

BROOKVILLE CITY COUNCIL
REGULAR MEETING
October 4, 2005

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on October 4, 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, Fire Chief Nickel, Police Sergeant Jerome and Director of Finance/Clerk Keaton were present. Police Chief Preston was absent.

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 September 20, 2005 Regular Meeting Minutes as presented, with additional language to be included in the September 6, 2005 Regular Meeting Minutes that Member Hanos inquired if the City currently has a Disaster Plan. Extensive discussion was held on both the City's and the Montgomery County Emergency Management Disaster Plans that are currently in place and the updates being reviewed at this time. All yeas, motion carried.

Carl Snedeker, of 827 Shaney Lane, stated he was concerned about the comments that were made at the last Council meeting regarding the screens that are in place over the outflow of the retention ponds in the Arlington Woods Subdivision, and why they had to be removed. Mr. Snedeker and a couple other homeowners of the Subdivision, commented there is a relief drain that would assist with draining, should there be a lot of water in the ponds. There is also a grate right behind the drainage exit.

Manager Wright stated he asked the Service Department to check out the drains at the retention ponds, due to the high water level. Screens were found over the outflows of the ponds, and they seemed to be full of debris, which prevented the ponds from properly draining.

Mayor Seagraves stated to the citizens of Arlington Woods in attendance, the City is looking out for their best interest.

Wayne Ward, of 951 Calmer Ernst Blvd., commented the Market Street improvements look good.

Gary Horstman, representing the Brookville Historical Society, thanked Assistant Manager Sewert for his assistance in allowing the Society to place a whistle sign near the Depot.

Mary Hill, of 363 Leisure Drive, commented there are several businesses in Brookville, Lamplighter and the Brookville Party Supply and Drive Thru, which are in need of repair. Their condition really hurts the community.

Mary Hill asked if there are any plans in the works for the former Brookville School property on N. Hill Street?

Mayor Seagraves stated we are not aware of anything at this time.

Manager Wright reported there are two proposed Resolutions before Council tonight, requesting Council support. Proposed Resolution No. 05-25 endorses State Issue 1 on the November 8, 2005-ballot. Manager Wright commented Issue 1 is a bond issue intended to create jobs and support economic growth. It is made up of three programs, one will renew a popular program that rebuilds local roads, bridges, water and sewer systems, the old Issue 2; another will prepare sites and facilities for business development; the third will support research-based product innovation, company startups and the commercialization of new products. Manager Wright stated there are various groups, such as the Ohio Municipal League, Montgomery County Commissioners, Dayton Chamber and State Representative, Arlene Setzer requesting Council support. Manager Wright reported during the last ten years, the City has received approximately \$1 million in grant assistance from the old Issue 2 program.

Mayor Seagraves commented State Issue 1 is vital to communities, especially smaller communities.

Member Garber expressed concern on State Issue 1, because the State is issuing bonds. The State's budget is too large now.

Motion by Garber, second by Sanders to read proposed Resolution No. 05-25. All yeas, motion carried.

Motion by Duncan, second by Hanos to accept the first reading, dispense with the second and third reading and adopt Resolution No. 05-25 entitled "A RESOLUTION IN SUPPORT OF AMENDING THE OHIO CONSTITUTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATIONS OF THE STATE TO FINANCE LOCAL GOVERNMENT PUBLIC INFRASTRUCTURE CAPITAL IMPROVEMENTS, RESEARCH AND DEVELOPMENT, AND THE DEVELOPMENT OF CERTAIN SITES AND FACILITIES IN OHIO, AND TO EXPAND STATE AND LOCAL GOVERNMENT AUTHORITY REGARDING ECONOMIC DEVELOPMENT, AND DECLARING IT AN EMERGENCY." Garber nay, Hanos yea, Ullery yea, Reel nay, Duncan yea, Sanders yea and Seagraves yea. Motion carried with five yeas and two nays. Member Reel commented he voted nay because he was not familiar with proposed Issue 1, and the need for the emergency measure.

Manager Wright reported proposed Resolution No. 05-26 endorses the Greater Dayton Compact Principals as approved by the Board of Directors of the Miami Valley Regional Planning Commission. Manager Wright reported the Board of Directors of the MVRPC has approved a set of Regional Principles developed to serve as a framework for action that will guide, but not prescribe, regional and local planning and decision making. Manager Wright stated this is an attempt to further regional cooperation, and recommended Council approval. Discussion followed.

Motion by Garber, second by Ullery to read proposed Resolution No. 05-26. All yeas, motion carried.

Motion by Garber, second by Hanos to accept the first reading of proposed Resolution No. 05-26. Hanos yea, Ullery yea, Reel abstains, Duncan yea, Sanders yea, Garber yea and Seagraves yea. Motion carried with six yeas and one abstention.

Manager Wright gave an update on the various projects. Manager Wright reported the installation of sidewalk and curb is complete, the lighting and trees have been installed on the Market Street Reconstruction Project. Paving of the roadway will take place this week, to allow for the regular procession of the Fire Prevention Parade scheduled for Saturday. The corner of Market and Sycamore Streets will not be completed by Saturday.

Manager Wright reported the storm sewer is installed on the Albert Road Project. The curb and pavement repair will take place soon. That Project should be wrapped up next week.

Manager Wright requested Council authorization and approval for a Change Order on the Brookville-Pymont Road/Western Avenue Reconstruction Project. Discussion followed.

Motion by Garber, second by Ullery to authorize and approve Change Order #1 on the Brookville-Pymont Road/Western Avenue Reconstruction Project increasing the amount by \$13,816.13, changing the total contract price from \$636,660.49 to \$650,476.62 for additions and deletions to the project as recommended by Manager Wright and City Engineer Schroeder. All yeas, motion carried.

Manager Wright reported the City is conducting a recycling survey for Brookville residents to learn what the citizens would like to see in recycling, in order for the City to determine the most cost effective way for collection and disposal of commingled recyclable materials. Manager Wright commented the survey is simple, it contains five questions. The survey will be mailed out to citizens of Brookville later this week. Citizens may drop off their answers at the City building, in person or in the night drop, or they can mail it back in. The survey can also be completed on the City's website, www.brookvilleohio.com.

Manager Wright reported a meeting to learn about the "FAIR TAX", a bill that is in Congress, is scheduled for October 6, 2005 at 7:30 p.m. in the Brookville High school Auditorium for those interested in attending.

Manager Wright extended his congratulations and appreciation to Police Chief Preston and the Brookville Police Department for their exceptional job in the arrest of eight individuals during a recent drug raid. Manager Wright also thanked the New Lebanon Police Department for their assistance during this raid. Manager Wright and Mayor Seagraves both commented the raid was very successful and efficient; there was no violence involved.

Member Reel asked if there has been any discussion on rezoning the City lots, across from the new Brookville School complex?

Manager Wright stated there are two separate lots in this area. Manager Wright commented there has been some interest for residential development. Manager Wright stated he would first like to obtain an appraisal for the area, before discussing any options.

Law Director Stephan commented it would be best to wait to see who may be interested, before rezoning the two lots.

Member Garber asked if the Caretaker has taken possession of the Cabin?

Manager Wright stated he has.

Fire Chief Nickel reported he is continuing to work on and obtain approval for the City's Disaster Plan, in light of significant changes that will be coming down from the Federal Government, due to the recent hurricanes.

Fire Chief Nickel presented a brief overview of the Fire Department's activities for the 58th Annual Fire Department Parade and Festival. Fire Chief Nickel commented the Fire Department will be using a trailer, donated by DG Equipment, for their bandstand. DG Equipment would like to set up the trailer on Friday, due to scheduling difficulties. Discussion was held on moving it across the street, in front of the former Brookville National Bank. The consensus of Council is that it is ok to set the trailer up on Friday afternoon, if needed.

Fire Chief Nickel mentioned the large flag will hang from the Brookville National Bank building in lieu of across the roadway.

Police Sergeant Jerome commented all eight individuals, arrested during the recent drug raid, have been arraigned.

Law Director Stephan had no report.

Finance Director/Clerk Keaton presented the September 30, 2005 Fund Balance for review and approval.

Motion by Reel, second by Garber to approve the September 30, 2005 Fund Balance as presented. All yeas, motion carried.

Finance Director/Clerk Keaton reported the City has been accepted to participate in a 70% group discount for the 2006 Workers' Compensation Group Rating Program. The group premium savings totals approximately \$70,000 and will be applied to the 2006 payroll reports, payable in 2007.

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

Mayor Seagraves requested Council approval for Brookville High School to hold their annual Homecoming Parade on October 13, 2005.

Motion by Garber, second by Sanders to authorize the Brookville High School Homecoming Parade to be held on October 13, 2005 with the line-up to start at 5:30 p.m. and parade to begin at 6:30 p.m. The parade will start at Cusick Avenue and proceed left onto Albert Road, left onto Salem Street, left onto Market Street, left onto Wolf Creek Street, right onto Westbrook Road and left onto June Place. All yeas, motion carried.

Mayor Seagraves reminded everyone about the AMVETS Post 1789 "Weekend Benefit for PALS For Life Breast Cancer Fund" to be held this Saturday and Sunday.

Mayor Seagraves reminded everyone that trick-or-treat is scheduled for Monday, October 31, 2005 from 6:00 to 7:30 p.m.

Motion by Duncan, second by Reel to read proposed Ordinance No. 2005-10. All yeas, motion carried.

Motion by Reel, second by Duncan to accept the second reading of proposed Ordinance No. 2005-10. All yeas, motion carried.

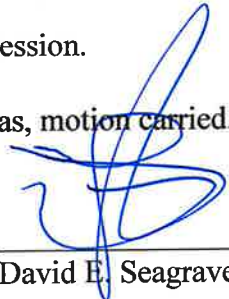
Motion by Garber, second by Sanders to go into Executive Session on a Personnel Matter as requested by Finance Director/Clerk Keaton. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor