduled for 2014.

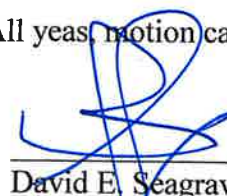
Motion by Duncan, second by Cantrell to accept the first reading, dispense with the second and third reading and adopt Resolution No. 09-11 entitled "A RESOLUTION TO CONSENT AND COOPERATE WITH THE DIRECTOR OF TRANSPORTATION FOR PAVEMENT PLANING AND RESURFACING WITH ASPHALT CONCRETE, ON INTERSTATE ROUTE 70 FROM PREBLE/MONTGOMERY COUNTY LINE (STRAIGHT LINE MILEAGE 0.00) TO STATE ROUTE 49 (STRAIGHT LINE MILEAGE 6.490), PLUS OR MINUS, WITHIN THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

In Old Business, Member Letner inquired if the zones have been decided for the garage sales that will be held in June in conjunction with the Downtown Block Party.

Manager Wright reported he is still working on this.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor