

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
September 19, 2006

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on September 19, 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 arrived later.

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

Member Hanos arrived.

Motion by Duncan, second by Reel to accept the September 5, 2006 Regular Meeting Minutes as presented. All yeas, motion carried.

Tom Hemmerick, representing Green Tokai, stated he is the Green Tokai liaison with the Brookville First! Program and he was present tonight to give a brief presentation on the history of Green Tokai. During the presentation Mr. Hemmerick spoke about Green Tokai's production capabilities, safety and 5-S Cops programs. Mr. Hemmerick spoke about the company activities that Green Tokai shares with their employees and their families and he also spoke of the various parts that are made in both the Brookville and Maysville, Kentucky plants. Mr. Hemmerick reported Green Tokai was established in 1987 and its headquarters are located in Brookville. The Brookville plant currently employs 700 people under a combined total of 371,000 square feet. Mr. Hemmerick stated more than 10,000 cars have Green Tokai parts and they are very well known for their paint film technology. Mr. Hemmerick entertained questions from Council.

Eric Haupt, on behalf of the Arlington Woods Homeowners' Association, requested authorization to block off Randy Sue Court at Shaney Lane for a Neighborhood Block Party on Saturday, October 14, 2006 from 6:00 to 10:00 p.m.

Motion by Garber, second by Ullery to allow the Arlington Woods Homeowners' Association to block off Randy Sue Court at Shaney Lane on Saturday, October 14, 2006 from 6:00 to 10:00 p.m. for a Neighborhood Block Party. All yeas, motion carried.

Chris House, representing the Brookville High School Band Parent Association, reported the Brookville High School Marching Band will be going to Florida/Disney World in February 2007. On November 18, 2006, the BHS Band Parent Association will hold a fund raiser that consists of a spaghetti dinner followed by an auction. Ms. House commented the goal of the fund raiser is to raise the money needed for the buses and fuel for the buses. Ms. House stated the dinner and auction will be held at Brookville High School.

Kenneth Gordon, of 359 Baker Street, reported that he has a water problem at his address. Both Mr. and Mrs. Gordon commented that every time there are heavy rains, their basement gets flooded. Mr. Gordon stated one of his neighbors built a concrete barrier in the creek that is restricting the flow of the creek and another neighbor has a tile under his driveway that must be cleaned out. Mr. and Mrs. Gordon both commented that they have seen oil floating on top of the creek water this summer.

Manager Wright commented that this is not a new problem; it has been going on for approximately 25 years. Manager Wright reported there is a tile that runs under his neighbor's driveway and that tile was cleaned out five years ago. Manager Wright stated Ron Brandt, Service Superintendent, spoke with this neighbor on the tile. Everyone needs to understand that this is private property and the City cannot just go in and do work. Manager Wright informed Mr. Gordon that he should put a plug in his basement drain to restrict the water from entering his basement.

Mayor Seagraves expressed concern about the neighbor obstructing the flow of the creek.

Law Director Stephan commented the City will take the next two weeks to evaluate the issues presented to Council tonight and report back at the next Council Meeting.

Garnett Buckley, of 31 March Avenue, stated Ron Brandt should receive a Purple Heart for directing traffic today while the paving crew was laying new asphalt on Arlington Road.

Manager Wright reported he has received requests from two long-term employees to exercise their right to retire and be rehired by the City of Brookville. Manager Wright reported Police Chief Preston has indicated a retirement date of October 7, 2006 with a rehire date of October 9, 2006 and Ron Brandt has indicated a retirement date of September 29, 2006 with a rehire date of October 1, 2006, and it his recommendation that Council rehires Ed Preston as Police Chief and Ron Brandt as the Service Superintendent at their current salary and benefits on file.

Motion by Garber, second by Ullery to reappoint Ed Preston as Police Chief effective October 9, 2006 and Ron Brandt as Service Superintendent effective October 1, 2006 with both employees to receive their current salary and benefits on file with the Department of Finance, per the Policy for the Re-Employment of a Retiree. All yeas, motion carried.

Manager Wright reported the Annual Repaving Program is now complete. The streets repaved included Albert Road between Westbrook Road and the Bikeway, a small section of Carr Drive and Edgebrook Avenue, the inbound lane of Terrace Park Blvd., and Arlington Road from Wolf Creek to Westbrook Road. Manager Wright reported two of these roadways will receive striping soon.

Manager Wright reported the City recently entered into a Purchase Agreement for the sale of property along Blue Pride Drive. The closing should take place in two to three weeks.

Assistant Manager Sewert gave an update on the Salem Street, Phase III Project. Assistant Manager Sewert reported water taps are being installed at each address along this project. Assistant Manager Sewert reported the Contractor has indicated they are approximately one week behind schedule and should complete the project by the end of October.

Assistant Manager Sewert reminded Council there is a Work Session on Thursday evening, prior to the Planning Commission Meeting, on "Low Impact Development."

Assistant Manager Sewert thanked Tom Hemmerick for his involvement in the Business First! Program, which has strengthened the working relationship between Green Tokai and the City.

Manager Wright also thanked Mr. Hemmerick for the excellent working relationship between Green Tokai and the City of Brookville. Without Green Tokai the City would struggle. Green Tokai is the largest employer in the City of Brookville.

Manager Wright reported Council should have a Memorandum from him relating to the proposed discontinuation of RTA services to the City of Brookville. Manager Wright stated the City has received numerous e-mails from citizens requesting assistance to keep RTA service in Brookville. Manager Wright commented the City does not have direct control over what RTA decides, but we can be heard at the Public Hearings that RTA has set up on their proposed changes. Manager Wright asked Council if they want the Administrative Staff to attend the Public Hearing to voice the concerns of the citizens.

Member Hanos stated she has heard that RTA is cutting back service to the northwest hub and going to the Greene. Some of our citizens ride the RTA bus for their livelihood. We should pursue keeping RTA bus service in Brookville.

Mayor Seagraves commented it was just several years ago that the RTA Executive Director attended a Council Meeting where she presented RTA service enhancements within Brookville, and the citizens authorized the passage of a levy to support the RTA. We should show our support at this time.

Member Ullery inquired if RTA has considered using smaller busses in those areas where ridership is down to maintain the number of citizens that currently ride the RTA bus. Member

Ullery commented that we should voice our concern on their proposal to discontinue service to Brookville, as we pay taxes to the County to provide this service

Member Garber commented with the price of diesel fuel isn't it wasteful to continue RTA service for a few people. We should be concerned about global warming. RTA is planning on establishing trips from the Walmart along Hoke Road.

Member Reel commented that we are all paying taxes, and all RTA wants to do is support the businesses south of town.

Wayne Ward, of 951 Calmer Ernst Blvd., stated what about the levy we paid several years ago.

Member Ullery stated we would be doing an injustice if we don't support those citizens riding the bus. The City of Brookville probably cannot convince the Board to continue services, but at least we made an effort by attending a Public Hearing.

Motion by Ullery, second by Hanos to request the Administrative Staff to attend an RTA Public Hearing to convey the concerns of those City residents who currently ride the RTA bus in the City of Brookville. Ullery yea, Hanos yea, Garber nay, Sanders yea, Duncan yea, Reel yea and Seagraves yea. Motion carried with six yeas and one nay.

Fire Chief Nickel thanked Mr. Hemmerick and Green Tokai for their continued support, and commented that the Brookville Fire Department also supports Green Tokai for their approach on safety.

Fire Chief Nickel stated that he will begin an investigation on the allegation of oil in Wolf Creek next to Baker Street. This is the first he has heard about this.

Fire Chief Nickel requested authorization to hold the annual Fire Prevention Parade on October 7, 2006. Fire Chief Nickel reported the Shriners will be in attendance again this year.

Motion by Duncan, second by Reel to authorize the Brookville Fire Prevention Parade to be held on Saturday, October 7, 2006 with the parade to start at 2:00 p.m. All yeas, motion carried.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from September 5 to September 18, 2006. Police Chief Preston reported there were 331 calls for service in this time period. The number of reported incidents are down 107 reports or 17.3% and total calls handled are down 20 or less than 1% from this same time last year. The average response time was 1.88 minutes.

Police Chief Preston reported he was contacted recently regarding the possibility of changing the parade route for the Brookville High School Homecoming Parade. Police Chief Preston commented it made a lot of sense to proceed down Market Street to Western Avenue to the High School, versus the old route which went from Market Street to Wolf Creek Street to Westbrook Road.

Motion by Reel, second by Hanos to authorize the Brookville High School Homecoming Parade to be held on Thursday, September 28, 2006 with the line-up to begin at 5:30 p.m. and the parade to begin at 6:30 p.m. The parade will start on Cusick Avenue and proceed down Columbia Street, left onto Market Street, left onto Wolf Creek Street, right onto Western Avenue to the High School. All yeas, motion carried.

Law Director Stephan reported he and the Administrative Staff drafted a Special Event Permit for Council review. The application and permit reflect the applicants intended use of City property. The Special Event Permit allows an individual or group to indicate what type of event, information relating to that event, if they require street closures or traffic control and if there will be any music and/or alcohol included with the event. The permit also allows the City Manager to assess the applicant for labor costs or other costs incurred by the City as a result of that particular special event. The permit also addresses liability insurance. Law Director Stephan indicated the consensus of Park Board was they were in favor of this permit. Discussion followed.

Member Sanders indicated he would like to see the permit completed and submitted 30 days prior to the scheduled event. Member Sanders expressed an interest in having the permit on the City's website so it can be downloaded and completed more readily.

Member Duncan indicated he would like to see a requirement that the permit be signed by an adult.

Law Director Stephan commented that we can address these concerns and bring the permit back to Council for approval at a later Council Meeting.

Clerk Keaton reported the fall-edition of the City's Newsletter was mailed out yesterday. If you do not receive a copy by the end of this week, please contact the City Offices.

Clerk Keaton requested Council authorization to adopt proposed Resolution No. 06-13, which accepts the amounts and rates as determined by the Montgomery County Budget Commission. The adoption of this Resolution is a formal approval of the rates and yields for the inside millage for the City. This authorization is required by the County Auditor in order to collect the City's real and personal property tax and the reason for this to be adopted in an emergency manner is to insure the timely return to the Montgomery County Auditor's office by October 2, 2006.

Motion by Duncan, second by Garber to read proposed Resolution No. 06-13. 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. 06-13 entitled "RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Clerk Keaton requested Council authorization to adopt proposed Resolution No. 06-14, which amends the 2006 Appropriations in order to pay off our debt balance on the 10-year NorthBrook Industrial Park Mortgage. This Resolution also includes Council approval to set up a Debt Service Fund for the repayment of the 20-year Note for the NorthBrook Industrial Park.

Motion by Duncan, second by Sanders to read proposed Resolution No. 06-14. 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. 06-14 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.

Member Sanders commented he saw in the Park Board Minutes that Park Board agreed to install the ice-rink with a new liner and asked if the liner was budgeted for.

Clerk Keaton responded we did not budget for the ice-rink liner, but there were sufficient funds to purchase the liner this year.

Park Board Council Liaison Hanos commented Park Board decided to go with the smaller liner at the lower cost and that next year they would like to hold the Community Skate Night in conjunction with a holiday light display in Golden Gate Park during the 2007/2008 holiday season.

Member Sanders stated maybe Park Board should have designated the money for a different purpose since the ice-rink is weather related and perhaps can only be used for two months out of the year. Member Sanders stated maybe the money could have been spent for something that the general public could enjoy.

Mayor Seagraves thanked the Service Department for all of their hard work during the repaving process. The roadways look excellent.

Mayor Seagraves thanked the Administrative Staff and front office staff for their work on the City Newsletter, which was recently distributed.

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

Motion by Sanders, second by Reel to accept the third reading and adopt Ordinance No. 2006-05 entitled "AN ORDINANCE ADOPTING SECTION 1151.15-PLANNED DEVELOPMENT OVERLAY DISTRICT IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

In Old Business, Member Reel inquired if the City has heard anything from BP yet.

No one has heard anything from BP.

Manager Wright commented flooding in the area of the creek along Baker Street has gone on for 24 years. The City had two men in the area today to see what can be done. The City will do whatever we can.

Member Hanos commented if the creek is considered private property then maybe we need to review our property maintenance codes. Member Hanos expressed concern for the oil appearing in Wolf Creek as Mr. Gordon indicated.

In New Business, Member Hanos stated she has received several inquires from neighbors asking if personal fire pits are permitted in the City.

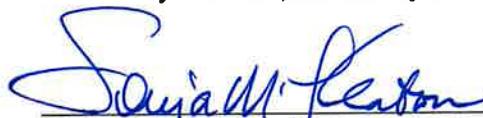
Fire Chief Nickel stated personal fire pits are permitted for recreational purposes as long as they use clean burning wood for the fire.

Member Duncan commented he saw in the Park Board minutes that the City may look into purchasing additional land adjacent to the park.

Manager Wright stated he was contacted by a Brookville Pee Wee Football representative who asked if the City knew if the property owner adjacent to the Pee Wee Football field would be interested in selling some land to them for parking. Manager Wright stated it was discussed that the City owns some property to the east of the Pee Wee Football field, near the bridge, that could be used for parking. Access would be made off the Hunter's Run.

Member Duncan commented since Park Board previously stated there is no space to construct a water park, maybe a small water feature could be located there?

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

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor