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BROOKVILLE CITY COUNCIL
REGULAR MEETING
March 1, 2005

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on March 1, 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 was absent.

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

Motion by Sanders, second by Garber to accept the February 15, 2005 Regular Meeting Minutes as presented. All yeas, motion carried.

Margo Cantrell and Janet Malone, representing the Brookville Chamber of Commerce, requested authorization to hold their downtown block party "A 70's Celebration" on Saturday, June 4, 2005 beginning at 5:00 p.m. until 11:30 p.m. Beer will be served from 5:30 p.m. to last call of 11:10 p.m. in the permit premise area, which will be located in the RTA parking lot. The permit premise area will cross Market Street just to the back edge of the sidewalk that borders the business fronts. All who enter the permit premise will be verified to be 21 or older. Wrist bands will be issued once inside the permit premise area. Beer tickets will be sold only to those individuals wearing a wrist band. Market Street will be barricaded from the Brookville Historical Society building to the Brookville Flower Shop and Walnut Street will be blocked from alley to alley. Handicap parking will be on Walnut Street next to Main Street. Food Vendors will be located on Market Street between Walnut and Mulberry Streets. Live music will be performed from 7:00 p.m. to 11:00 p.m. Various contests will be held throughout the evening.

Motion by Garber, second by Hanos to allow the Brookville Chamber of Commerce to hold their downtown block party "A 70's Celebration" to be held on Saturday, June 4, 2005 from 5:00 p.m. until 11:30 p.m., with Market and Walnut Streets to be barricaded as presented, and with the Police and Fire Departments to receive details of the event. All yeas, motion carried.

Tom McDougall, of Arlington Woods Development Company, Inc., presented a request for approval of a Final Plat for Arlington Woods, Section Three, consisting of 25 lots along Kimmel Trail and Arlington Woods. Section Three is the final section for the Arlington Woods Subdivision. Mr. McDougall commented that Section Three will have the same street lights as Section Two. Additional drainage was provided for in Section Two and Three of this subdivision. Mr. McDougall indicated he is working with the Homeowners Association on monummentation along Arlington Road. Mr. McDougall stated the retention ponds will be reshaped during construction of Section Three. Mr. McDougall indicated the developer will be installing the sidewalks along Arlington Road, instead of the builders at the time of home construction.

Motion by Ullery, second by Garber to approve the Final Plat for Arlington Woods, Section Three, as presented and approved by the Planning Commission, contingent on City Manager Wright's and City Engineer Schroeder's final review and approval of the Construction Drawings and a Performance Surety shall be posted to meet the requirements of the Brookville Design Criteria and Subdivision Regulations. All yeas, motion carried.

Garnet Buckley, of 31 March Avenue, commented that she does not care for the illumination of the street lights on Market Street, in the downtown district. Ms. Buckley indicated she has been to several other towns, and their street lights are much brighter.

Mrs. Buckley asked Member Reel what he meant on the comments that he made at the last Council meeting on the refuse cans being left in the streets after they are emptied?

Member Reel stated he felt that the trash cans should be put back in the grassy strip or driveways and not left out in the streets, once they are emptied. Member Reel commented it happens a lot in his neighborhood.

Mrs. Buckley stated she contacted numerous citizens and they did not have a problem with the trash containers being left out on the streets, or that the lids were not placed back on the cans. Refuse pickup may possibly take longer if they had to do all of this.

Mayor Seagraves commented that Chief Nickel is attending a Fire Chief's conference and will not be present for tonight's Council Meeting.

Mayor Seagraves announced the resignation of Zoning and Property Maintenance Officer Mark Summers, effective March 2, 2005. Mayor Seagraves wished Mr. Summers luck with his new career.

Manager Wright reported a preconstruction meeting was held on the Brookville-Pyrmont Road Reconstruction Project. Construction will begin on March 21. The water main will be replaced approximately on April 1. Following that will be the installation of storm, street excavation, and then installation of curbs and sidewalks. Substantial completion is scheduled for July 18, 2005.

Member Sanders inquired when Brookville-Pyrmont Road will officially close.

Manager Wright indicated that will be the last thing that happens. Brookville-Pyrmont Road will be closed at various times throughout this project, but access will be made available for homeowners and construction crews for the new school.

Manager Wright reported the ED/GE Grant for Antique Auto received approval.

Manager Wright requested authorization to approve a one-year extension of the existing Fire/EMS Service Agreements between the City of Brookville and Perry Township that expired on December 31, 2004. Manager Wright indicated the Trustees are interested in discussing the merging of services.

Member Hanos commented that she would like to have a work session on the Brookville Fire Departments Vision before meeting with the Township Trustees.

Motion by Garber, second by Ullery to authorize Manager Wright to enter into a one-year extension of the Fire/EMS Service Agreement with Perry Township as requested and recommended by Manager Wright. All yeas, motion carried.

Manager Wright requested authorization to submit a Montgomery County Solid Waste Recycling Grant for the purchase of recycled barricades and recycled park benches.

Motion by Garber, second by Duncan to authorize Manager Wright to submit a Montgomery County Solid Waste Recycling Grant as requested by Manager Wright. All yeas, motion carried.

Manager Wright commented that Council should have a copy of a flyer on the proposed cuts to the Local Government Fund. The flyers were made to make State Legislators aware of the consequences of the proposed cuts, especially to libraries.

Member Duncan asked if the City flag could be replaced at Gateway Park? Manager Wright stated he would take care of that.

Member Garber asked if the Police could patrol the Terrace Park neighborhood more often once spring arrives, as requested by a citizen late last year. Member Garber commented that he read the Planning Commission minutes which indicated the one residence, which the City received numerous complaints on, was recently cleaned up.

Police Chief Preston commented a Neighborhood Watch group is forming in the Terrace Park plat, which will help with some of the problems.

Mayor Seagraves reported Planning Commission held a Special Meeting on Monday, February 28, 2005, in which they approved a Site Plan for a warehouse for Green Tokai containing approximately 125,000 square feet, on the corner of Carr Drive and Robert Wright Drive in the Mosier Industrial Park.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from February 15 through February 28, 2005. Police Chief Preston reported there were 332 calls for service in this time period. The number of reportable incidents are up 39 reports or 40% and the total calls handled were down 63 calls or 4% from this same time last year. The average response time was 1.76 minutes.

Law Director Stephan had no report.

Member Hanos asked Law Director Stephan if he had any information on a Broadband Internet Service Bill she recently heard about?

Law Director Stephan indicated he has not heard any specifics on the Bill, but he could look into it.

Director of Finance/Clerk Keaton presented the February 28, 2005 Fund Balance for review and approval.

Motion by Garber, second by Reel to approve the February 28, 2005 Fund Balance as presented. All yeas, motion carried.

Director of Finance/Clerk Keaton reported Council should have a copy of the Municipal Leadership Training Academy schedule of classes for 2005. If any Council Member is interested in attending, the City will pay the registration fee.

Mayor Seagraves announced a Press Conference was recently held for the announcement that Eastern USA Sports will be locating in Brookville. Eastern USA Sports will be housed in a 140,000 square foot facility located near I-70 off West Upper Lewisburg-Salem Road, next to the new Brookville National Bank under construction. Mayor Seagraves stated this is a great asset for the community.

Mayor Seagraves announced Brookville Church of the Nazarene will be recognizing community leaders at their 10:40 a.m. worship service on Sunday, March 13, 2005. Any Council Member that is interested and available to attend, should contact Clerk Keaton, so a call can be made to the church with the names of the individuals attending.

Member Garber asked if Certificates of Recognition could be prepared for the individuals that participated with AmeriCorps this year? Clerk Keaton commented that she would take care of those.

Motion by Sanders, second by Reel to read proposed Ordinance No. 2005-03. All yeas, motion carried.

Motion by Sanders, second by Reel to accept the third reading and adopt Ordinance No. 2005-03 entitled "AN ORDINANCE AMENDING SECTION 503.01-503.04 FOR THE CONTROL OF WEEDS AND VEGETATION IN THE CITY OF BROOKVILLE." All yeas, motion carried.

Motion by Duncan, second by Garber to read proposed Resolution No. 05-06 through Resolution No. 05-11. 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. 05-06 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE CITY MANAGER, AND DECLARING IT AN EMERGENCY," Resolution No. 05-07 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE ASSISTANT CITY MANAGER, AND DECLARING IT AN EMERGENCY," Resolution No. 05-08 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL, AND DECLARING IT AN EMERGENCY," Resolution No. 05-09 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF FIRE, AND DECLARING IT AN EMERGENCY," Resolution No. 05-10 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF POLICE, AND DECLARING IT AN EMERGENCY," and Resolution No. 05-11 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF LAW, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Member Duncan inquired if Council would like to hold a work session to go over the information that was gathered by Law Director Stephan on the withdrawal from townships. Discussion followed.

A work session is scheduled for Tuesday, March 29, 2005 at 7:00 p.m. in the Council Chambers to discuss the withdrawal from townships.

Member Reel asked on the status of Lee's Chicken?

Manager Wright commented there is nothing new to report.

Assistant Manager Sewert commented a property maintenance violation notice was sent to Lee's last week on their snow fence and debris.

Member Hanos inquired on the status of the proposed log home next to Interstate 70.

Assistant Manager Sewert stated Kuhn's Bros. are still in compliance with their Building Permit.

Discussion followed on what steps should be taken to move the project along. The consensus of Council is to draft a letter from Council to Mr. Don Shellabarger indicating their desire to see that particular log home completed, in the very near future.

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


Sonja M. Keaton, Clerk


David Seagraves, Mayor