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BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 2, 2005

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on August 2, 2005 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 arrived later.

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 July 19, 2005 Regular Meeting Minutes as presented. All yeas, motion carried.

Dottie Watkins, of 112 Maple Street, commented the fireworks display was exceptional this year.

Chris Feisley, with Boy Scout Troop 47, was attending the Council Meeting for a Merit Badge.

Mary Hill, of 363 Leisure Drive, commented that she never sees articles about Brookville or Brookville business advertisements in the "Northwest Neighbors" section of the Dayton Daily News, which is distributed on Thursdays. The "Northwest Neighbors" seems to always have articles that pertain to Trotwood, Englewood and Union and she wanted to know why?

Mayor Seagraves commented that he does not know the reason, but we could check into it.

Manager Wright reported paving of the roadway began today on the Western Avenue Project. It should be completed this week. Striping of the roadway will be done shortly.

Member Duncan asked if the City would be placing a guardrail where we closed off the former Brookville-Pymont Road and if we knew when the stop sign at Johnsville-Brookville Road would be removed?

Manager Wright stated it is not the City's responsibility to install the guardrail; it is up to Montgomery County since that is a county road. It is also the County's responsibility to remove the stop sign at Johnsville-Brookville Road, just north of Brookville-Pymont Road.

Discussion was held on possibly placing a "Cross Traffic Does Not Stop" sign below the stop sign on Brookville-Pymont Road.

Manager Wright stated he will mention Council's concern to Montgomery County since they are responsible for that stop sign.

Member Hanos asked if the City has plans to put anything in the triangular area between Blue Pride Drive, Johnsville-Brookville Road and Western Avenue? Member Hanos stated we should do something in this area since it is an entrance into Brookville. Member Hanos commented maybe we could do something similar to Gateway Park.

Manager Wright stated the Administrative Staff is looking into what we could place there. If Council has any suggestions, please share them. Manager Wright stated whatever is decided, we will have to wait until next year since we did not budget for anything new in this area this year.

Manager Wright reported Market Street, between Columbia and Jefferson Streets, will be closed for the next two to three weeks due to the excavation of the roadway. The water main and storm sewer is being replaced at this time.

Manager Wright reported the Albert Road Storm Replacement Project would begin on August 8. The project will not interfere with any traffic or road closures.

Manager Wright reported the construction of the Caretaker Cabin is moving along. The interior of the cabin should be completed in one week, with landscaping to follow. The cabin should be occupied in three to four weeks.

Member Reel inquired if the City was saving money using their own employees to construct the cabin?

Manager Wright commented we should be saving approximately \$15,000 by using our own work force.

Manager Wright reported the City will begin widening the north side of West Upper Lewisburg-Salem Road and installing curbs from Parkview Drive North to the I-70 overpass soon.

Manager Wright requested Council authorization to advertise for bids for the pickup and disposal of recyclable materials in the City. Our current contract with Waste Management expires at the end of September. Bids will be opened on September 8, 2005.

Motion by Hanos, second by Ullery to allow Manager Wright to advertise for bids for the pickup and disposal of recyclable materials in the City of Brookville. All yeas, motion carried.

Manager Wright complimented the Brookville Chamber of Commerce for a great picnic. Manager Wright thanked the Brookville Police and Fire Departments, Assistant Manager Sewert and the Service Department for their assistance throughout the picnic and cleanup. Golden Gate Park was cleaned up by noon on Sunday.

Mayor Seagraves congratulated Margo Cantrell, President of the Brookville Chamber of Commerce for an exceptional picnic. Mayor Seagraves stated that Margo Cantrell asked him to pass along her thanks to the City personnel for all of their hard efforts throughout the picnic. She will attend a future Council Meeting to discuss the results of the Community Picnic.

Mayor Seagraves thanked the Brookville Police and Fire Departments and all of the City employees for their assistance throughout the picnic.

Manager Wright requested an Executive Session on a Real Estate matter.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from July 19 to August 1, 2005. Police Chief Preston reported there were 301 calls for service in this time period. The number of reportable incidents are up 20 reports or 4.5% and total calls handled are down 621 calls or 11.5% from this same time last year. The average response time was 2.26 minutes.

Police Chief Preston presented a request from the residents of the Wilderness Cove Neighborhood Watch Program to block off Wilderness Cove at Hunterfield Drive for a block party on August 20, 2005 from 5:00 to 9:00 p.m.

Motion by Garber, second by Reel to allow Wilderness Cove to be blocked off at Hunterfield Drive on August 20, 2005 from 5:00 to 9:00 p.m. for a Neighborhood Watch Block Party. All yeas, motion carried.

Law Director Stephan had no report.

Member Garber commented he recently read an article that Englewood's new solicitation law is being challenged.

Law Director Stephan commented he did not think that the law suit has been resolved. Law Director Stephan commented the Supreme Court has never assigned a specific time that solicitation should end each day. In reviewing several cases, the hours have varied. What needs to be determined is what constitutes a reasonable time. The City of Brookville Ordinance currently limits the hours between 9:00 a.m. and 7:00 p.m. Law Director Stephan stated Englewood probably pushed the limit by applying 6:00 p.m. as their ending time for door-to-door solicitation.

Finance Director/Clerk Keaton presented the July 31, 2005 Fund Balance for review and approval.

Motion by Duncan, second by Ullery to approve the July 31, 2005 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton requested Council approval to transfer the remaining \$125,000 from the General Fund to the Street M&R Fund and \$25,000 from the General Fund to the Park Fund as appropriated.

Motion by Garber, second by Ullery to authorize the transfer of \$125,000 from the General Fund to the Street M&R Fund and \$25,000 from the General Fund to the Park Fund as requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Mayor Seagraves thanked Manager Wright and staff again for their assistance during the Community Picnic, and to Jim Hoffman for his coverage of the picnic in the Brookville Star.

Motion by Duncan, second by Garber to read proposed Resolution No. 05-23. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the second reading of proposed Resolution No. 05-23. All yeas, motion carried.

In Old Business, Member Duncan commented there are numerous properties in the older sections of Brookville that are in serious need of repairs. Should the City step up and enforce these issues, especially with the reconstruction of Market Street and the money that is being put into this Project?

Member Garber commented this is a long process with our current zoning regulations; it has become very frustrating for the Administrative Staff to administer, especially with absentee landlords.

Member Duncan stated he spoke with a representative of Troy recently, and that individual commented that Troy had to get tough; they began demolishing structures to get peoples attention. Member Duncan stated these properties reflect back on the community.

Law Director Stephan commented that the City of Dayton has gotten stricter with their property maintenance enforcement; they are now citing people into court. Law Director Stephan commented that we can get tougher, it will cost the City money when we start citing people into court.

Member Ullery commented that he agrees that we need to get tougher on property maintenance issues, especially in the older sections of Brookville.

Member Hanos commented she would like to see some assistance offered to those people that are not able to afford to fix up their homes, before we cite them or demolish their homes.

Mayor Seagraves asked Law Director Stephan to review our current ordinance to see if any changes need to be made.

Fire Chief Nickel arrived.

Fire Chief Nickel thanked the City for their help during the Community Picnic.

Motion by Duncan, second by Sanders to go into Executive Session on a Real Estate matter as requested by Manager Wright.

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