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BROOKVILLE CITY COUNCIL
REGULAR MEETING
December 2, 2008

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on December 2, 2008 in the City Council Chambers. The pledge of allegiance was recited. Members Cantrell, Duncan, Garber, Letner, Reel and Ullery; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, Police Chief Preston and Director of Finance/Clerk Keaton were present.

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

Motion by Reel, second by Duncan to accept the November 18, 2008 Regular Meeting Minutes as presented. All yeas, motion carried.

Dottie Watkins, of the Brookville Historical Society, reported on Sunday, December 7, from 1:00 to 5:00 p.m., the Brookville Historical Society's Spitler House Community Museum and the Masonic Temple will be open for a special combined tour.

Manager Wright reported Council should have a copy of a letter from Gayle Ingram, Manager of Montgomery County Commission Services. The letter reads in an effort to bring local government closer to the people, four times a year they hold a regular commission meeting at 7:00 p.m. at other jurisdictional locations around the county. This allows the meeting to be more accessible to citizens in that jurisdiction, and this is also an opportunity for the Commissioners, County Administrator and department directors to meet and talk with the elected officials and staff of the local jurisdictions. Four meeting dates were given for the evening meetings.

Motion by Duncan, second by Garber to allow Manager Wright to contact Ms. Ingram to indicate they would be pleased to host a Board of County Commissioners Meeting in the City of Brookville Council Chambers on August 25 or June 30, 2009. All yeas, motion carried.

Manager Wright requested authorization to enter into a two-year renewal (2009-2010) Fire/EMS Service Contract with Clay Township. Discussion followed.

Member Duncan indicated that he would like to see a one-year contract versus a two-year contract so we can negotiate a change to the fire levy distribution percentage. Member Duncan stated should the expiring 2.5 mill levy fail to pass when presented to the voters in 2009, we can extend the Contract an additional year. Member Duncan recommended adopting a one-year contract.

Motion by Duncan, second by Reel to authorize Manager Wright to enter into a one-year renewal contract with Clay Township for Fire/EMS Service.

Fire Chief Nickel reported Council should have a copy of a Funding-Clay Township Fire Levies document that he recently put together. Fire Chief Nickel indicated one solution would be to negotiate a small percentage increase for Brookville at each contract renewal until such time as revenue received matches the revenue generated in the Brookville Fire District.

Manager Wright commented if revenue is taken away from the other entities that participate in the Clay Township Fire Contract, they might shut down.

Discussion was held on the terms of the Agreement as they relate to revocation of the contract and the grace period. Law Director Stephan provided clarity on those terms.

The vote was taken on the Motion made by Member Duncan. Garber nay, Letner nay, Ullery nay, Reel yea, Duncan yea, Cantrell nay and Seagraves nay. Motion was denied with five nays and two yeas.

Motion by Ullery, second by Cantrell to authorize Manager Wright to enter into a two-year renewal contract with Clay Township for Fire/EMS Service. Ullery yea, Reel nay, Duncan nay, Cantrell yea, Garber yea, Letner yea and Seagraves yea. Motion carried with five yeas and two nays.

Manager Wright reported leaf collection should wrap up next week.

Manager Wright reported the Christmas lights have been installed around the City.

Manager Wright reported at the last Council Meeting, Member Cantrell indicated the area around the former Lee's Chicken and Dairy Queen was dark. Manager Wright stated he surveyed the area and noticed there is a street light in front of one of those buildings. The darkness may be attributed to both locations being closed.

Manager Wright reported DP&L has plans to implement new technologies to their electric system and this new technology and its capabilities will be briefly displayed with a traveling exhibit. The exhibit titled "Experiencing Smart Grid City" will be available for community leaders to observe. The dates are December 8, 9 and 10. If any Council Member is interested in attending the exhibit, they need to contact Manager Wright so he can RSVP.

Manager Wright requested an Executive Session on a Personnel and a Real Estate Matter.

Member Garber inquired how the ED/GE tour went.

Assistant Manager Sewert and Mayor Seagraves stated the tour went very well.

Member Letner reported he noticed several "No Parking" signs along Arlington Road, between Boose Chevrolet and K's that need to be replaced. They have weathered considerably.

Fire Chief Nickel presented the year-to-date Brookville Fire Department Monthly Activity Report for 2008. The report shows the Brookville Fire Department has responded to 283 fire calls and 1,175 medic calls through November.

Police Chief Preston presented the Brookville Police Department Incident Log from November 20 through December 1, 2008. Police Chief Preston reported there were 24 new cases for investigation with 18 of those closed and six pending further investigation.

Police Chief Preston reported the Christmas Knights light display began this past weekend. Police Chief Preston stated he did not staff any extra help for the event, he used his road patrol personnel to monitor the event. Police Chief Preston commented that he dropped in on the light display on Saturday and Sunday and there were few people in attendance. If attendance continues as it was this past weekend, there will be no additional costs to the Police Department this year.

Law Director Stephan had no report.

Finance Director/Clerk Keaton presented the November 30, 2008 Fund Balance for Council review and approval.

Motion by Reel, second by Ullery to approve the November 30, 2008 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton requested authorization to transfer \$25,000 into the Street M&R Fund and \$4,000 into the Park Fund as appropriated for in 2008.

Motion by Reel, second by Duncan to authorize the transfer of \$25,000 into the Street M&R Fund and \$4,000 into the Park Fund as appropriated and requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council approval to designate two of its members to sit on the Volunteer Fire Fighters' Dependents Fund for 2009. For 2007 and 2008, Members Duncan and Ullery were appointed to this Board. Finance Director/Clerk Keaton indicated both Members are interested in sitting on this Board again.

Motion by Garber, second by Letner to appoint Members Duncan and Ullery to serve as the Legislative Board Members on the Volunteer Fire Fighters' Dependents Fund for 2009. Cantrell yea, Duncan abstained, Reel yea, Ullery abstained, Letner yea, Garber yea and Seagraves yea. Motion carried with five yeas and two abstentions.

Finance Director/Clerk Keaton announced a Work Session to go over the 2009 Budget needs to be scheduled and asked for Council discussion on when to hold the Work Session. The consensus is to hold the Work Session on December 16 beginning at 6:00 p.m. followed by the Regular Council Meeting.

Mayor Seagraves reported the ED/GE presentation went very well. There are a lot of projects for a minimal amount of money.

Mayor Seagraves announced his 6th Annual Prayer Breakfast will be held on Thursday, January 8, 2009 at K's Restaurant beginning at 7:30 a.m.

Motion by Duncan, second by Garber to read proposed Resolution No. 08-29 through Resolution No. 08-36. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the second reading of proposed Resolution No. 08-29 through Resolution No. 08-36. All yeas, motion carried.


Motion by Duncan, second by Garber to go into Executive Session on a Personnel Matter and a Real Estate Matter as requested by Manager Wright. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



 Sonja M. Keaton, Clerk



 David Seagraves, Mayor