

BROOKVILLE CITY COUNCIL
REGULAR MEETING
November 15, 2005

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on November 15, 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 Reel, second by Duncan to accept the November 1, 2005 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Seagraves congratulated Garnett Buckley, who was in attendance, for receiving the "Citizen of the Year" award from the Brookville Chamber of Commerce at their annual banquet.

Garnett Buckley, of 31 March Avenue, commented that Margo Cantrell, President of the Brookville Chamber of Commerce, did an excellent job with the Brookville Community Picnic this past year, with the number of food vendors and the layout of the picnic.

Manager Wright requested authorization and approval for a Change Order on the Albert Road Storm Sewer Replacement Project.

Motion by Garber, second by Ullery to authorize and approve Change Order #2 on the Albert Road Storm Sewer Replacement Project, increasing the amount by \$4,281 for removal and demolition of concrete, installation of additional sidewalk, curb, gutter and approach, changing the contract price from \$147,429.50 to \$151,710.50 as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the Market Street Project is nearing completion. Flag poles, benches, trash receptacles and a drinking fountain have been installed near the bikeway along Market and Sycamore Streets. Colored concrete was also installed in this area.

Manager Wright thanked Mr. Walker for the removal of the abandoned house on his property, near Interstate 70.

Manager Wright reported 15 handicap ramps will be installed soon along Arlington Road, as part of the 2005 Sidewalk Program.

Manager Wright reported the leaf pickup program is continuing on a daily basis and should be completed in two to three weeks.

Police Chief Preston presented an overview of the Incident List and Brookville Police Department Time Analysis from November 1 to November 14, 2005. Police Chief Preston reported there were 282 calls for service in this time period. The number of reportable incidents are up 42 reports or 6.1% and total calls handled are down 1,112 or 13.9% from this same time last year. The average response time was 2.47 minutes.

Police Chief Preston reported the Brookville Police Department conducted a "buy bust" drug operation on November 9, 2005, and as a result was able to purchase 1/4 lb. of marijuana. The individual was arrested and incarcerated on charges of trafficking in marijuana.

Law Director Stephan had no report.

Finance Director/Clerk Keaton reported the City had received notification from the Ohio Division of Liquor Control that El Grecos Pizza Villa II Inc., d.b.a. El Grecos Pizza Villa had filed an Application for a new D1 and D2 liquor permit for 302 Market Street, Brookville, Ohio. Council has the authority to either request a hearing on the advisability of issuing the permits or waiving the hearing.

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Motion by Garber, second by Reel to not request a hearing for El Grecos Pizza Villa II Inc., 302 Market Street, for a new D1 and D2 liquor permit with the Ohio Division of Liquor Control. All yeas, motion carried.

Finance Director/Clerk Keaton commented in reviewing the 2006 calendar, the July 4 holiday falls on the first Council meeting in July, so the regular Council meeting will need to be rescheduled. Finance Director/Clerk Keaton recommended the meeting be rescheduled for the following day, Wednesday, July 5 and asked Council Members to review their calendars.

Finance Director/Clerk Keaton reported the Ohio Bureau of Workers' Compensation announced the Oversight Commission has approved its recommendation to reduce premium rates for public employer taxing districts by an average of 1 percent. This reduction is the first for public employers since 1999.

Finance Director/Clerk Keaton requested an Executive Session on a Personnel Matter.

Mayor Seagraves had no report.

Motion by Duncan, second by Sanders to read proposed Ordinance No. 2005-08. All yeas, motion carried.

Motion by Reel, second by Garber to accept the third reading and adopt Ordinance No. 2005-08 entitled "AN ORDINANCE REZONING CERTAIN LOTS OF THE REVISED AND CONSECUTIVE NUMBERS OF LOTS OF THE CITY OF BROOKVILLE, OHIO, FROM ITS PRESENT CLASSIFICATION OF "GB" GENERAL BUSINESS TO THE NEW CLASSIFICATION OF "R-2" URBAN RESIDENTIAL." All yeas, motion carried.

Motion by Sanders, second by Reel to read proposed Ordinance No. 2005-09. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the third reading and adopt Ordinance No. 2005-09 entitled "AN ORDINANCE AMENDING SECTION 1103.03 OF THE CODE OF ORDINANCES TO INCLUDE DEFINITIONS RELATED TO THE REGULATION OF SEXUALLY ORIENTED BUSINESSES AND AMENDING THE DEFINITION OF ADULT ENTERTAINMENT FACILITIES; AMENDING SECTION 1145.02 OF THE CODE OF ORDINANCES TO MAKE SEXUALLY ORIENTED BUSINESSES A PERMITTED USE IN I-2 GENERAL INDUSTRIAL DISTRICT; ESTABLISHING SEXUALLY ORIENTED BUSINESSES DEVELOPMENT STANDARDS SECTION 1145.03(g); AMENDING SECTION 1137.02(b)(12) TO DELETE ADULT ENTERTAINMENT FACILITIES AS A SPECIAL USE WITHIN THE GENERAL BUSINESS DISTRICT; AND DELETING THE SPECIAL USE REQUIREMENTS FOR ADULT ENTERTAINMENT FACILITIES IN SECTION 1163.03(b)(1)." All yeas, motion carried.

Finance Director/Clerk Keaton reported proposed Resolution No. 05-27 is a 3.75% wage increase for full-time hourly workers for 2006, which is the same percentage increase the members of the Ohio Patrolmen's Benevolent Association received during Contract negotiations.

Motion by Duncan, second by Sanders to read proposed Resolution No. 05-27. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading of proposed Resolution No. 05-27. All yeas, motion carried.

Member Duncan commented he heard that Jim Chase has decided to relocate his business in the former Black Electric building, in lieu of constructing a new facility within the NorthBrook Industrial Park.

Manager Wright commented it was a hard decision for Mr. Chase to make, but he received an offer he could not refuse. This move also eliminates a vacant building within the City. Manager Wright stated the City can still assist with marketing that particular lot that Mr. Chase purchased in the NorthBrook Industrial Park.

Member Duncan asked if the City should look into purchasing the two tracts of land back from the people that bought the land?

Motion by Duncan, second by Garber to go into Executive Session on a Personnel Matter as requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

Finance Director/Clerk Keaton requested Council adopt a Policy for re-employment of a retiree under the Ohio Public Employee Retirement System (OPERS) and to incorporate the Policy within the Brookville Personnel Manual.

Motion by Garber, second by Ullery to adopt a Policy for re-employment of a retiree under the Ohio Public Employee Retirement System (OPERS) and to incorporate the Policy within the Brookville Personnel Manual as requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Motion by Sanders, second by Duncan to set a Public Meeting for Tuesday, January 3, 2006 at 7:00 p.m. in the Council Chambers for the consideration of rehiring John R. Wright as City Manager for the City of Brookville after his retirement from the City of Brookville.

Member Garber asked Finance Director/Clerk Keaton to review the budget to see if it is feasible for the City to purchase the tracts of land that have been sold in the NorthBrook Industrial Park.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor