

BROOKVILLE CITY COUNCIL
REGULAR MEETING
November 17, 2009

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on November 17, 2009 in the City Council Chambers. The pledge of allegiance was recited. Members Cantrell, Duncan, Garber, Letner, Reel and Ullery; Manager Wright, Fire Chief Nickel, Police Chief Preston, Law Director Stephan and Director of Finance/Clerk Keaton were present.

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

Motion by Reel, second by Garber to accept the November 3, 2009 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright reported W. Westbrook Road was opened to traffic Monday evening. The contractor needs to do the finish work on the yards and pave the driveways from the back of the walk to the driveway cut. Manager Wright stated planting of grass seed will most likely take place next spring due to the weather.

Mayor Seagraves remarked the contractor did a tremendous job on this project. Mayor Seagraves personally thanked Manager Wright, Service Superintendent Brandt and Finance Director Keaton for their assistance throughout this project. Mayor Seagraves stated the residents expressed concern early on during this project, but overall the project looks great and he feels the residents will enjoy this improvement.

Member Cantrell stated she likes the way the Johnsville-Brookville and Westbrook Road intersection was widened.

Member Ullery stated as a resident of this project, he feels it really enhanced the area and commented we can't please everyone all of the time. Member Ullery stated the contractor kept the area clean of debris every day and the construction work was well planned.

Manager Wright reported Staff has been working closely with Norgren who is looking to relocate their business in one to two years. The City recently filed an ED/GE Grant and the ED/GE bus tour will be held tomorrow morning.

Manager Wright reported the installation of a sidewalk at the Westbrook Soccer Complex is underway. This was a project we budgeted for and it will connect the parking lot off of Church Street with the parking lot in Westbrook Park. The installation of the sidewalk should be completed later this week, weather permitting.

Manager Wright reported Council should have a copy of a Memorandum from him that provides an update on our Dispatch Contract with Montgomery County.

Manager Wright reported Council should have a copy of a letter signed by Tim Hopkins, Brookville Schools Superintendent, and himself. The letter advises March Avenue residents about the new elementary building project and the need for their engineer's survey team to enter their yards to collect a survey ground shot. Manager Wright stated the Site Plan for the new elementary school is not complete.

Manager Wright reported the leaf pickup program should be wrapped up in the next week or two.

Manager Wright reported he hopes to have the Christmas lights along Market Street displayed on the Friday following Thanksgiving.

Fire Chief Nickel congratulated Tyler Ullery who recently passed his Paramedic National Registry test. Fire Chief Nickel stated he was very proud of Tyler's efforts.

Law Director Stephan had no report.

Finance Director/Clerk Keaton reported she contacted Joseph Tobias, who is currently on the Board of Zoning Appeals, and he expressed an interest in filling the open seat on Planning Commission that will be vacated by Dottie Watkins. Finance Director/Clerk Keaton reported Darrell Reel expressed an interest in filling the Board of Zoning Appeals seat that will be vacated by Joseph Tobias. Finance Director/Clerk Keaton requested Council appoint Joseph Tobias to Planning Commission for a three-year term and Darrell Reel to the Board of Zoning Appeals for a five-year term with both terms beginning January 1, 2010.

Motion by Ullery, second by Duncan to appoint Joseph Tobias to Planning Commission for a three-year term and Darrell Reel to the Board of Zoning Appeals for a five-year term with both terms beginning on January 1, 2010. All yeas, motion carried.

Finance Director/Clerk Keaton reported with Bob Apgar's election to Council, he will need to give up his seat on the Civil Service Commission. Finance Director/Clerk Keaton requested she be permitted to advertise the open seat in the Brookville Star.

The general consensus of Council is to allow Finance Director/Clerk Keaton to advertise the open seat on the Civil Service Commission as requested.

Finance Director/Clerk Keaton reported effective January 1, 2010 the Montgomery County Generation Fee will increase \$1.00 per ton on refuse. This increase will not apply to yard waste. This increase was approved by the Montgomery County Solid Waste Management District in 2006.

Finance Director/Clerk Keaton requested Council authorization to transfer \$30,000 into the Street M&R Fund and \$10,000 into the Park Fund as appropriated.

Motion by Garber, second by Cantrell to authorize the transfer of \$30,000 into the Street M&R Fund and \$10,000 into the Park Fund as appropriated and requested by Finance Director Keaton. All yeas, motion carried.

Finance Director/Clerk Keaton reported the City received an Addendum for extending our recycling contract with Rumpke for 2010. The proposal increases our base rate \$210 per month for a monthly rate of \$3,735 and a monthly fuel charge based on a Fuel Surcharge Table attached to the Addendum. This fuel charge will be adjusted on a monthly basis based on the Department of Energy's Energy Information Administration highway diesel price index reading for the Midwest region on the last Monday of the month. Finance Director Keaton reported we have enough in our 2010 budget to absorb the increase without increasing fees to our residents.

Motion by Garber, second by Reel to accept the Addendum to the 2005 Recycling Contract with Rumpke for curbside pickup and disposal of commingled recyclable materials on Monday of every week at a monthly cost of \$3,735 plus a monthly fuel charge as presented and attached to the Addendum. All yeas, motion carried.

Finance Director/Clerk Keaton reported at the October 6, 2009 Council Meeting, discussion was held on the \$311,000 balance from the State of Ohio 629 Grant and if we wanted to use those funds toward paying the NorthBrook variable rate debt down this year or use the funds toward paying the 2009 Note down in 2010. Finance Director/Clerk Keaton reported the interest rate on the variable rate debt is still below 1% and has been since June of this year. Finance Director/Clerk Keaton stated she spoke with our Underwriters and they do not see a problem with issuing a Note for less than \$1M in 2010. Finance Director/Clerk Keaton recommended that we use the \$311,000 toward paying down the 2009 Note in 2010.

The general consensus of Council is to direct Finance Director/Clerk Keaton to use the \$311,000 balance from the State of Ohio 629 Grant toward paying the 2009 Note down in 2010.

Finance Director/Clerk Keaton reported she would like to hold a Work Session to go over the 2010 Budget following the December 1 Regular Council Meeting versus the December 15 meeting.

Council was in favor of holding the 2010 Budget Work Session following the December 1 Council Meeting.

Finance Director/Clerk Keaton requested an Executive Session on a Contract Negotiation Matter.

Police Chief Preston presented the Brookville Police Department Call Analysis for October 2009. The report shows 87 Priority 1 calls, 267 Priority 2 calls and 111 Priority 3 calls. Total calls handled from January 1 through October 31 shows a decrease of 730 calls or 11.1% from the previous year. Total reportable incidents are also down 24 reports or 4% compared to the same time last year.

Police Chief Preston presented the Brookville Police Department Incident Arrest Blotter for October that shows 38 arrests with 18 of those arrests for individuals who do not reside in Brookville.

Police Chief Preston presented the Incident Log from November 3 through November 15 that shows there were 21 new cases during this time period with 17 closed and 4 pending further investigation.

Police Chief Preston reported the 5K Benefit Race/Walk that was presented to Council in September will be held this Saturday, November 21. The race will begin and end at Brookville High School. The Brookville Police and Fire Department's will be assisting with this event.

Member Garber asked how the Pumpkin Walk went.

Police Chief Preston stated approximately 300 people participated this year.

Mayor Seagraves reported he received a press release from Montgomery County that stated November is National Adoption Month. Nearly 70 children in Montgomery County are currently available for adoption. They are waiting for a loving, permanent family to step forward and open their homes to adopt. This is a collective effort nationwide to raise awareness about the dire need for adoptive homes.

Member Cantrell reported the Annual Brookville Chamber of Commerce Dinner was a very nice event and Vice Mayor Ullery spoke a few words on behalf of the City.

Member Duncan reported one of Clay Township's Fire Levies expires in tax year 2009 and requested the Fire Committee Members meet with the Clay Township Trustees sometime early next year to discuss various items.

Mayor Seagraves applauded the Brookville Historical Society for their Grand Opening of the Exhibit building, which was a huge success. Mayor Seagraves encouraged everyone to view the exhibit as it is an excellent display of Brookville's past.

Member Ullery commended the Brookville Historical Society, their committee members and volunteers for their Open House and displays, which were very well done.

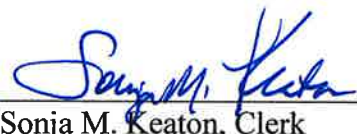
Motion by Duncan, second by Garber to read proposed Ordinance No. 2009-15. All yeas, motion carried.

Motion by Duncan, second by Reel to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2009-15 entitled "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION, REPAIR AND/OR REPLACEMENT OF SIDEWALKS, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

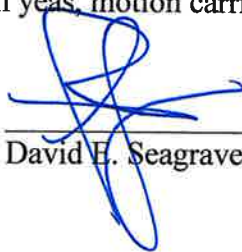
Motion by Duncan, second by Garber to go into Executive Session on a Contract Negotiation Matter as requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor