

BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 16, 2005

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on August 16, 2005 in the City Council Chambers. The pledge of allegiance was recited. Members Garber, Hanos, Reel, Sanders and Ullery; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, Police Chief Preston and Director of Finance/Clerk Keaton were present. Member Duncan was absent.

Motion by Garber, second by Reel to accept the Agenda as presented. All yeas, motion carried.

Motion by Sanders, second by Garber to accept the August 2, 2005 Regular Meeting Minutes as presented. All yeas, motion carried.

Lowell Petry, of 542 Western Avenue, commented the Western Avenue project is attractive, but he, along with several citizens in attendance, is concerned with the way the roadway was striped. Numerous parking spaces have been eliminated with the addition of sidewalks and curbs and now with the way the street is striped.

Manager Wright commented the street was designed to be striped that way according to our City Engineer. Manager Wright stated he understands their concerns and the possible problems it may create. Manager Wright commented he is researching the issue and hopes to have a resolution within a couple weeks. A possibility is to remove the double yellow lines. Manager Wright stated there will be no parking near the intersections of Western Avenue and Westbrook Road and at Western Avenue and Blue Pride Drive.

Roy Skidmore, of 548 Western Avenue, commented he will have no place to park since he lives on the corner of Western Avenue and Blue Pride Drive.

Leann Dalton, of 515 Western Avenue, asked what the City was going to do with the empty lots between Blue Pride Drive?

Manager Wright stated it will be green space for the time being. There are no plans at the present time.

Manager Wright reported the southbound stop sign at Johnsville Brookville Road has been removed. The tree limbs that have been blocking that intersection have been removed.

Member Hanos inquired if the County had installed a "Cross Traffic Does Not Stop" sign at Brookville-Pyrmont Road?

Manager Wright indicated he had talked to Montgomery County on Council's request to have a sign installed. As of today, the sign has not been installed. Manager Wright stated a "Cross Traffic Does Not Stop" sign was installed by the City on the stop sign at Blue Pride Drive and Johnsville Brookville Road.

Manager Wright gave an update on the various projects throughout the City. Western Avenue is now completed. The Caretaker Cabin will be ready to occupy in a couple of weeks. The water and storm sewer lines are installed on the Market Street Project, and work has begun on the Albert Road Storm Sewer Project and the widening of W. Upper Lewisburg Salem Road.

Manager Wright reported he will have the 2005 Street Repaving Project bid results at the next Council Meeting.

Manager Wright reported Council is invited to attend a Ribbon Cutting for the new Warehouse and Distribution Facility for Green Tokai on Friday, August 26 at 9:00 a.m.

Manager Wright reported the City has participated in meetings and discussions with the Montgomery County Soil & Water Conservation District in light of the flooding that took place along Wolf Creek last year. Manager Wright indicated there are numerous communities that have

been attending these meetings, such as Trotwood, Dayton, Englewood, Clayton, Clay and Perry Townships, and New Lebanon. Montgomery County Soil & Water Conservation has enlisted the help of the Army Corp. of Engineers for their assistance. The Corp. has agreed to perform a study of this water region, with the Corp. contributing the majority of the cost of this study. The Wolf Creek Watershed is requesting a percentage match from those entities listed above that are participating with the study. The Wolf Creek Watershed is requesting a match of \$5,000 from the City toward this study. Discussion followed.

Motion by Ullery, second by Hanos to authorize the City to contribute \$5,000 toward the study of the Wolf Creek drainage system as requested. All yeas, motion carried.

Fire Chief Nickel reminded everyone they need to complete the National Incident Management System requirements by September 2005.

Fire Chief Nickel presented a demographic report for EMS runs for the first six months of 2005 for Council review.

Police Chief Preston had no report.

Law Director Stephan reported Council should have a Memo and a packet on bicycle helmet legislation for review and discussion. Children's Medical Center and the Greater Dayton Area Safe Kids Coalition have created a brochure on Bike Helmet Legislation. The packet contains sample ordinances that could be used by the City, if Council concludes that legislation is necessary and appropriate.

Law Director Stephan reported he is working, along with Assistant City Manager Sewert, on property maintenance statistics and possible changes to various sections of the Property Maintenance Code. He will provide more information at the next Council Meeting.

Law Director Stephan reported that Don and Marilyn Shellabarger, of 530 E. Upper Lewisburg Salem Road, have entered into an agreement with the City regarding construction of the log cabin near the I-70 ramp. The agreement provides that construction of the exterior of the cabin shall be completed by December 15, 2005. In the event that the exterior is not completed by December 15, the City may revoke the building permit and proceed with court action for nuisance abatement to remove the incomplete structure. The agreement provides for inspections to verify compliance with the agreement.

Finance Director/Clerk Keaton had no report.

Mayor Seagraves thanked City Manager Wright and Staff for the tremendous amount of time and work they put in, on the various projects and improvements around the City.

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

Motion by Reel, second by Garber to accept the third reading and adopt Resolution No. 05-23 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS(S) AND TO EXECUTE CONTRACTS AS REQUIRED." All yeas, motion carried.

Motion by Sanders, second by Garber to read proposed Ordinance No. 2005-06. All yeas, motion carried.

Motion by Sanders, second by Ullery to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2005-06 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 New Business, Manager Wright requested an Executive Session on a Personnel Matter.

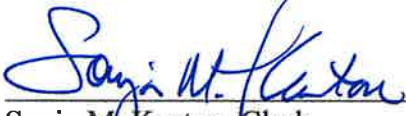
Member Reel commented to Police Chief Preston that he has received three citizens' complaints on skateboarders in the area of Brookside Plaza.

Police Chief Preston commented he is aware of the situation and stated Brookside Plaza is a privately owned parking lot. Police Chief Preston stated he has met with the various business owners, and the Police Department is monitoring the situation.

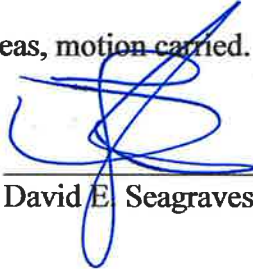
Motion by Garber, second by Ullery to go into Executive Session on a Personnel Matter as requested by Manager Wright. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor