

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
November 18, 2008

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:32 p.m. on November 18, 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 Reel to accept the Agenda as presented. All yeas, motion carried.

Motion by Reel, second by Duncan to accept the November 4, 2008 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright requested approval to enter into a contract with the Montgomery County Public Defender for 2009.

Motion by Garber, second by Ullery to authorize Manager Wright to enter into a contract with the Montgomery County Public Defender for 2009, at a cost of \$133.81 per case for which the Public Defender provides representation, as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the Centers for Medicare and Medicaid publish an Ambulance Inflation Factor near the end of each year to adjust allowable Medicare payments for the following year. The Ambulance Inflation Factor for 2009 has been released and it has been set at 5%. Manager Wright requested approval to adjust the ambulance transportation fees for 2009.

Motion by Ullery, second by Duncan to adjust the ambulance transportation fees for 2009 as recommended by Manager Wright and MED3000. All yeas, motion carried.

Fire Chief Nickel left on an emergency call.

Manager Wright reported he received communication from the Brookville Community Theater (BCT) that their parking lot is in need of repaving. The BCT is requesting financial assistance. The BCT is able to pay up to \$15,000 for the repaving.

Mayor Seagraves stated he spoke with the BCT Board last week and it was reported that the base of the parking lot is worn thin in places and the Board requested Council take this into consideration for their 2009 budget. Mayor Seagraves stated the Theater itself is in Golden Gate Park, which the City owns.

Member Garber inquired if there is any desire to reconfigure the parking lot.

Manager Wright reported he is not aware of any parking issues at the Theater that would require reconfiguration.

Motion by Ullery, second by Letner to appropriate funds for the repaving of the BCT parking lot in 2009 with the BCT contributing up to \$15,000 toward this project. All yeas, motion carried.

Manager Wright reported striping of the BCT parking lot will be done by the City.

Manager Wright reported the City took delivery of the new refuse truck, which will be put into service this week.

Police Chief Preston presented the Brookville Police Department Call Analysis for September and October 2008 and the Incident Log from November 1 through November 17. Police Chief Preston reported the Brookville Police Department responded to 694 calls for service in September and 592 calls for service in October. The Brookville Police Department handled a total of 6,195 calls year-to-date, which is an increase of 345 calls compared to this same time last year. Total reportable incidents are up 122, or 25.5% from this same time last year.

Law Director Stephan reported proposed Ordinance No. 2008-10 vacates a portion of Brooke Parke Avenue and Ordinance No. 2008-11 vacates Litten Court in the Meadows of Brookville Subdivision. Ordinance No. 2008-12 vacates utility easements in the Meadows of Brookville, Section Five. Planning Commission and Council previously approved the replat of a portion of the Meadows of Brookville, Section Five into a single lot at the request of the developer, and these Ordinances are necessary for completion of this replat.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2008-10, Ordinance No. 2008-11 and Ordinance No. 2008-12. 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. 2008-10 entitled "AN ORDINANCE VACATING A PORTION OF BROOKE PARKE AVENUE IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY.;" Ordinance No. 2008-11 entitled "AN ORDINANCE VACATING LITTEN COURT IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY.;" and Ordinance No. 2008-12 entitled "AN ORDINANCE VACATING CERTAIN PLAT EASEMENTS IN MEADOWS OF BROOKVILLE, SECTION FIVE, IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Finance Director/Clerk Keaton reported six Board and Commission seats are set to expire December 31, 2008. Finance Director/Clerk Keaton reported she contacted all six individuals whose terms expire, and all six indicated they are interested in serving additional terms. Finance Director/Clerk Keaton recommended Council reappoint the six Board and Commission Members.

Motion by Garber, second by Cantrell to reappoint Leon Williamson and Brent Booze to Planning Commission for three-year terms, Todd Gentis to the Civil Service Commission for a five-year term, Carole Imler to the Zoning Board of Appeals for a five-year term, Melissa Hart to Park Board for a four-year term, and Treva Price to the Board of Tax Appeals for a three-year term, with all terms beginning January 1, 2009. All yeas, motion carried.

Mayor Seagraves reminded everyone that the ED/GE tour bus will stop in Brookville tomorrow morning. The group will stop at the City Building for refreshments and a break.

Assistant Manager Sewert reported the ED/GE Grant that was submitted is to attract and retain a valuable industrial manufacturing and service company, ISE Mold, Inc. (ITI). ITI wishes to locate an engineering and sales office combined with a manufacturing and mold making facility at the West County Industrial owned building. The building must be equipped with heavy power, an overhead bridge crane system and other modifications to the facility including 3 Phase electrical service. Once modifications are completed and operations begin, ITI anticipates hiring 20 people.

Mayor Seagraves commended the Brookville Chamber of Commerce for their Annual Banquet which was recently held. The Banquet was well attended.

Assistant Manager Sewert thanked Council and Staff for allowing him to serve on the Brookville Chamber of Commerce. It has been very rewarding to be on the Chamber Board and to serve as President this year.

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

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

Motion by Garber, second by Ullery to read proposed Resolution No. 08-37. All yeas, motion carried.

Manager Wright reported the City received a request from the Ohio Department of Transportation (ODOT) that a Resolution is adopted by Brookville Council to allow for deck

replacements on Interstate 70 over Upper Lewisburg Salem Road and over the bikeway. This project is scheduled for Bid Letting in State Fiscal Year 2011. The Ohio Department of Transportation is not asking for any financial participation, nor is the City responsible for the routine maintenance of these structures. Manager Wright reported we have received similar requests in the past from ODOT.

Motion by Duncan, second by Garber to accept the first reading, dispense with the second and third reading and adopt Resolution No. 08-37 entitled "A RESOLUTION TO CONSENT AND COOPERATE WITH THE DIRECTOR OF TRANSPORTATION FOR DECK REPLACEMENTS AND CONVERSION TO A SEMI-INTEGRAL ABUTMENTS OF TWO STRUCTURES ON INTERSTATE 70 OVER COUNTY ROAD 22 (UPPER LEWISBURG SALEM ROAD), AND A BIKEWAY ON ABANDONED RAILROAD LOCATED APPROXIMATELY 2.95 MILES EAST OF PREBLE COUNTY LINE WITHIN THE CITY OF BROOKVILLE, MONTGOMERY COUNTY OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

In Old Business, Member Garber requested an Executive Session on a Real Estate and Personnel Matter.

Manager Wright reported he recently received a response from Five Rivers Metro Park that they are not interested in contributing funds toward the construction of a bridge that would connect the bikeway with Karrland Drive.

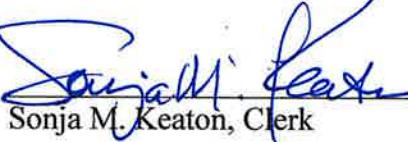
Member Duncan requested an Executive Session on a Legal Matter.

Manager Wright reported he recently drove around the City one evening and found 17 street lights out. Citizens are encouraged to call the City Office if they observe any street light out. The City will report the outage to Dayton, Power and Light.

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

Mayor Seagraves called Council back into Regular Session.

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



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Sonja M. Keaton

David Seagraves, Mayor

