

BROOKVILLE CITY COUNCIL
REGULAR MEETING
October 21, 2008

The Regular Meeting of the Brookville City Council was called to order by Vice Mayor Ullery at 7:30 p.m. on October 21, 2008 in the City Council Chambers. The pledge of allegiance was recited. Members Cantrell, Duncan, Garber, Letner and Reel; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, Police Chief Preston and Director of Finance/Clerk Keaton were present. Mayor Seagraves was absent.

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 October 7, 2008 Regular Meeting Minutes as presented. All yeas, motion carried.

Roger Hoover, of 75 N. Orchard Street, thanked the City for their quick cleanup of the City following the windstorm.

Roger Hoover, representing the Optimist Club, reported the 2008 Brookville Optimist Pumpkin Walk will be held on Saturday, November 1. The walk will begin at 6:30 p.m. at the back parking lot of Golden Gate Park and continue down to the Albert Road crossing. The return walk will go through the new walking trails adjacent to the Hunters Run Subdivision and end at the start/finish area of the Park, where participants will enjoy a bonfire, free hot dogs, apple cider and donuts at 7:30 p.m.

Roger Hoover, representing the Optimist Club, reported the Optimist Club, in partnership with Brookville Park Board, is planning an exciting light show and entertaining activity for the Christmas season at Golden Gate Park. The light show will last approximately 10 to 12 minutes. The lighted castle will be constructed in the center of the park, which will allow other activities to take place on the stage of the Gazebo. This year a donation of \$10 per carload will be requested at the gate, located at the entrance to Golden Gate Park. Profits will be shared by Park Board and the local service clubs providing parking and traffic control. Opening night will take place on Saturday, November 29 with a Christmas tree lighting ceremony. Shows will be provided on Friday and Saturday evenings from 6:00 to 10:00 p.m. and on Sundays from 6:00 to 9:00 p.m. The light display will run from November 29 through December 28.

Member Garber inquired if any City services will be required.

Mr. Hoover stated probably the same as last year.

Member Garber asked if there is enough electric in the park for what he needed for the light display?

Mr. Hoover stated they do not need any additional electric beyond what they used last year. They will tie into the same panels as they did last year. Mr. Hoover reported flyers will soon be distributed to businesses and groups advising them they can adopt a tree in the park that they can decorate. Mr. Hoover commented they want to light as many trees in the park as possible.

Police Chief Preston stated the Police Department will scale back their participation during this event.

Mr. Hoover reported Liberty Savings Bank will be paying for the advertisement of this event.

Manager Wright requested authorization and approval for a Change Order on the Golden Gate Recreational Trail Project and a Change Order on the Acquisition and Revitalization Project.

Motion by Duncan, second by Garber to authorize and approve Change Order #2 on the Golden Gate Recreational Trail Project, decreasing the amount by \$2,490 for the elimination of the following from the Contract: Excavation of Subgrade and Structural in the amount of \$1,150, Prime Coat in the amount of \$1,140 and Valve Box adjusted to grade in the amount of \$200, changing the contract price from \$48,060.55 to \$45,570.55 as recommended by Manager Wright. All yeas, motion carried.

Motion by Reel, second by Duncan to authorize and approve Change Order #1 on the Acquisition and Revitalization Project, decreasing the amount by \$1,074.00 for the elimination of the following from the Contract: Prime Coat in the amount of \$924 and Water in the amount of \$150.00, changing the contract price from \$35,716.15 to \$34,642.15 as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the Hill/Harshman Project is pretty much complete. The contractor will complete the finish work this week.

Manager Wright reported the City received an Addendum for extending our recycling contract with Rumpke for 2009. The proposal implements a base rate of \$3,525 per month 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. Several examples of the base rate and fuel surcharges were presented to Council.

Motion by Garber, second by Cantrell to accept the Addendum to the 2005 Recycling Contract with Rumpke for curbside pickup and disposal of commingled recyclable materials one-day per week at a monthly cost of \$3,525 plus a monthly fuel charge based on the Fuel Surcharge Table, adjusted on a monthly basis based on the Department of Energy's Information Administration highway diesel price index reading for the Midwest region on the last Monday of the month. All yeas, motion carried.

Manager Wright reported Council should have a copy of a Dayton, Power and Light power point presentation that was recently presented to the Managers of the region of the Hurricane Event of September 14, 2008. The presentation was very informative.

Manager Wright reported he received unofficial notification that the Issue Two Project that was submitted by the City was approved.

Member Letner reported he heard that the presentation that was provided by the City of Brookville was very good.

Manager Wright reported the downed spouting issues in the downtown area following the windstorm, have been taken care of.

Manager Wright reported leaf collection began last week and will continue later this week. Next week we will begin daily pickups.

Manager Wright requested an Executive Session on a Personnel Matter.

Member Garber inquired if the City attended the FEMA meeting, and if anything was decided on reimbursement of costs expended on the windstorm.

Manager Wright stated that he and Finance Director Keaton attended the meeting and provided written documentation on our costs. We have not received word back from that meeting.

Member Garber commented he read the Park Board Minutes and saw where Park Board wants to move forward with changing Diamond #1 to a softball diamond. The minutes also stated the dugouts on Diamond #1 are in poor condition. Member Garber stated he is in favor of funding new dugouts for Diamond #1 in 2009.

Manager Wright reported to change Diamond #1 to a softball diamond would require shortening the outfield and building up the infield. The dugouts would need to be torn down and rebuilt.

Member Cantrell reported she recently attended the walk-through of the NatureWorks walking trails and she was impressed. Council should take a look at the trails if they have not had an opportunity to do so.

Member Cantrell reported during the Walkable Community Project that was held several years ago, discussion was held on constructing a walking bridge that would connect Golden Gate Park to Wolf Creek Street and areas to the south of Wolf Creek. This would create a shorter distance for people to get to and from the park.

Manager Wright stated we can research costs involved with creating such a bridge. Manager Wright stated he will also contact Five Rivers for any funding assistance they may be able to provide. Manager Wright stated the best place to construct a bridge would probably be at the dead end of Karrland.

Fire Chief Nickel reported the Fire Prevention Week activities have been completed at all of the schools.

Fire Chief Nickel reported the Brookville Fire Department will be pump testing their equipment next week.

Fire Chief Nickel reported the Brookville Fire Department assisted the Trotwood Fire Department with a major fire this weekend. The Brookville Fire Department had our tanker at that fire for 12 hours.

Police Chief Preston reported he has not received his totals from the Montgomery County Sheriff Department for September. Police Chief Preston presented the Brookville Police Department Incident Log from October 7 through October 20, 2008. Police Chief Preston reported there were 32 new cases for investigation with 29 closed and three pending further investigation.

Police Chief Preston reported his department will be at Westbrook Elementary on Friday with the Ident-a-Kid Program. They will fingerprint all kindergartners and all new enrollees.

Law Director Stephan had no report.

Member Garber inquired if our zoning currently addresses solar panels and wind turbines on roof tops. With the credits that are given for these now to cut down on fuel costs, maybe we should take a look at that.

Law Director Stephan stated we currently do not address this in our zoning text. We can take a look at that.

Finance Director/Clerk Keaton requested Council adopt proposed Ordinance No. 2008-08, which approves and adopts the 2008 Replacement Pages to the Codified Ordinances.

Motion by Reel, second by Duncan to read proposed Ordinance No. 2008-08. All yeas, motion carried.

Motion by Reel, second by Duncan to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2008-08 entitled "AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Finance Director/Clerk Keaton reported she received a resignation letter from Park Board Trustee Michelle DeVilbiss. Finance Director/Clerk Keaton requested permission to advertise the open Board position in the Brookville Star.

Motion by Duncan, second by Cantrell to regretfully accept the resignation of Park Board Trustee Michelle DeVilbiss and to allow Finance Director/Clerk Keaton to advertise the open Board position in the Brookville Star. All yeas, motion carried.

Finance Director/Clerk Keaton reported Time Warner Cable will be notifying customers of a rate increase to their Basic Cable and Standard Cable Services beginning with their November 2008 billing statement.

Finance Director/Clerk Keaton requested an Executive Session on a Personnel Matter to discuss the reappointment of various Board Members.

Vice Mayor Ullery commended the City for their excellent work during our disaster.

Chairperson Watkins, of the Brookville Planning Commission, read Planning Commission's recommendation that Council adopt proposed Ordinance No. 2008-07 which zones the recently annexed two properties along E. Upper Lewisburg-Salem Road to R-1B, Urban Residential. All yeas, motion carried.

Motion by Garber, second by Letner to read proposed Ordinance No. 2008-07. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the second reading of proposed Ordinance No. 2008-07. All yeas, motion carried.

Motion by Duncan, second by Reel to read proposed Ordinance No. 2008-06. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the third reading and adopt Ordinance No. 2008-06 entitled "AN ORDINANCE REZONING PART OF LOT 2173 OF THE REVISED AND CONSECUTIVE NUMBERS OF LOTS OF THE CITY OF BROOKVILLE, OHIO FROM ITS PRESENT CLASSIFICATION OF "I-2" GENERAL INDUSTRIAL DISTRICT, TO THE NEW CLASSIFICATION OF "HS" HIGHWAY SERVICE DISTRICT." All yeas, motion carried.

There was no Old Business.

In New Business, Member Duncan requested an Executive Session on a Legal Matter.

Motion by Duncan, second by Garber to go into Executive Session on a Personnel Matter as requested by Manager Wright, a Personnel Matter to discuss the reappointment of various Board Members as requested by Finance Director/Clerk Keaton and a Legal Matter as requested by Member Duncan. All yeas, motion carried.

Vice Mayor Ullery called Council back into Regular Session.

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


Sonja M. Keaton, Clerk


Ron Ullery, Vice Mayor