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BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 7, 2007

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on August 7, 2007 in the City Council Chambers. The pledge of allegiance was recited. Members Cantrell, Duncan, Garber, Hanos, Reel and Ullery; Manager Wright, Assistant Manager Sewert, Fire Chief Nickel, Law Director Stephan and Director of Finance/Clerk Keaton were present. Police Chief Preston 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 July 17, 2007 Regular Meeting Minutes as presented. All yeas, motion carried.

Garnett Buckley, of 31 March Avenue, inquired who maintains the parks in Brookville. Ms. Buckley stated Ward Park needs attention. There are a lot of sticks that need to be picked up, and the shelter had a lot of trash around it when she recently visited the park with children.

Manager Wright stated the Service Department maintains the parks and he will take a look at Ward Park.

Manager Wright reported bids were recently opened for the "2007 Asphalt Resurfacing and Pavement Removal Project" and recommended that Council accept the lowest and best bid from Barrett Paving Materials, Inc.

Motion by Ullery, second by Hanos to accept the bid of \$52.65 per ton for approximately 2,265 tons of 448 Asphalt concrete overlay and \$1.45 per square yard for pavement removal for approximately 23,270 square yards, Contractor keeps materials, from Barrett Paving Materials, Inc. for the "2007 Asphalt Resurfacing and Pavement Removal Project" as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the Payless Project is progressing ahead of schedule. On the private side, the slab is in the process of being poured and the storm on the north side of the building is being installed. On the public side, the installation of the new roadway is almost complete. Work will begin soon on removing the existing roadway.

Manager Wright reported Phoenix Building Solutions, Inc. acquired the assets and business of Hay Albert Acquisition Company, Inc., including the brand name Benchmark Homes earlier this year. A Business First! visit is scheduled this week with the President and Chief Operating Officer, Mr. Tom Hennings, along with the Montgomery County Economic Development Department.

Manager Wright reported the Service Department has been busy with maintenance work on the water system with the replacement of fire hydrants and water valves. Some residents may have experienced water outages for a short period of time.

Manager Wright reported the Brookville Community Picnic was well received with good crowds each day.

Assistant Manager Sewert commented the Chamber Board will meet later this week to review this years picnic. Assistant Manager Sewert commented the Chamber Board contacted the Montgomery County Solid Waste District and they provided 20 recycling containers for use during the picnic. Assistant Manager Sewert thanked the Brookville Police and Fire Departments and the Service Department for their assistance throughout the picnic and cleanup. Assistant Manager Sewert also thanked Council for the fireworks display.

Manager Wright requested Council authorization for the Brookville Soccer Association to hold their opening day parade on August 25, 2007.

Motion by Duncan, second by Cantrell to approve the opening day parade for the Brookville Soccer Association to be held on August 25, 2007 starting at 9:00 a.m. with the parade route to proceed from Carr Drive, right on Albert Road, left on Salem Street, left on Market Street, right on Wolf Creek Street, left on Arlington Road to the Westbrook Soccer Complex. All yeas, motion carried.

Fire Chief Nickel reported in July, the Brookville Fire Department responded to 102 EMS calls and 24 Fire calls, which is a heavy month for the Brookville Fire Department.

Fire Chief Nickel reported the MDT's will be installed next week in the Fire Department vehicles.

Member Hanos commented she recently received news that the Brookville EMS squad that recently responded to an overturned vehicle on the Interstate did an exceptional job with the child that was in that vehicle and they should be commended.

Law Director Stephan deferred his report until the reading of proposed Ordinance No. 2007-16.

Finance Director/Clerk Keaton presented the July 31, 2007 Fund Balance for Council review and approval.

Motion by Reel, second by Duncan to approve the July 31, 2007 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council authorization to transfer \$25,000 from the General Fund to the Park Fund as appropriated.

Motion by Cantrell, second by Garber to authorize the transfer of \$25,000 from the General Fund to the Park Fund as appropriated. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council authorization to adopt proposed Resolution No. 07-17, which amends the 2007 Appropriations due to unforeseen expenses and the closing of our Communication Department.

Motion by Garber, second by Ullery to read proposed Resolution No. 07-17. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading, dispense with the second and third reading and adopt Resolution No. 07-17 entitled "A RESOLUTION AMENDING THE 2007 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Mayor Seagraves congratulated the Brookville Chamber of Commerce for an exceptional picnic. Mayor Seagraves thanked Manager Wright and City Staff, the Brookville Chamber of Commerce, and Park Board for their assistance throughout the picnic and cleanup. This was a fabulous picnic.

Chairperson Watkins, of the Brookville Planning Commission, read the Planning Commission's recommendation that Council accept and adopt proposed Ordinance No. 2007-16, which rezones Lots 2176, 2177 and 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.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2007-16. All yeas, motion carried.

Law Director Stephan reported the City received a letter from Henry Joe Walker, the applicant for the proposed rezoning of Lots 2176, 2177 and part of Lot 2173, proposed Ordinance No. 2007-16. The letter states that he is requesting that his application for rezoning be amended to reduce the amount of Highway Service area west of Payless Way to 3.335 acres from the original 10 acres as described in the amended Exhibit A, to retain sufficient I-2 property for a pending I-2 project.

Motion by Reel, second by Hanos to table the approval of the second reading of proposed Ordinance No. 2007-16 until Planning Commission has a chance to review the amendment that was submitted. All yeas, motion carried.

Motion by Duncan, second by Reel to read proposed Ordinance No. 2007-17. All yeas, motion carried.

Motion by Duncan, second by Reel to accept the second reading of proposed Ordinance No. 2007-17. All yeas, motion carried.

Law Director Stephan reported Planning Commission held a preapplication conference, at their July 24, 2007 meeting, with Mr. Cartwright, owner of R&B Contracting. Mr. Cartwright requested to rezone 903 Salem Street from its current zoning classification of Office Residential to Planned Commercial Development. Proposed Ordinance No. 2007-18 is before Council tonight.

Motion by Reel, second by Duncan to read proposed Ordinance No. 2007-18. All yeas, motion carried.

Motion by Duncan, second by Cantrell to accept the first reading of proposed Ordinance No. 2007-18. All yeas, motion carried.

Mayor Seagraves set a Public Hearing on proposed Ordinance No. 2007-18 for September 4, 2007 at 8:00 p.m.

In Old Business, Member Garber inquired with the Dispatch Center closing, did that free up space on the tower.

Manager Wright stated no, the closing of the Dispatch Center will not free up space on the tower.

In New Business, Member Reel commented that he recently stopped in at the new coffee shop on Wolf Creek Street, and stated it looks like it will be very nice.

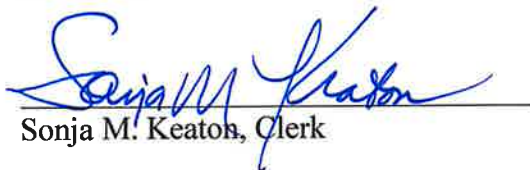
Member Ullery commented that he recently was approached by a resident who inquired about the use of diesel engine brakes, on Arlington Road, just before Wolf Creek Street, with the approaching fall season and the grain haulers that use that road.

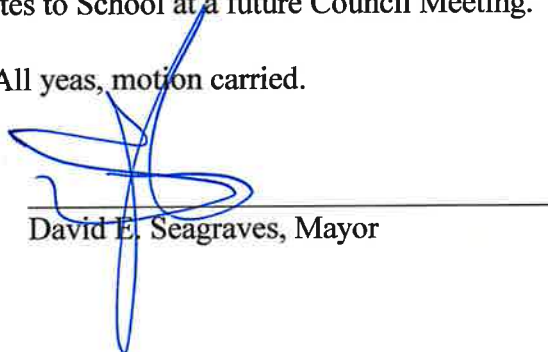
Manager Wright commented that he will speak with Police Chief Preston about this.

Member Hanos inquired if there was any more discussion on the sidewalks while she was away from the last Council meeting.

Manager Wright stated there was no discussion on the sidewalks. Manager Wright commented a crosswalk was added at Arlington and Westbrook Road and other crosswalks, near the school, were painted. Manager Wright announced there will be a presentation by the Miami Valley Regional Planning Commission on Ohio Safe Routes to School at a future Council Meeting.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor