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BROOKVILLE CITY COUNCIL
REGULAR MEETING
July 3, 2007

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on July 3, 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 Garber to accept the June 19, 2007 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright reported that the change over to the Montgomery County Sheriff for dispatching went well.

Fire Chief Nickel reported on the first day of the change over, the Fire Department was dispatched on 10 calls and everything went well. Fire Chief Nickel stated the tornado sirens have been tested and they have been changed over to the Montgomery County Sheriff Dispatch also. Fire Chief Nickel commented that so far he likes the radios and the new system.

Manager Wright reported the MDT's are on order and will be installed in the near future. Manager Wright stated the main telephone lines for the Administrative, Police and Fire Departments have an after-hours recorded message advising those that call in after-hours the number to call for various situations, otherwise each department will continue to answer their phones during the regular scheduled work hours.

Manager Wright reported the Groundbreaking for Payless ShoeSource went very well. Manager Wright expressed his appreciation to Assistant Manager Sewert, Staff and Montgomery County for making the arrangements for the event.

Manager Wright reported 99% of the underground work is in for the Expansion Project. The new roadway is being cut in and the existing roadway will be removed soon. Manager Wright reported the building pad, which is being contracted out by Clayco is complete. The footer/foundation and plumbing work will begin soon. You will begin to see the walls soon.

Manager Wright requested authorization and approval for a Change Order on the NorthBrook Industrial Park, Expansion Project for the installation of one 12" gate valve at the end of the newly installed water line and relocation of the existing fire hydrant.

Motion by Ullery, second by Duncan to authorize and approve Change Order #2 on the NorthBrook Industrial Park, Expansion Project, increasing the amount by \$1,647.15 for the installation of one 12" gate valve and relocation of the existing fire hydrant, changing the contract price from \$616,310.38 to \$617,957.53 as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the City's various parking lots, which include both sides of the Municipal Building, the Westbrook Soccer Complex including the playground, tennis court and basketball court parking lots, Park-n-Ride at Walnut and Market Streets, Fire Station #1 and the municipal parking lot behind the Post Office, were recently seal coated and re-stripped.

Manager Wright requested an Executive Session on a Real Estate and a Personnel Matter.

Member Hanos inquired on the status of the rollback curbs for The Pines of Wolf Creek Project.

Manager Wright stated he recently met with the developer, and the developer indicated the project is temporarily on hold.

Law Director Stephan commented that he also attended the meeting, and that the developer indicated that he is considering revising the first phase of the subdivision to start in a different

location on the site as a result of cost estimates that he has received for site preparation. The overall plan itself would not be changing; the developer would only be submitting a revised section one of the subdivision that would include a different area of the subdivision for section one. The developer was advised that before Planning Commission and Council would review and approve a revised section one of the subdivision, a construction standard for the rolled curb to be used in the subdivision must be submitted and approved by the City Manager and City Engineer.

Member Cantrell inquired if the City has a lot of ash trees since it seems that the Emerald Ash Borer is now in Montgomery County.

Manager Wright stated the City has a significant amount of ash trees in Golden Gate Park and Montgomery County is now a quarantined county. Manager Wright commented that he has not seen any damage to any of our trees yet and there is not a whole lot that we can do at this point except to wait and see.

Fire Chief Nickel had no report.

Law Director Stephan had no report.

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

Motion by Duncan, second by Garber to approve the June 30, 2007 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton reported she received three bid proposals for the City's Commercial Insurance renewal, which consists of the Property, Automobile and Liability Insurance. Commercial insurance is still experiencing a very soft market. All three proposals that were submitted were well below the \$55,397 premium paid for the 2006 renewal policy.

Motion by Ullery, second by Hanos to accept the Employers Mutual Casualty Insurance Company proposal submitted by Wichert Insurance Services and Cassel Insurance Agency with Umbrella limits of \$3,000,000 and to add \$50,000 Employee Dishonesty coverage and \$100,000 Leased/Rented Equipment coverage for a total annual premium of \$48,936 beginning July 1, 2007 through June 30, 2008 as recommended by Finance Director/Clerk Keaton. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council approval to waive a hearing before the Montgomery County Budget Commission.

Motion by Reel, second by Garber to waive a hearing before the Montgomery County Budget Commission for the 2007/2008 Tax Information/Budget and/or Inside Millage. All yeas, motion carried.

Finance Director/Clerk Keaton requested an Executive Session on a Personnel Matter.

Mayor Seagraves reported the Groundbreaking for Payless was fantastic and thanked and commended Assistant Manager Sewert and Staff for preparing the event

Mayor Seagraves thanked the Amvets Post for donating an open-air shelter at Golden Gate Park. Mayor Seagraves thanked the Service Department for constructing the shelter.

Member Garber commended the Staff for thinking of everything for the Payless Groundbreaking.

Chairperson Watkins, of the Brookville Planning Commission, read the Planning Commission's recommendation that Council accept and adopt proposed Ordinance No. 2007-12, which rezones Lots 2267-2272 of the revised and consecutive numbers of lots of the City of Brookville, Ohio from its present classification of "R-1B" Urban Residential District, to the new classification of "R-2(PD)" Urban Residential Planned Development Overlay District. All yeas, motion carried.

Chairperson Watkins also read Planning Commission's recommendation that Council accept and adopt Ordinance No. 2007-11, which zones Lot 2529 consisting of 96.688 acres along the south side of West Westbrook Road to the zoning classification of "R-1A(PD)" Suburban Residential Planned Development Overlay District. All yeas, motion carried.

Member Garber commented that he attended the June Planning Commission Meeting where Zoning Officer Snedeker presented a suggestion that Planning Commission and/or the City present "Beautification Certificates," or some form of recognition to those homeowners who improve their properties, and he thought that it is a really good idea and recommended that Planning Commission move forward with such a recognition program.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2007-11. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the second reading of proposed Ordinance No. 2007-11. All yeas, motion carried.

Motion by Garber, second by Hanos to read proposed Ordinance No. 2007-12. Garber yea, Hanos yea, Ullery yea, Cantrell abstained, Duncan yea, Reel yea and Seagraves yea. Motion carried with six yeas and one abstention.

Motion by Garber, second by Hanos to accept the second reading of proposed Ordinance No. 2007-12. Garber yea, Hanos yea, Ullery yea, Cantrell abstained, Duncan yea, Reel yea and Seagraves yea. Motion carried with six yeas and one abstention.

In New Business, Member Hanos stated since Brookville Schools did not pass their operating levy, the City needs to consider the installation of sidewalks along Westbrook Road so the children have a safe way to travel to and from school. Those children that live within a two-mile radius will be required to walk to and from school beginning this fall. The City also needs to paint a crosswalk on Arlington Road at Westbrook Road.

Mayor Seagraves commented that this would be a lengthy project and the City did not budget for this project this year.

Member Hanos commented we need to address this in some way.

Members Duncan and Ullery commented that the children need to rethink their walking paths. Those children that live in the Arlington Woods subdivision could walk down Villa to Western Avenue, or they could walk through Westbrook Park and exit on Westbrook Road where there are existing sidewalks.

Member Garber stated maybe the school should consider placing crossing guards at those intersections near the school, especially those intersections that are highly traveled.

Member Duncan remarked that the City needs to consider what we may have to do about increasing our Police and Fire personnel should the area to the north of Interstate 70 draw additional interest.

Manager Wright stated we definitely will do that when we become aware that the area will be occupied by more than just Payless.

Member Ullery inquired if the City has control over semi truck parking on the on/off ramps of Interstate 70.

Manager Wright stated the ramps are in the limited access area, which is controlled by the Ohio Department of Transportation. The City is not able to post signs in this area.

Member Ullery commented the City should look into designating no truck parking along West Campus Boulevard and look into implementing legislation to not allow diesel engine brakes in the city limits.

Member Hanos stated that she was made aware, by several citizens, that the recycling driver is throwing the recycling bins back onto the properties once they empty them into the truck.

Clerk Keaton stated she will followup with Rumpke.

Motion by Duncan, second by Garber to go into Executive Session on a Real Estate and a Personnel Matter as requested by Manager Wright and a Personnel Matter as requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

Finance Director/Clerk Keaton announced the City health and dental insurance is up for renewal August 1, and recommended that we renew with our current provider, United HealthCare of Ohio on the health insurance and renew with Dental Care Plus on the dental insurance.

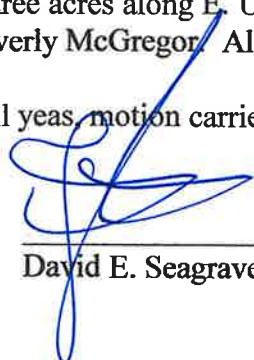
Motion by Duncan, second by Garber to accept the United HealthCare of Ohio, HRA Choice Plus Plan RQ-A with the MM prescription plan at a monthly rate of \$326.09 per single employee; \$652.17 per employee & spouse; \$635.86 per employee & children; and \$1,010.86 per family for health insurance with the employer funding the first \$600 deductible for an employee contract and the first \$1,200 deductible for an employee and dependent contract with no rollover, with the employee contributing 10% of the monthly rate through a Cafeteria 125 Plan; and \$7.50 per month for employee Life Insurance and AD&D through United HealthCare of Ohio; and to accept the Dental Care Plus quote at a monthly rate of \$22.86 per single employee; \$45.71 per employee & one dependent; and \$70.25 per employee & two or more dependents, which will be paid 100% by the employer; and to continue to offer Vision Care Plus as a voluntary vision plan through the Cafeteria 125 Plan. All yeas, motion carried.

Manager Wright requested Council authorization to enter into a Purchase Agreement on approximately three acres along E. Upper Lewisburg-Salem Road, just west of Albert Road from Larry and Beverly McGregor.

Motion by Ullery, second by Duncan to authorize Manager Wright to enter into a Purchase Agreement to purchase approximately three acres along E. Upper Lewisburg-Salem Road, just west of Albert Road from Larry and Beverly McGregor. All yeas, motion carried.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor