

BROOKVILLE CITY COUNCIL
REGULAR MEETING
December 4, 2007

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on December 4, 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, Police Chief Preston, Law Director Stephan and Director of Finance/Clerk Keaton were present.

Motion by Duncan, second by Reel to accept the Agenda with an addition. All yeas, motion carried.

Motion by Reel, second by Cantrell to accept the November 20, 2007 Regular Meeting Minutes as presented. All yeas, motion carried.

Garnet Buckley, of 31 March Avenue, remarked the pond at Golden Gate Park looked especially nice this summer. Ms. Buckley gave a brief overview on how the City acquired Golden Gate Park. Ms. Buckley stated Ward Park observed its 80th year as Ward Park in 2007. Ms. Buckley commented the City is very lucky to have these two parks in Brookville.

Manager Wright reported leaf collection will wrap up this week. If we need to continue picking up leaves for an additional week, we will do so.

Manager Wright reported Council received a packet at the last Council Meeting concerning a proposed refuse rate increase. The proposed rate increase for residential customers would be \$.75 per month and anywhere from \$1.08 to \$2.83 per month for commercial customers.

Finance Director/Clerk Keaton stated the last refuse rate increase was in April 2005. Since July 2005, the City has absorbed a \$3.00 per ton increase in tipping fees along with cost of living increases in personnel and operating costs.

Manager Wright commented diesel fuel has almost doubled over the last few years alone.

Member Reel stated he would like to see the City postpone the proposed refuse rate increase for another year. With Payless coming in, we should be able to transfer money out of the General Fund.

Member Garber stated Enterprise Funds, such as Water, Sewer and Refuse, are supposed to be self-supporting; he is in favor of the proposed rate increase.

Member Cantrell stated she agrees with Member Garber.

Member Duncan commented with the survey results, Brookville would still be the lowest around with the proposed increase.

Member Hanos stated she agrees with Member Reel. It is the principal of the point that the City will see an increase in income tax revenue when Payless begins their operations.

Member Duncan stated he agrees with both sides.

Discussion continued.

Motion by Garber, second by Cantrell to authorize Finance Director/Clerk Keaton to prepare an Ordinance to increase refuse rates as submitted to Council with residential customers seeing a \$2.25 per quarter increase, and commercial customers seeing a \$3.25 to \$8.50 per quarter increase. Garber yea, Cantrell yea, Hanos yea, Ullery yea, Reel nay, Duncan yea, and Seagraves yea. Motion carried with six yeas and one nay.

Manager Wright reported Medicare just released the 2008 Ambulance Inflation Factor and will be increasing the allowable payment by 2.7% starting January 1, 2008. Manager Wright requested approval to adjust the ambulance transportation fees for 2008 to stay up with this inflation increase. Discussion followed.

Motion by Duncan, second by Garber to adjust the ambulance transportation fees for 2008 as recommended by Manager Wright and MED3000. All yeas, motion carried.

Manager Wright reported discussion was held during the last Council Meeting concerning the installation of sidewalks along Westbrook Road. Manager Wright stated the Administrative Staff has a meeting scheduled this week to review detailed drawings and to discuss the feasibility of installing sidewalks only along W. Westbrook Road, between Arlington Road and the Westbrook Soccer Complex.

Mayor Seagraves commented that we really need to look at installing sidewalks on Westbrook Road between the bikeway and Arlington Road, especially E. Westbrook Road. Mayor Seagraves felt E. Westbrook Road poses safety concerns with no sidewalks at all.

Member Hanos commented that she would like to see sidewalks along all of Westbrook Road, including sidewalks along the east side of Johnsville-Brookville Road to Blue Pride Drive.

Manager Wright expressed concern with the installation of sidewalks only along W. Westbrook Road. Manager Wright stated he sees potential elevation problems with the driveways along W. Westbrook Rd. without a total reconstruction project. Manager Wright commented the Staff discussed today the various funding sources that could be used for a project on Westbrook Road. Those possible funding sources could include Permissive Tax, Issue Two, Safe Routes to School Grant, and a possible Community Development Block Grant. We would not be able to fund this project until 2009. Manager Wright stated he will provide information on this proposed project at the next Council Meeting.

Fire Chief Nickel presented the Fire/EMS run statistic report through November. The report indicated total runs are down due to a decrease in fire calls in 2007 compared to 2006.

Fire Chief Nickel reported the final inspection on the new fire tanker is scheduled for December 20 and 21. The Fire Department should take delivery of the tanker some time toward the end of January.

Fire Chief Nickel reported the Brookville Fire Department held their Annual Banquet with numerous awards presented to various members. He will present a list of those awards and members at a future meeting.

Fire Chief Nickel reported the Payless Project is going well. The Fire Department has been inspecting the sprinkler systems and water flow testing and they will continue to monitor various water testing throughout this project.

Fire Chief Nickel reported he will be attending a FEMA meeting next week in Chicago, which will benefit the City. All expenses will be paid for by FEMA.

Police Chief Preston presented the Brookville Police Department Incident Log from November 20 to December 3, 2007. Police Chief Preston stated there were 22 new cases during this time period with 17 of those closed and five pending further investigation.

Police Chief Preston announced that there are bogus Travelers Checks that are circulating throughout the area. Police Chief Preston stated the Brookville Police Department has had two cases on these bogus Travelers Checks so far.

Police Chief Preston reported a burglary recently occurred in Brookville when the homeowner arrived home to find two subjects inside the residence. The two individuals gained access through an unlocked door. Police Chief Preston stressed that doors and windows should be locked at all times when you leave your home. Aggravated Burglary charges are pending against both subjects.

Law Director Stephan reported proposed Ordinance No. 2007-23, which is before Council this evening, involves vacating a portion of Main Street. Law Director Stephan stated there is a house located on the corner of Main and Salem Streets, and the homeowner is in the process of selling their home. The deck and the side yard currently encroach in the right-of-way and this proposed Ordinance removes 10' from the right-of-way, which will still leave a 40' right-of-way. Law Director Stephan indicated that this portion of roadway is no longer being used as a street; it is essentially being used as an alley. Law Director Stephan stated the City has no plans on extending the roadway in the future.

Motion by Garber, second by Reel to read proposed Ordinance No. 2007-23. All yeas, motion carried.

Motion by Reel, second by Ullery to accept the first reading of proposed Ordinance No. 2007-23. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2007-24 which addresses concerns expressed by Council with people living in motor homes, mobile homes, recreational vehicles and trailers while parked on public streets. Law Director Stephan stated this new law will be added to the traffic section of the Codified Ordinances. Law Director Stephan commented that he has reviewed this proposed Ordinance with Police Chief Preston.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2007-24. All yeas, motion carried.

Member Reel asked if this Ordinance will pertain to people visiting family and friends for a week and residing in their motor home? Member Reel inquired if we should include a provision that would grant an exception for those visiting from out of town.

Manager Wright commented this proposed Ordinance does not affect those recreational vehicles parked on properties, just those parked on streets and alleys.

Motion by Duncan, second by Ullery to accept the first reading of proposed Ordinance No. 2007-24. All yeas, motion carried.

Finance Director/Clerk Keaton presented the November 30, 2007 Fund Balance for review and approval.

Motion by Reel, second by Cantrell to approve the November 30, 2007 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council authorization to transfer \$50,000 into the Note Retirement Fund, \$15,000 into the Street M&R Fund, \$2,000 into the Park Fund and \$12,500 into the Refuse Fund as appropriated.

Motion by Garber, second by Cantrell to transfer \$50,000 into the Note Retirement Fund, \$15,000 into the Street M&R Fund, \$2,000 into the Park Fund and \$12,500 into the Refuse Fund as appropriated and requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Finance Director/Clerk Keaton announced Council should have a copy of a Certificate of the Official General Election Count, which was sent by the Montgomery County Board of Elections.

Finance Director/Clerk Keaton provided two draft letters for returning Servicemen and women and asked for Council review and comment. Finance Director/Clerk Keaton announced the City received one telephone call regarding this proposed letter after an article recently appeared in the Brookville Star.

Finance Director/Clerk Keaton reminded Council that a Work Session to discuss the 2008 Budget will follow the next Council Meeting. Finance Director/Clerk Keaton reminded Council that the first Council Meeting for 2008 will be held on Wednesday, January 2 at 7:30 p.m. due to the New Year's Day holiday.

Mayor Seagraves thanked the Service Department for their efforts during leaf collection this year. They did a fine job.

Mayor Seagraves commented that the lights on the trees along Market Street look nice.

Mayor Seagraves announced the 5th Annual Mayors Prayer Breakfast will be held on Thursday, January 3, 2008 at K's Restaurant from 7:30 a.m. to 8:30 a.m.

Mayor Seagraves requested an Executive Session on a Personnel Matter.

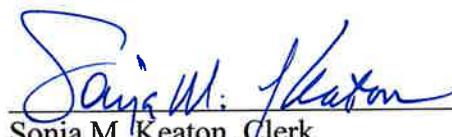
Motion by Duncan, second by Ullery to read proposed Ordinance No. 2007-20. All yeas, motion carried.

Motion by Duncan, second by Ullery to accept the third reading and adopt Ordinance No. 2007-20 entitled "AN ORDINANCE REZONING CERTAIN LOTS IN THE CITY OF BROOKVILLE, OHIO FROM ITS PRESENT CLASSIFICATION OF I-1, LIGHT INDUSTRIAL DISTRICT, TO THE NEW CLASSIFICATION OF OR (PD), OFFICE RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT." All yeas, motion carried.

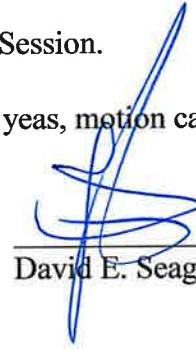
Motion by Duncan, second by Garber to go into Executive Session on a Personnel Matter as requested by Mayor Seagraves. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor