

**BROOKVILLE CITY COUNCIL
REGULAR MEETING
November 7, 2006**

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on November 7, 2006 in the City Council Chambers. The pledge of allegiance was recited. Members Duncan, Garber, Reel, Sanders and Ullery; Manager Wright, Assistant Manager Sewert, Fire Chief Nickel, Police Chief Preston, Law Director Stephan and Director of Finance/Clerk Keaton were present. Member Hanos was 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 October 17, 2006 Regular Meeting Minutes as presented. All yeas, motion carried.

Willie Norvell and Glen Henderson, representing Amvets Post 1789 and VFW Post 3288, requested authorization to hold the 6th Annual Veterans Day Parade on Saturday, November 11, 2006. The parade staging will begin at 1:00 p.m. at the VFW on Carr Drive. The parade will begin at 3:00 p.m. and proceed down Market Street, right onto Wolf Creek Street to Boose Chevrolet. Mr. Norvell stated 16 historic military vehicles will be in the parade. Free hot dogs and hamburgers will be served at the VFW after the parade.

Motion by Reel, second by Garber to approve the 6th Annual Veterans Day Parade to be held on November 11, 2006 beginning at 3:00 p.m. All yeas, motion carried.

Manager Wright reported he was pleased to announce that Salem Street, between Market Street and Albert Road, was opened for traffic. The paving of that roadway was completed on Monday. Manager Wright reported there is additional concrete work that needs to be completed along with final grading of the lots. Seeding of the lots will take place next spring. Manager Wright commented that he was very pleased with the Project.

Manager Wright reported leaf collection is going well. The city crew has been working 10-hour days and Saturday's, weather permitting, to keep up with the leaf collection.

Manager Wright requested approval to enter into a contract with the Montgomery County Public Defender for 2007.

Motion by Duncan, second by Ullery to authorize Manager Wright to enter into a contract with the Montgomery County Public Defender for 2007, at a cost of \$126.13 per case for which the Public Defender provides presentation, as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported Council should have a copy of a letter that he received from Montgomery County Treasurer Hugh Quill that provides an update on the second Tax Lien Certificate Sale for Montgomery County that is set for Saturday, November 18. Accompanying the letter was a fact sheet about the Tax Lien Sale, a list of payment options for delinquent property owners, and important information regarding predatory lending.

Manager Wright reported Mayor Seagraves received a letter from the Greater Dayton Regional Transit Authority (RTA) that thanked the Mayor and Council for their interest in RTA's Comprehensive Operational Analysis and the proposed system redesign. Manager Wright commented the letter states that Route 40 will operate a morning and evening peak trip to Brookville. The letter also stated ridership on the Route 40 bus has been poor, so RTA will be monitoring the route closely. RTA encourages Brookville citizens to make use of this service to ensure its continued availability.

Manager Wright reported Council should have a copy of a letter from Judy Cook, President of the Greater Dayton Mayors and Managers Association, which gives a brief overview of the year long study conducted by the Mayors and Managers Association along with the Dayton Regional Network, Montgomery County and Sheriff Vore for the consolidation of emergency dispatching

services for the communities within Montgomery County. The letter indicates emergency dispatch is good for the region, the question becomes, "Is it good for your community?" To help Mayors and Council Members to answer that question, two informational meetings to discuss the specifics of consolidated dispatch will be held. Manager Wright encouraged Council Members to attend one of the meetings. Manager Wright stated he has had numerous meetings with Fire Chief Nickel, Police Chief Preston and Assistant Manager Sewert and all have reviewed this proposal and the City of Brookville is not ready to consider the consolidation at this time. Manager Wright stated he will present his recommendation to Council soon, and at that time he will present Council with all of the information for his recommendation.

Manager Wright requested authorization to prepare the hourly wage resolution for 2007 with a 3 1/4% wage increase, which is the same percentage increase the members of the Ohio Patrolmen's Benevolent Association will receive in 2007.

Motion by Garber, second by Duncan to authorize the preparation of the hourly wage resolution for 2007 with a 3 1/4% wage increase. All yeas, motion carried.

Manager Wright reported the City has been in negotiations with Miami Valley Lighting, LLC, a DPL Inc. subsidiary, on a successor Street Lighting Agreement. The current agreement expires December 31, 2006. Manager Wright reported the six-year Street Lighting Agreement is a standard agreement for all communities, and several of their customers have already approved their new agreements. Manager Wright reported the Street Lighting Agreement reflects a 3% increase for years 2007-2008, a 3% increase for years 2009-2010 and another 3% increase for years 2011- 2012 for an overall rate increase of 9% over the six-year period. Manager Wright recommended Council authorize the new Street Lighting Agreement.

Motion by Ullery, second by Duncan to authorize Manager Wright to enter into a contract with Miami Valley Lighting, LLC, a DPL Inc. subsidiary, d.b.a. DPL Energy (DPLE) for street lighting effective January 1, 2007 for a period of six (6) years, as recommended by Manager Wright. Ullery yea, Garber abstained, Sanders yea, Duncan yea, Reel yea and Seagraves yea. Motion carried with five yeas and one abstention.

Manager Wright reported Council should have a copy of Green Tokai's October Newsletter that has an article on how Green Tokai and Brookville City Council recently teamed up to exchange information on how to improve the community and promote growth in Brookville during a recent Council Meeting.

Manager Wright reported Council should have a memorandum from him regarding the Miami Valley Regional Planning Commission (MVRPC) Western Montgomery County Transportation and Land Use Study that has gone on for approximately one year now. Manager Wright reported the MVRPC is asking all of the communities in this planning area to pass a resolution in support of this study. Manager Wright stated he, along with Assistant Manager Sewert and Mayor Seagraves, have been involved with this study since day one. Manager Wright reported there are 47 potential transportation projects that could come about from this study.

Assistant Manager Sewert commented this study follows the City of Brookville's Comprehensive Land Plan that was recently updated.

Motion by Duncan, second by Sanders to read proposed Resolution No. 06-19. Duncan yea, Reel nay, Sanders yea, Ullery yea, Garber yea and Seagraves yea. Motion carried with five yeas, and one nay.

Motion by Duncan, second by Ullery to accept the first reading of proposed Resolution No. 06-19. Ullery yea, Garber nay, Sanders yea, Duncan yea, Reel nay and Seagraves yea. Motion carried with four yeas and two nays.

Manager Wright reported our curb side recycling contract with Rumpke is set to expire December 31, 2006. Manager Wright reported Rumpke has submitted a proposal to continue curb side recycling for 2007 with a 11.4% increase, or an annual increase of \$4,500. Manager Wright recommended the City hold off for now and recount the participation rate, to see if the participation rate has changed or remained the same. Manager Wright commented he will keep Council posted.

Fire Chief Nickel presented the Monthly Fire & EMS Activity Report through October. Fire Chief Nickel commented according to the report we are running about the same number of Fire & EMS runs this year through October as last year.

Fire Chief Nickel reported he recently attended a class in Cleveland on Search Management and Planning that he will be able to share with the Brookville Fire & Police Departments and CERT.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from October 17 to November 6, 2006. Police Chief Preston reported there were 474 calls for service in this time period. The number of reportable incidents are down 123 reports or 17% and total calls handled are down 169 or less than 1% from this same time last year. The average response time was 1.55 minutes.

Police Chief Preston reported Halloween was quiet this year, there was no vandalism to speak of.

Police Chief Preston wanted to recognize the Brookville Optimist Club for their Annual Pumpkin Walk, which was a tremendous success this year.

Law Director Stephan had no report.

Finance Director/Clerk Keaton presented the October 31, 2006 Fund Balance for review and approval.

Motion by Reel, second by Duncan to approve the October 31, 2006 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council approval to accept and authorize the signing of the Agreements for Depositories with US Bank, Brookville National Bank, Huntington Bank and Fifth Third Bank for a five-year period for the deposit of public funds for active, inactive and interim funds.

Motion by Ullery, second by Garber to accept and authorize the signing of the Agreements for Depositories with US Bank for a five-year period beginning November 1, 2006 for the deposit of public funds, and with Brookville National Bank, Huntington Bank and Fifth Third Bank for a five-year period beginning January 1, 2007 for the deposit of public funds for active, inactive and interim funds as recommended by Finance Director/Clerk Keaton. Ullery yea, Garber yea, Sanders yea, Duncan abstained, Reel abstained and Seagraves yea. Motion carried with four yeas and two abstentions.

Finance Director/Clerk Keaton reported seven Board and Commission seats are set to expire December 31, 2006. Finance Director/Clerk Keaton stated she contacted the seven individuals whose terms expire, and all seven indicated they are interested in serving additional terms. Finance Director/Clerk Keaton recommended Council reappoint the seven Board and Commission Members.

Motion by Garber, second by Reel to reappoint Dottie Watkins and Ken Claggett to Planning Commission for three-year terms, Bob Apgar to the Civil Service Commission for a five-year term, Margo Cantrell to the Zoning Board of Appeals for a five-year term, Roger Hoover to Park Board for a four-year term and Glenn Imler and Leslie Williams to the Board of Tax Appeals for three-year terms, with all terms beginning January 1, 2007 as recommended by Finance Director/Clerk Keaton. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council approval to adopt proposed Resolution No. 06-20, which amends the 2006 Appropriations.

Motion by Sanders, second by Duncan to read proposed Resolution No. 06-20. All yeas, motion carried.

Motion by Duncan, second by Sanders to accept the first reading, dispense with the second and third reading and adopt Resolution No. 06-20 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 reported she recently received a letter from Time Warner Cable that indicates there will be a rate adjustment for cable service beginning November 1, with the new prices going into effect December 1, 2006 which will result in an increase in the cost of some services.

Mayor Seagraves thanked Police Chief Preston and the Brookville Optimist Club for the Annual Pumpkin Walk, which was a huge success.

Mayor Seagraves reminded Council about the Brookville Chamber of Commerce Fall Banquet and General Meeting that is scheduled for November 17, 2006.

Motion by Duncan, second by Reel to read proposed Resolution No. 06-18. All yeas, motion carried.

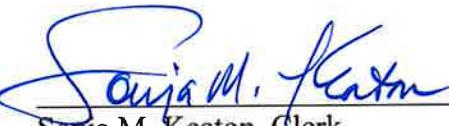
Motion by Reel, second by Garber to accept the second reading of proposed Resolution No. 06-18. All yeas, motion carried.

In Old Business, Member Duncan commented that he read the Planning Commission Minutes where the developer of Wenger Woods is interested in installing pavers in the driveways and sidewalks of that development. Member Duncan expressed concern for the possible extra costs associated with installing sidewalk pavers versus concrete sidewalks during assessment projects.

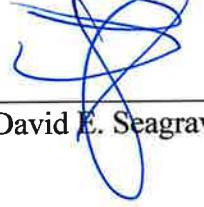
Assistant Manager Sewert commented the Administrative Staff is currently reviewing the proposal on sidewalk pavers, and stated this is also a concern of the City. The Administrative Staff is currently preparing a packet that will be distributed to Council and Planning Commission.

Law Director Stephan commented before any action is taken on allowing the sidewalk pavers in the Wenger Woods Subdivision, it will have to be brought back to both Planning Commission and Council to amend the Subdivision Regulations. The Administrative Staff is currently reviewing this proposal as Assistant Manager Sewert indicated.

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



Sonja M. Keaton



David E. Seagraves, Mayor