

BROOKVILLE CITY COUNCIL
REGULAR MEETING
November 21, 2006

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:32 p.m. on November 21, 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, Fire Chief Nickel, Police Chief Preston, Law Director Stephan and Director of Finance/Clerk Keaton were present.

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

Motion by Sanders, second by Garber to accept the November 7, 2006 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Seagraves recognized DJ Gardner for winning the title of National Anthem Project All-Star Singer for the State of Ohio. Ms. Gardner is now part of a national choir, with a winner from each state, that will gather in Washington, D.C. for a concert next June.

Mayor Seagraves presented a request for Dick Baker of the Brookville Optimist Club to hold their annual Community Picnic Run on the streets of Brookville.

Motion by Hanos, second by Ullery to approve the request for the Brookville Optimist to hold their annual Community Picnic Run on Saturday, July 28, 2007 using the same course as in previous years. All yeas, motion carried.

Lori McKinley stated she is present tonight to report there is a new program in Brookville called Joe's Breakfast Club that meets at K's Restaurant the second Saturday of every month. Joe's Breakfast Club was inspired by the book "Season of Life" by Jeffrey Marx. This group was formed to let the youth of the community know that adults are available to them for mentoring. Ms. McKinley commented the Club would like to go Christmas caroling to shut-ins in Brookville. The Club is looking at providing two wagons which would travel from K's Restaurant to Pleasant Court, Leisure Drive and possibly Brookhaven. Caroling is scheduled for Sunday, December 10 beginning at 7:30 p.m.

Police Chief Preston commented that he spoke with Ms. McKinley on this event, and he thought it was a good idea. He had no safety concerns, since the wagons will be lit, with a vehicle following the wagons with their safety flashers on.

Motion by Garber, second by Hanos to allow Joe's Breakfast Club to hold a caroling event on Sunday, December 10 as requested. All yeas, motion carried.

Randy Etter, Developer of the Hunters Run Subdivision, presented a proposal to develop a portion of Golden Gate Park land that is adjacent to the Pee Wee football field that the City currently owns, which abuts their development.

Manager Wright stated this land is an extension of the Pee Wee football area. The City has discussed the possibility of constructing a parking lot on this piece of ground for use by the Pee Wee Football Program. Manager Wright stated he received a letter today from an attorney representing Building By Design. The letter expressed concerns with the proposed parking lot extension of Golden Gate Park in the Hunters Run Subdivision.

Mr. Etter indicated a homeowner is building next to the proposed parking lot and the developer is looking for viable options to develop this area in order to maintain the green space.

The consensus of Council is they will take this into consideration.

Manager Wright reported the Salem Street Project is now complete for 2006. Paving and striping of the roadway is complete. Seeding and mulching of the affected yards will take place next spring.

Manager Wright reported leaf collection is winding down. Leaf pickup should end sometime the first week of December.

Manager Wright reported City personnel went out the last two Monday mornings to count recycling participants. Both weeks the numbers came in at 600. The City added an extra 100 participants to that count for those that do not participate on a weekly basis or for those out of town. This count represents 800 less recycling participants than what the City is currently paying for. Last year the City estimated 1,500 recycling participants. The City contacted Rumpke to see if they would honor their unit price of \$2.45 based on the actual customer count that we now have, which they agreed to. Manager Wright recommended Council accept Rumpke's proposal.

Motion by Hanos, second by Ullery to accept Rumpke's proposal for curbside pickup and disposal of commingled recyclable materials at a unit cost of \$2.45 per 700 participating households per month. All yeas, motion carried.

Manager Wright reported discussions on regional dispatching has resurfaced again. Manager Wright reported he attended both meetings that were set up for elected officials on regional dispatching and he has attended numerous other meetings on this subject. Through these meetings, new issues came up. Manager Wright recommended Council set a Special Meeting or Work Session to discuss regional dispatching as the County is asking for a reply from all communities by January 30, 2007. Manager Wright commented we could also hold the 2007 Budget Work Session that evening if Council is interested.

Motion by Garber, second by Duncan to set a Work Session for December 14, 2006 beginning at 6:30 p.m. to discuss regional dispatching and the 2007 Budget. All yeas, motion carried.

Manager Wright requested an Executive Session for the possible sale of Real Estate.

Member Garber commented he liked the idea of constructing a fishing pier and possibly a gazebo in the Golden Gate Park pond that Park Board discussed at their meeting.

Fire Chief Nickel thanked everyone that participated with the welcome home ceremony for the troops.

Fire Chief Nickel reported the Veterans Day parade was a huge success.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from November 7 to November 20, 2006. Police Chief Preston reported there were 252 calls for service in this time period. The number of reportable incidents are down 131 reports or 17% and total calls handled are up 144 or less than 1% from this same time last year. The average response time was 1.94 minutes.

Police Chief Preston reported the Brookville Police Department has been involved in an investigative task force operation that dealt with a group of individuals who have been committing thefts and break-ins in a multi-county area. The task force operation culminated in the arrest of the four main individuals and several other co-conspirators.

Police Chief Preston reported Sergeant Miller, while on patrol, located a vehicle parked by the Brookville Building & Savings Association bank that contained a large amount of marijuana inside the vehicle. The vehicle was unoccupied at the time and the Brookville Police Department has not been able to identify the subjects driving the car, which was a rental car. Police Chief Preston announced the Brookville Police Department is working with the Ohio State Patrol on this case, as earlier that same day, the Ohio State Patrol stopped the vehicle's decoy vehicle.

Law Director Stephan reported the Montgomery County Commissioners accepted and approved the proposed annexation of 96.688 acres along W. Westbrook Road to the City of Brookville at their November 14, 2006 meeting. Law Director Stephan stated there is a 60-day waiting period before Council can accept the annexation into Brookville.

Finance Director/Clerk Keaton requested Council approval to adopt proposed Resolution No. 06-23, which amends the 2006 Appropriations for the purchase of the fire tanker. Finance Director/Clerk Keaton stated she is currently reviewing several proposals that she has received on Municipal Tax Exempt Leasing. Finance Director/Clerk Keaton stated she will bring her recommendation back to Council at the next Council meeting.

Finance Director/Clerk Keaton reported the U.S. Treasury Note that was earning 14% interest to pay off the Sewer Revenue Bonds has been called, apparently due to the debt being paid off and the Note earning 14% interest. Finance Director/Clerk Keaton reported she instructed U.S. Bank to deposit the \$215,000 from the sale of the Note and the \$15,050 interest payment into the Money Market Account, until such time that the money is needed for improvements to our Waste Water Treatment Plant.

Mayor Seagraves announced the Employee Christmas party will be held on December 15.

Mayor Seagraves announced Helen Ullery is sponsoring a "Merry Mailbox Contest" throughout the City and the surrounding area, basically to all those that have a Brookville mailing address from now through December 15. The letter goes on to say that this is the first-ever contest in an effort to keep Christ in Christmas and to beautify the city streets and byways for this 2006 Christmas season. The letter also asks for Council's assistance in serving as the final panel of judges and to make the prize presentation. A list of preliminary judging and the top five finalists will be forwarded to Council to select the top winner and one runner-up. Is Council interested in participating with this Contest?

The consensus of Council is they are interested in participating in this contest as judges.

Mayor Seagraves wished everyone a Happy Thanksgiving.

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

Motion by Duncan, second by Garber to accept the third reading and adopt Resolution No. 06-18 entitled "A RESOLUTION APPROVING THE FINAL MONTGOMERY COUNTY NATURAL HAZARD MITIGATION PLAN." All yeas, motion carried.

Motion by Duncan, second by Garber to read proposed Resolution No. 06-19. All yeas, motion carried.

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

Motion by Sanders, second by Garber to read proposed Resolution No. 06-21. All yeas, motion carried.

Finance Director/Clerk Keaton reported proposed Resolution No. 06-21 is a 3.25% wage increase for full-time hourly workers for 2007, which is the same percentage increase the members of the Ohio Patrolmen's Benevolent Association received in their Contract.

Motion by Duncan, second by Garber to accept the first reading of proposed Resolution No. 06-21. All yeas, motion carried.

Motion by Sanders, second by Garber to read proposed Resolution No. 06-22. All yeas, motion carried.

Finance Director/Clerk Keaton reported proposed Resolution No. 06-22 is a 3.25% wage increase for part-time, paid-on-call and seasonal and/or temporary employees.

Motion by Reel, second by Duncan to accept the first reading of proposed Resolution No. 06-22. All yeas, motion carried.

Motion by Sanders, second by Garber to read proposed Resolution No. 06-23. All yeas, motion carried.

Motion by Duncan, second by Reel to accept the first reading, dispense with the second and third reading and adopt Resolution No. 06-23 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.

Motion by Reel, second by Garber to read proposed Ordinance No. 2006-08. 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 No. 2006-08 entitled "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION, REPAIR AND/OR REPLACEMENT OF SIDEWALKS, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

In Old Business, Member Duncan commented that he read the Park Board minutes and he appreciates all that Park Board does, but he was disappointed to read Park Board's long term goals for the parks and they did not include a water feature for Golden Gate Park. Member Duncan stated he feels he is talking on deaf ears.

Member Sanders expressed disappointment that a water feature was not included with Park Board's long term goals. This is a project that appeals to the whole community. Park Board needs to look at accommodations for kids of all ages. Member Sanders commented that he feels that in some situations park projects should come before Council for approval, based on Park Board's recommendation, just as some items are approved by Council based on Planning Commission's recommendations.

Member Hanos commented that she has not seen one citizen approach Council or Park Board and request a water park. With the water rates that Dayton has handed down to us, how can we justify the construction of a water park? Citizens would be really concerned with the City for wasting water. Member Hanos commented there is nothing here for pre-teens or teens to do, so maybe we should look at something for them.

Member Duncan commented years ago, Council looked at constructing a Recreation Center, but that did not move forward.

Member Hanos asked where are we supposed to come up with the money to construct a water feature, when we are in the process of purchasing a fire tanker, and possibly a fire house?

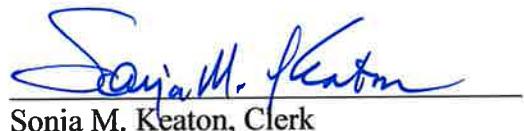
Gary Horstman, of 11465 Upper Lewisburg-Salem Road, stood and stated he is in favor of seeing a water feature.

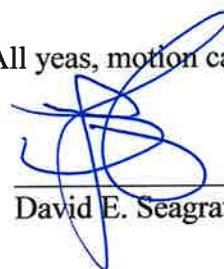
In New Business, Gary Horstman reported the Historical Society is in the process of selling the log house at 31 Clay Street. The Historical Society will be holding an Open House on December 3 from noon to 2:00 p.m. and all are invited to attend before the log house is disposed of.

Motion by Ullery, second by Garber to go into Executive Session for the possible sale of Real Estate as requested by Manager Wright. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor