

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
May 16, 2006

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on May 16, 2006 in the City Council Chambers. The pledge of allegiance was recited. Members Duncan, Garber, Hanos, Reel, Sanders and Ullery; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Police Chief Preston and Director of Finance/Clerk Keaton were present. Fire Chief Nickel was absent.

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

Motion by Sanders, second by Duncan to accept the May 2, 2006 Regular Meeting Minutes as presented. All yeas, motion carried.

Brad Kramer, of Kramer and Associates, representing M&T Development presented a request for approval of a Final Plat for Sterling Meadows, Section Eight, consisting of 22 lots. Sterling Meadows, Section Eight is a continuation of Meadow Glen Avenue and a new street, Werling Court. Mr. Kramer stated the area is zoned R-1B and the lots meet the zoning regulations.

Member Duncan stated he noticed there is a large deep detention pond in Section Eight.

Mr. Kramer stated the detention pond is oversized and was designed to catch off-site water and runoff from other sections. Mr. Kramer commented the developer will maintain the detention pond until such time it is turned over to a Homeowners' Association.

Law Director Stephan indicated that there are covenants for Section Eight and they do address the detention pond. Law Director Stephan stated that the covenants for Section Eight are very similar to the previous sections; the only item that has changed is that the developer has agreed to include the new square footage requirements for the R-1B zoning district. Law Director Stephan indicated that once the covenants are recorded, they will be legally binding covenants for Section Eight.

Assistant Manager Sewert reported this Final Plat for Section Eight matches the Preliminary Plat that was approved previously by Planning Commission.

Member Ullery inquired if Lots 2521 and 2509 meet the setback requirements due to the configuration of the lots.

Mr. Kramer stated they do.

Member Hanos expressed concern for the design of the pond.

Assistant Manager Sewert indicated the pond was designed according to the City of Brookville Subdivision Regulations, Construction Standards & Drawings Design Standards.

Member Garber inquired if Lots 2527 and 2526 met the setback requirements due to the easement at the rear of those lots.

Mr. Kramer stated they do meet the setback requirements.

Motion by Garber, second by Ullery to approve the Final Plat for Sterling Meadows, Section Eight, contingent on City Manager Wright's and City Engineer Schroeder's final review and approval of the Construction Plans, all proper permits being completed and a Performance Surety shall be posted to meet the requirements of the Brookville Design Criteria and Subdivision Regulations. All yeas, motion carried.

Manager Wright reported work has begun on the water tower painting. Manager Wright reported the water tower will be drained and out of service for approximately 10 days, but normal water operations will be maintained. Citizens may experience some fluctuation in water pressure and in some rare occurrences some rust. The City will be monitoring this situation 24 hours a day.

Manager Wright stated he was pleased to announce the City of Brookville was awarded funding for the two ED/GE Grants that were recently submitted. Manager Wright indicated our community was the only community to be awarded more than one project. Manager Wright commented the Encore Project will create 17 additional basic jobs and retain 17 basic jobs and they were awarded a \$125,000 Grant. Ad Master Supply would be relocating 33 basic jobs from Preble County to Brookville and they were awarded a \$50,000 Grant. Manager Wright commended Assistant Manager Sewert for his hard work on completing the two grants.

Manager Wright reported both Time Warner Cable and Verizon have been busy moving their lines from the old poles along E. Westbrook Road. Work should be completed shortly.

Manager Wright reminded those in attendance of the Brookville Chamber of Commerce Block Party scheduled for Saturday. The City will be assisting the Chamber with setup and cleanup.

Manager Wright requested an Executive Session on Contract Negotiations and an Imminent Court Action.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from May 2 to May 15, 2006. Police Chief Preston reported there were 229 calls for service in this time period. The number of reportable incidents are down 86 reports or 27.2% and total calls handled are down 332 or 11% from this same time last year. The average response time was 1.85 minutes.

Police Chief Preston announced he has hired Adam Lyons as a part time officer for the Brookville Police Department. Adam comes to us from Perry Township where he was a part time officer.

Police Chief Preston reported on May 6 the Brookville Police Department put their new golf cart into service during the Brookville Baseball Opening Day Parade. Police Chief Preston commented the golf cart will be used for parades and special events, and they have received very favorable comments from the public.

Police Chief Preston announced the Brookville Police Department, along with the Brookville Optimist Club, will conduct their annual Safety Village Program at Westbrook Elementary the week of May 15 through May 19. This program provides training in the proper use of the roadway, stop signs, red lights, street crossings as well as use of 9-1-1 and danger stranger.

Member Sanders inquired why the Bike Rodeo was postponed.

Police Chief Preston indicated he heard the Brookville Optimist Club would like to move that event to a later date in the summer to coincide with the Montgomery County Bike Rodeo event which is held in October.

Mayor Seagraves reported he recently attended a Brookville Optimist Club meeting where Police Chief Preston, along with the Police Chiefs' of Clay and Perry Township and Fire Chief Nickel were recently recognized by the Brookville Optimist.

Mayor Seagraves announced Congress and the President of the United States have designated the week of May 15 as National Police Week and asked the local residents to observe May 15-20 as Police Week as well. Mayor Seagraves called upon all citizens of the City to observe May 19 as Peace Officers' Memorial Day.

Law Director Stephan reported proposed Ordinance No. 2006-02 authorizes a request to the Ohio Board of Building Standards to certify the City of Brookville for enforcement of the Residential Building Code of Ohio. Law Director Stephan indicated if the City doesn't adopt the proposed Ordinance, we will not be certified. Discussion followed.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2006-02. All yeas, motion carried.

Motion by Duncan, second by Sanders to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2006-02 entitled "AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF BROOKVILLE, OHIO, FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO TO EXERCISE ENFORCEMENT AUTHORITY AND ACCEPT AND APPROVE PLANS AND SPECIFICATIONS, AND MAKE INSPECTIONS, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Finance Director/Clerk Keaton requested Council authorization to move the Youth-In-Government Special Council Meeting from Wednesday, May 31 at 7:30 p.m. to Thursday, June 1 at 7:00 p.m. due to the Senior awards presentation already scheduled for Wednesday night.

Motion by Duncan, second by Sanders to move the Youth-In-Government Special Council Meeting to Thursday, June 1 at 7:00 p.m. at the Brookville High School Auditorium. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council authorization to adopt proposed Resolution No. 06-09, which is on the Agenda tonight. Proposed Resolution No. 06-09 amends the 2006 Appropriations by increasing the Capital Improvement ED/GE line item by \$125,000 for the ED/GE Projects that were recently funded, and the Refuse Supplies and Materials line item by \$3,000 for unforeseen purchases, such as recycling bins, toters and commercial dumpsters this year.

Motion by Reel, second by Duncan to read proposed Resolution No. 06-09. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the first reading, dispense with the second and third reading and adopt Resolution No. 06-09 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.

Mayor Seagraves announced the Brookville Chamber of Commerce Downtown Block Party is scheduled this Saturday as an all-day event with garage sales along Market Street beginning at 9:00 a.m. Live entertainment will begin at 7:00 p.m. at Market and Sycamore Streets.

Mayor Seagraves commented that it was time to set Beggars' Night for 2006. Mayor Seagraves stated the Mayors and Manager Association has recommended Tuesday, October 31.

Motion by Duncan, second by Ullery to set Beggars' Night in Brookville for Tuesday, October 31, 2006 from 6:00 to 7:30 p.m. All yeas, motion carried.

Member Hanos stated she spoke with Margo Cantrell about getting the Brookville Chamber and downtown businesses involved with holding a costume contest prior to trick-or-treating, then allowing the children to proceed with trick-or-treating at 6:00 p.m. Discussion followed.

Member Hanos commented she will contact Margo to see if the Chamber is still interested in holding an event in conjunction with Beggars' Night.

The consensus of Council is they would like to see such an event scheduled on the Saturday prior to Beggars' Night, versus the same night as Beggars' Night.

Mary Hill, of 363 Leisure Drive, commented she saw an article in the Brookville Star that indicated the number of EMS and Fire calls for the City has increased over the last year and she hopes should someone need emergency assistance there will be personnel available.

Mayor Seagraves commented the City is doing everything within their power to assure there is adequate staffing. When both medics are out, we do receive mutual aid from the surrounding communities.

Mary Hill asked what is happening with the property where the former Brookville Middle/High School was located?

Mayor Seagraves stated the property belongs to Brookville Schools.

Ken Davis, of 837 Salem Street, asked if Council has discussed the frontage issue along Salem Street?

Manager Wright stated Council will be discussing this issue later this evening.

Member Sanders commented during a recent heavy rain, he noticed there was quite a bit of runoff from the former school property on Hill Street down toward Westbrook Road.

Manager Wright commented the City is monitoring the issue; it is not a major problem. Manager Wright stated right after the property was seeded, we received the heavy rain, which washed away the topsoil and straw. Once the grass seed takes hold, it should eliminate any additional problems.

Mayor Seagraves announced the “Run for the Wall” motorcycle riders will be riding through Brookville on their way to Washington D.C. The riders are expected to arrive in Brookville on Wednesday, May 24 at 4:00 p.m. with an activity to be held at the Brookville High School football field and then on to the Amvets facility for supper.

Member Garber commented he saw in the Planning Commission Minutes where Planning Commission made numerous references to the term “affordability.” Member Garber commented he would like to see a mixture of homes in Brookville.

Planning Commission Member Williamson, who was in attendance, commented we are driving our younger citizens out of Brookville. In recent years we’ve increased the size of our lots and we’ve increased the size of our square footage. We are pricing ourselves right out of business. We need to be able to build affordable housing in Brookville.

Allen Thrush, of 30 Gaines Street, commented with interest rates and the prime increasing, we will see home construction slow down, we need to be careful on what we do.

Law Director Stephan indicated in his Memorandum addressed to Brookville City Council and Brookville Planning Commission on residential development standards, there are three options for achieving greater control over residential development, which he will discuss further at the Brookville Planning Commission Meeting on Thursday evening.

Motion by Duncan, second by Reel to read proposed Resolution No. 06-07. All yeas, motion carried.

Motion by Reel, second by Sanders to accept the third reading and adopt Resolution No. 06-07 entitled “A RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY EITHER AT A PUBLIC AUCTION OR AT A PRIVATE SALE.” All yeas, motion carried.

Manager Wright announced the Annual Municipal Government Auction will be held on Saturday, June 3 beginning at 9:00 a.m. at the Englewood Service Center. Brookville will be a participant in the auction.

Motion by Sanders, second by Garber to read proposed Ordinance No. 2006-01. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the third reading and adopt Ordinance No. 2006-01 entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.20 (a) AND (b), FIXING THE RATES AND CHARGES TO ALL WATER CUSTOMERS; ADDING SECTION 931.21 (e), (f) AND (g), FIXING THE BILLING; SHUT-OFF FOR NONPAYMENT; RECONNECTION CHARGES AND RESCINDING SECTION 931.22 (e) AND (f) IN THE CITY OF BROOKVILLE, OHIO.” Reel nay, Duncan yea, Sanders yea, Garber yea, Hanos yea, Ullery yea and Seagraves yea. Motion carried with six yeas and one nay.

Motion by Duncan, second by Reel to read proposed Resolution No. 06-08. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the first reading, dispense with the second and third reading and adopt Resolution No. 06-08 entitled "A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING, REPLACING OR REPAIRING CERTAIN SIDEWALKS, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Member Duncan commented he saw in the Park Board Minutes where several band concerts have been held in the Park recently and more concerts have been scheduled where they are requesting the Police Department to patrol the area more often after they were told to provide their own security in the future. Member Duncan commented our Police Department cannot be out there all the time for security.

Manager Wright commented the individuals were advised to seek their own security for their concerts, namely adults who could chaperone the event.

Member Sanders inquired if we need to limit the number of band concerts held at the Park.

Manager Wright commented this is something for the older kids to do, as long as no one is getting hurt or property isn't damaged, he did not see a problem with it.

In New Business, Member Sanders inquired when the next City Newsletter would be distributed.

Finance Director/Clerk Keaton stated in mid June.

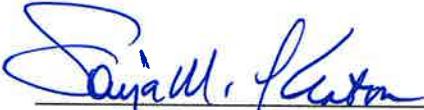
Member Sanders asked if we could incorporate a reminder to citizens on the swimming pool regulations.

Assistant Manager Sewert stated an article on the swimming pool regulations is scheduled for the next Newsletter.

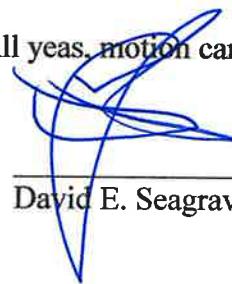
Motion by Duncan, second by Garber to go into Executive Session on a Contract Negotiation Matter and an Imminent Court Action Matter as requested by Manager Wright. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor