

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
April 19, 2005

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on April 19, 2005 in the City Council Chambers.

A moment of silence was observed for the passing of Margaret Leiber.

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, Fire Chief Nickel and Director of Finance/Clerk Keaton were present.

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

Motion by Sanders, second by Duncan to accept the April 5, 2005 Regular Meeting Minutes as presented. All yeas, motion carried.

Dottie Watkins, of 112 Maple Street, commented she likes the new bulbs in the street lights on Market Street. Manager Wright commented the City recently switched to high sodium bulbs.

Manager Wright reported Council should have a copy of a letter addressed to Ron Filbrun and Roger Moler regarding their request to add a secondary street name. Manager Wright reported he had not heard anything from either person.

Manager Wright reported the Brookville-Pyrmont Road Reconstruction Project is on schedule. The water line is installed. Connections to the homes will take place later. The contractor is currently working on the storm sewer at this time.

Manager Wright reported the replacement of the Caretaker Cabin is progressing. Demolition of the existing cabin will take place late this week or early next week, with construction of the new cabin to begin following the demolition.

Member Ullery inquired if the new Caretaker Cabin will require a new foundation. Manager Wright stated the new cabin will require a new foundation.

Fire Chief Nickel reported Council should have a copy of a letter from Premier Health Partners regarding the emergency care treatment for individuals transported to Miami Valley Hospital or Good Samaritan Hospital that carry Anthem Blue Cross and Blue Shield insurance, as both hospitals are considered out-of-network providers. The letter states the individuals are covered for emergency needs, and Anthem will not expect the patient to pay any more than what the patient would pay at a network facility. Premier Health Partners wanted to relay this information to Fire Departments, in case questions arise when responding to a scene of a medical emergency.

Fire Chief Nickel reported he will be presenting his portion of the 2004 Annual Report at a Clay Township Trustee and a Perry Township Trustee meeting in the very near future.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from April 5 through April 18, 2005. Police Chief Preston reported there were 301 calls for service in this time period. The number of reportable incidents are up 59 reports or 28% and the total calls handled were down 117 calls or 4.5% from this same time last year. The average response time was 1.84 minutes.

Police Chief Preston was pleased to announce the hiring of John Hanson, who will replace Doug Reed. Patrolman Hanson is a 16-year veteran of the Clay Township Police Department.

Police Chief Preston reported they have begun their bike training program, and on April 22, 2005, Patrolman Joe Cox and Patrolman Tom Simon will be certified bike patrol officers.

Police Chief Preston reported the Prom Promise Program will be held on April 27, 2005 from 11:00 a.m. to 1:00 p.m., which will include an accident scenario involving the Brookville Fire Department and Careflight. The accident scene will be set up at Westbrook Park. In case of inclement weather, a back-up program will take place in the High School Auditorium.

Member Duncan commented he has noticed more arrests recently involving drugs and public intoxication. Is there an increase?

Police Chief Preston stated there really is no difference in the totals for these arrests. There seems to be a few more incidents this time of year with people being outside with the warmer weather.

Member Garber asked Police Chief Preston if the School Resource Officer spoke with the school children regarding the skateboarding rules? Police Chief Preston stated the School Resource Officer was advised to speak to the children on these particular rules; he has not followed up with the School Resource Officer to make sure that was done.

Member Garber inquired if the Police Department trains the clerks of the establishments that serve alcohol, about selling to underage individuals. Police Chief Preston commented the Brookville Police Department offers training each spring to these establishments, but none of the establishments are interested in the training.

Law Director Stephan reported the City recently completed the sale of Lot #2281 in the NorthBrook Industrial Park to Jim and Renae Chase, owners of Chase Electric and Helping Hands & More. Law Director Stephan commented Mr. and Mrs. Chase will receive an incentive payment if they move into their building within one-year of the closing date.

Law Director Stephan reported he and Assistant Manager Sewert recently met with the City's Building Inspector regarding the Kuhn's Bros. Project. Law Director Stephan stated it was determined by the Building Inspector that there has been no construction activity on the log cabin nearest to Interstate 70 for the last six months. Notices will be sent to Don Shellabarger advising him that both the Building and Zoning Permits on that particular cabin are now revoked as a result of no construction activity in the last six months. Law Director Stephan stated this is the City's first step in either taking legal action to require removal of the incomplete structure, or in the event the owner seeks a renewal of the permits, the City will be able to place stringent conditions on any new permit to require completion of that particular log cabin during the permit extension. The new permit would also provide that if the owner failed to complete construction, the structure would be demolished and removed from the site.

Member Sanders inquired if Don Shellabarger had contacted the City office after he received Council's last letter. Assistant Manager Sewert indicated he has not.

Finance Director/Clerk Keaton requested Council authorization to set up a Special Revenue Fund for FEMA money that the City will be receiving for overtime wages and use of equipment during the record snowfall that the City experienced in late December. Montgomery County was one of the counties that received an emergency declaration. The City will be receiving a check from FEMA for approximately \$10,000, which is 75% of the Federal Share of the total cost of \$13,272.71 during a 48-hour period beginning on December 22 and ending on December 24, 2004.

Motion by Duncan, second by Reel to authorize Finance Director Keaton to set up a Special Revenue Fund for FEMA money that the City will receive for overtime wages and use of equipment during the record snowfall the City experienced in December 2004 for the Service and Fire Departments. All yeas, motion carried.

Finance Director/Clerk Keaton reported at the March 1, 2005 Council Meeting, Council agreed to a one-year extension on our Fire/EMS Agreement with Perry Township, which expired December 31, 2004. At that time, Council expressed an interest in meeting with the Township Trustees on this Agreement, and Perry Township indicated they are interested in discussing the merging of service with Brookville Council. A Work Session with Brookville City Council and the Perry Township Trustees has been scheduled for Monday, April 25 at 7:00 p.m. in the Brookville Council Chambers.

Finance Director/Clerk Keaton reported Manager Wright and she recently met with representatives from the City of Dayton on their water rate increases. Finance Director/Clerk Keaton reported the City of Dayton recently passed an Ordinance which increases water rates for all of the customers on the City of Dayton public water system, which includes their own residents. Effective May 1, 2005, which will not appear on Brookville's water bill until the September 2005 billing, rates will increase 22.9%. On January 1, 2006, rates will increase 35.5%, in January 1, 2007, rates will increase 7.9% and in January 1, 2008, rates will increase 7.8%. After January 1, 2008, rates will be determined on a Consumer Price Index (CPI) formula. Finance Director/Clerk Keaton reported for an average user of 3,000 cubic feet of water, the water rate, with the 22.9% increase, will increase approximately \$17 per quarter. Discussion followed.

Member Duncan asked if the City could review the feasibility study that was done a few years ago on Brookville having their own water supply and treatment facility? Manager Wright indicated he will review the study, and we will review other options and avenues with the City of Dayton and Montgomery County.

Finance Director/Clerk Keaton commented that she will present a worksheet with budget figures and proposed rate increases for Council review at the next Council meeting. Finance Director/Clerk Keaton indicated she would like to move forward on this matter as soon as possible, so consumers are aware of the rate increase well in advance, and water conservation measures can be implemented if they choose.

Mayor Seagraves commented Margaret Leiber will be sorely missed in the community. She has been a dance instructor in Brookville for more than 50 years. Mayor Seagraves stated she affected the lives of many of her dance students.

Mayor Seagraves announced the City recently hired Jim Snedeker as the new Zoning & Property Maintenance Officer. Mayor Seagraves asked that any zoning or property maintenance issues be addressed to Manager Wright or Assistant Manager Sewert until Mr. Snedeker gets acclimated.

Member Seagraves read a Proclamation to proclaim the week of April 24 - April 30, 2005 as **"SKIP A MEAL week for the Kiwanis Children's Fund."**

Motion by Duncan, second by Garber to read proposed Resolution No 05-15. All yeas, motion carried.

Motion by Duncan, second by Reel to accept the first reading of proposed Resolution No. 05-15. All yeas, motion carried.

In Old Business, Member Garber commented he saw construction begin on Lee's Famous Recipe. Manager Wright stated all of their permits are valid. Equipment has moved in and construction should begin this week.

Member Duncan commented he has seen the portable basketball goals in the streets and right-of-ways again, especially in cul-de-sacs. Police Chief Preston commented the Police Department has been working with individuals on this situation. Police Chief Preston stated they can move the portable basketball goals out into the roadway, as long as they move them back when they are done playing.

Member Hanos inquired on the status of the Beazer Project that was presented to Planning Commission in late 2004. Manager Wright commented Golden Gate Estates, Section Three, containing 13 lots, is moving forward. The City has not heard back from Beazer Homes on their presentation to Planning Commission, which Law Director Stephan indicated was a pre-application conference for a Residential Planned Development.

Member Ullery commented there are two dead trees along Salem Street that needs to be removed before someone is injured.

In New Business, Member Sanders inquired on the status of the Walkable Communities, and if the City is moving forward with some of the suggestions that were made. Assistant Manager Sewert commented the Administrative Staff and Engineer Schroeder will be discussing the Market Street Reconstruction Project soon. The Project is scheduled to begin this year. Some of the suggestions from this Committee could be implemented during this construction phase.

Member Garber commented Brookville City Council normally takes a stance on proposed Brookville School levies. It would be nice to show the community our support of the renewal levies.

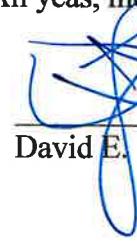
Motion by Garber, second by Hanos to support the Brookville Schools Levies renewal efforts and to support the passage of these two renewal levies on May 3, 2005, and to support the passage of the Clay Township Fire levy on May 3, 2005, for the benefit of the community. All yeas, motion carried.

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



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Sonja M. Keaton, Clerk



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David E. Seagraves, Mayor