

**BROOKVILLE CITY COUNCIL
REGULAR MEETING
February 20, 2007**

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on February 20, 2007 in the City Council Chambers. The pledge of allegiance was recited. Members Duncan, Garber, Hanos, Reel and Sanders; Manager Wright, Assistant Manager Sewert, Fire Chief Nickel, Police Chief Preston, Law Director Stephan and Deputy Clerk Brunner were present. Member Ullery and Director of Finance/Clerk Keaton were absent.

Mayor Seagraves welcomed everyone.

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

Motion by Sanders, second by Duncan to accept the February 6, 2007 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright reported that a recycling recount was completed on January 22, 2007, with an actual count of 780. In discussion with our hauler, he felt that the number may be a little low due to bad weather and people who are in Florida for the winter. He felt that we should add 50 to 75 additional stops to this count. Manager Wright stated he feels more optimistic with this count.

Manager Wright stated that Assistant Manager Sewert will be working on campaigning for recycling over the next several months. Manager Wright stated that he will keep Council posted.

Member Garber inquired when Council will receive the Annual Report.

Manager Wright said Council will receive the Annual Report in March but he wasn't sure at which meeting.

Member Duncan stated that he has been approached about the water & mosquito situation in the area of Western Avenue and Cherry Drive.

Manager Wright stated the City will be removing five to seven trees in that area to allow the sun to dry out the area. He has had two contractors. Neither one showed up to do the work. He is currently seeking another contractor to remove the trees. The trees are very large and our Service Department cannot handle their removal. Manager Wright stated another thing we may look into is changing the outlet. The area is designed to hold water during a storm, which it does; it just doesn't dry out well.

Fire Chief Nickel announced that our National Incident Management System command staff is required to take the 300 & 400 training to remain compliant. He is currently enrolled. Fire Chief Nickel stated he is working out an agreement with the Englewood staff to present a program with others who have to take the test. Instead of taking four days, they are working on a program to present an accelerated session. He will report back to Council after receiving his certification.

Fire Chief Nickel reported Clay Township will have a fire levy on the May 8 election ballot. The Township Trustees have agreed to place a 1-mill, continuous levy before voters. The issue is a .8 mill replacement together with a .2 new mill.

Fire Chief Nickel requested authorization to enter into an Agreement with Horton for the purchase of a new medic. This medic will replace our 2000 medic which has 137,000 miles. This will be a state bid contract with state bid pricing. The price is \$137,383.45, and the money has been appropriated.

Motion by Hanos, second by Garber to authorize Manager Wright to enter into an Agreement with Horton Emergency Vehicles to purchase a new medic in the amount of \$137,383.45 through the State of Ohio. All yeas, motion carried.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from February 6 to February 19, 2007. Police Chief Preston reported there were 193 calls for service in this time period and the average response time was 2.21 minutes.

Law Director Stephan went over Ordinance Nos. 2007-02, 2007-03 and 2007-04. He stated that all three of these Ordinances are to vacate certain alleys and streets that are located on the site of the old Brookville High School along Hill Street. Each Ordinance has a map on the final page. Ordinance No. 2007-02 is vacating an alley that runs north & south; 2007-03 vacates a portion of Orchard Street; and 2007-04 vacates a portion of McKinley Street. The purpose of taking this action is the first step for the school to replat this area to a single lot, and presumably sell for residential development. The school's engineer prepared all the maps and legal descriptions.

Member Duncan inquired if this affects people with garages in the alleys.

Law Director Stephan replied that there are no garages in these alleys that are being vacated.

Law Director Stephan stated that the main purpose of vacating these areas is because the school is trying to get back to a large lot of approximately 7½ acres. Law Director Stephan stated that it will be difficult for the school to transfer the deed with all of the un-vacated areas and with lots that don't match our zoning regulations.

Motion by Sanders, second by Garber to read proposed Ordinance Nos. 2007-02, 2007-03 and 2007-04. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading, dispense with the second and third reading and adopt Ordinance Nos. 2007-02, entitled "AN ORDINANCE VACATING A PART OF MCKINLEY STREET, AND DECLARING IT AN EMERGENCY.", 2007-03, entitled "AN ORDINANCE VACATING A PART OF ORCHARD STREET, AND DECLARING IT AN EMERGENCY.", and 2007-04, entitled "AN ORDINANCE VACATING A PART OF A PUBLIC ALLEY ABUTTING MCKINLEY STREET, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Law Director Stephan went over Ordinance 2007-01, accepting an annexation. He reported that this was passed at the last meeting with four votes. He stated that it requires a 2/3 vote by Council for passage of an emergency measure and it is before Council tonight to pass as an emergency measure.

Motion by Reel, second by Sanders to read Ordinance No. 2007-01. All yeas, motion carried.

Member Hanos inquired which area?

Law Director Stephan replied that this is the area of W. Westbrook Road, the Denlinger Farm, and that Council has already passed the service Resolutions, and this is the final action to bring this area into the City.

Motion by Sanders, second by Duncan to accept the second reading, dispense with the third reading and adopt Ordinance No. 2007-01, entitled "AN ORDINANCE ACCEPTING THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY CONTAINING 96.688 ACRES, MORE OR LESS, IN CLAY TOWNSHIP AND PERRY TOWNSHIP TO THE CITY OF BROOKVILLE, AND DECLARING IT AN EMERGENCY." Duncan, yea; Sanders yea; Reel, yea; Garber, nay; Hanos, yea; Seagraves, yea. Motion carried with six yeas, and one nay.

Motion by Duncan, second by Sanders to read proposed Ordinance No. 2006-10. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the third reading and adopt Ordinance No. 2006-10 entitled "AN ORDINANCE AMENDING PLANNED DEVELOPMENT SECTIONS 1151.04 (e), 1151.05 (b) AND 1151.16 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE." All yeas, motion carried.

Mayor Seagraves thanked Manager Wright and the City Staff for the wonderful job they have done with snow removal.

Mayor Seagraves extended an invitation to Council to "A Year in Review" with a fun event to follow, presented by the Chamber of Commerce on Thursday at Brookhaven at 5:30 p.m.

Member Garber commented on the article in the Star and that it was nice to see our volunteers staying at the fire house ready to help out in an emergency with the bad weather.

There was no Old Business.

There was no New Business.

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

Belinda Brunner

Belinda Brunner, Deputy Clerk



David E. Seagraves, Mayor