

BROOKVILLE CITY COUNCIL
REGULAR MEETING
July 6, 2006

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on July 6, 2006 in the City Council Chambers. The pledge of allegiance was recited. Members Duncan, Garber, Hanos, Reel and Sanders; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Police Chief Preston and Director of Finance/Clerk Keaton were present. Member Ullery and Fire Chief Nickel were absent.

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

Motion by Sanders, second by Reel to accept the June 20, 2006 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Seagraves welcomed Larry Shock, Mayor of New Lebanon and Ray Arriola and Wayne Michael, Council Members of New Lebanon.

Carl Snedeker, of 827 Shaney Lane, and Daniel Swigart, of 803 Shaney Lane, expressed concern for several homes in the Arlington Woods Subdivision, Section Three, where they have connected their sump pumps to the detention pond at the rear of their properties. Mr. Snedeker indicated one of the homes dug a trench to drain water down to the pond, but it is just short of the pond. The pipe is sticking out of the ground. Mr. Snedeker asked if the developer was to install front drains?

Assistant Manager Sewert stated they do have storm outlets.

Law Director Stephan indicated he remembers discussion where the developer indicated he would provide storm outlets for sump pumps.

Assistant Manager Sewert stated he will look into this.

Dottie Watkins, representing Community United Methodist Church located at 114 Hay Avenue, requested permission to block off Maple Street, from Hay Avenue to the alley at the rear of the church on Saturday, July 15, 2006 from 4:00 to 8:00 p.m. for an Open House.

Motion by Duncan, second by Garber to allow Community United Methodist Church, located at 114 Hay Avenue, to block Maple Street from Hay Avenue to the alley at the rear of the church on Saturday, July 15, 2006 from 4:00 p.m. to 8:00 p.m. for an Open House. All yeas, motion carried.

Manager Wright reported the concrete retaining wall along the west side of the pond at Golden Gate Park is installed. The water level in the pond should increase approximately two feet. Manager Wright reported we are researching funding options to install a six-foot wide sidewalk the full length of the wall, for a walking area.

Manager Wright reported the Service Department has been very busy in the parks with maintenance work. At the Castle Playground, signs have been painted, the red sidewalk and bricks have been seal coated and the roofs on the various apparatus have been painted. At the SK8 Park, the area has been cleaned up and the equipment has been painted and the water main in Golden Gate Park has been extended to assist the Pee Wee Football program with an irrigation system for their football field.

Mayor Seagraves commented the picnic area at Gateway Park is being utilized immensely at lunch time during the week and on weekends.

Manager Wright reported the Street Repaving bids will be opened on July 17, 2006.

Manager Wright requested Council set a Work Session to bring all of Council on board with the discussions of a possible new firehouse. The consensus of Council is to hold a Work Session on Monday, July 24, 2006 at 7:00 p.m. in the Council Chambers.

Member Sanders inquired why the sidewalk stops in the Arlington Woods subdivision along Arlington Road.

Assistant Manager Sewert stated the developer is waiting for a utility pole to be moved before he can continue with the sidewalk.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from June 20 to July 5, 2006. Police Chief Preston reported there were 372 calls for service in this time period. The number of reportable incidents are down 56 reports or 13.9% and total calls handled are down 392 or 9.3% from this same time last year. The average response time was 1.56 minutes.

Police Chief Preston announced Patrolman Joe Cox and his wife Heather are the proud parents of a baby boy born on July 2, 2006.

Police Chief Preston requested approval to block off Wilderness Cove on Saturday, August 12, 2006 from 4:00 to 8:00 p.m. for a Neighborhood Watch Block Party.

Motion by Duncan, second by Garber to allow the Wilderness Cove Neighborhood Watch Program to block Wilderness Cove on Saturday, August 12, 2006 from 4:00 to 8:00 p.m. for a Block Party. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2006-04 amends the assessment policy to provide a limit on the maximum assessment that a landowner would be assessed for construction or replacement of sidewalk, curb and gutter. The proposed Ordinance states a property owner would be assessed up to a maximum of 125 linear feet. This proposed Ordinance also applies to corner lots. The City of Brookville will be responsible for the remaining cost of construction of sidewalk, curb and gutter on the lot that exceeds the cost of construction or replacement of 125 lineal feet.

Motion by Sanders, second by Reel to read proposed Ordinance No. 2006-04. All yeas, motion carried.

Motion by Duncan, second by Reel to accept the first reading of proposed Ordinance No. 2006-04. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2006-05 establishes a Planned Development Overlay District. Law Director Stephan stated Planning Commission and Council has been studying ways for greater control of developments and building materials. Law Director Stephan indicated Planning Commission directed him to prepare this Ordinance which is before Council tonight. The Planned Development Overlay District will provide for superior design and control of developments in the district that are consistent with the underlying zoning of the district.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2006-05. All yeas, motion carried.

Motion by Reel, second by Garber to accept the first reading of proposed Ordinance No. 2006-05. All yeas, motion carried.

Mayor Seagraves set a Public Hearing on proposed Ordinance No. 2006-05 for August 1, 2006 at 8:00 p.m.

Law Director Stephan reported proposed Ordinance No. 2006-06 is an Ordinance dedicating and naming a certain right-of-way as Church Street. Law Director Stephan commented this Ordinance legally dedicates said right-of-way and public alley as a public street, which creates an extension of the current Church Street to its intersection with Orchard Street.

Motion by Garber, second by Sanders to read proposed Ordinance No. 2006-06. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading of proposed Ordinance No. 2006-06. All yeas, motion carried.

Member Garber asked for an update on the log cabin project.

Law Director Stephan commented that a meeting was held with Don Shellabarger on, or about June 23. Currently there are still two issues on the exterior of the log cabin. The first issue is with the copper roof that is planned for the log cabin. It is on order and it will take approximately four weeks for delivery. The second issue is the green foundation. Law Director Stephan stated he will have a meeting with Mr. Shellabarger to check on the status of the green foundation and roof.

Finance Director/Clerk Keaton presented the June 30, 2006 Fund Balance for review and approval.

Motion by Duncan, second by Garber to approve the June 30, 2006 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton announced the City of Brookville received an excellent audit for the year ending December 31, 2005. Council received copies of the audited 2005 Financial Statements and copies are available in the office for the public to view.

Finance Director/Clerk Keaton requested Council approval for proposed Resolution No. 06-11, which is on the Agenda. Proposed Resolution No. 06-11 amends the 2006 Appropriations, namely the Workers' Compensation line items within the budget in order to pay our pooling contribution Invoice for the year 2005.

Motion by Duncan, second by Garber to read proposed Resolution No. 06-11. 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. 06-11 entitled "A RESOLUTION AMENDING THE 2006 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.

Finance Director/Clerk Keaton announced the July Park Board Meeting is cancelled due to lack of a quorum.

Mayor Seagraves had no report.

Motion by Duncan, second by Garber to read proposed Resolution No. 06-10. All yeas, motion carried.

Motion by Reel, second by Garber to accept the third reading and adopt Resolution No. 06-10 entitled "A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE MONTGOMERY COUNTY SOLID WASTE MANAGEMENT DISTRICT." All yeas, motion carried.

Motion by Reel, second by Duncan to read proposed Ordinance No. 2006-03. All yeas, motion carried.

Motion by Reel, second by Duncan to accept the second reading of proposed Ordinance No. 2006-03. All yeas, motion carried.

Motion by Duncan, second by Sanders to read proposed Resolution No. 06-12. 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. 06-12 entitled "A RESOLUTION TO CONSENT AND COOPERATE WITH THE DIRECTOR OF TRANSPORTATION TO PERFORM SPOT

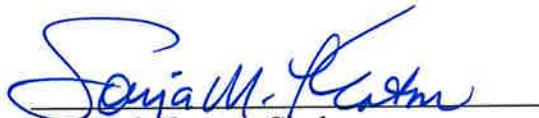
PATCHING OF THE ARLINGTON ROAD BRIDGE DECK AND APPROACH ON INTERSTATE 70 IN BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

In Old Business, Member Duncan reported the Committee that was formed to review contractor registration will present an update to Council at the next Council meeting.

In New Business, Member Garber inquired how the Honda announcement that they will be constructing a plant in Indiana will affect Green Tokai.

Assistant Manager Sewert commented that he called his contact at Green Tokai when the announcement was made and that individual was on vacation. He will contact him next week.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor