

BROOKVILLE CITY COUNCIL
REGULAR MEETING
September 6, 2005

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:32 p.m. on September 6, 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 Chief Preston and Director of Finance/Clerk Keaton were present.

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

Motion by Sanders, second by Reel to accept the August 16, 2005 Regular Meeting Minutes as presented. Sanders yea, Duncan abstains, Reel yea, Ullery yea, Hanos yea, Garber, yea, Seagraves yea. Motion carried with six yeas and one abstention.

Dan Swigart, of 803 Shaney Lane, inquired on what rules the City has regarding signage on vehicles. Mr. Swigart indicated he lives on a corner lot and stated there is a neighbor who parks his company pickup truck along the side of his property. Mr. Swigart commented this takes away from his property.

Law Director Stephan replied the City's sign ordinance does not apply to signs on a truck while operated in the normal course of a business.

Mayor Seagraves commented the neighbor is parking his vehicle on a public street, there isn't a whole lot the City can do.

Carl Snedeker, of 827 Shaney Lane, commented this situation is unique, in that Mr. Swigart lives on a corner lot, and he recently completed a deck to sit out on. The vehicle parks in this area, and that is what Mr. Swigart has to look at all the time when he sits on his deck.

Member Hanos asked Mr. Swigart if he has spoken with this neighbor? Mr. Swigart stated he has not.

Chief Preston stated he would go and speak with this individual to try and resolve the issue.

Manager Wright reported bids were recently opened for the "2005 Asphalt Resurfacing and Pavement Removal Project" and recommended that Council accept the lowest and best bid from Barrett Paving Materials, Inc.

Motion by Garber, second by Ullery to accept the low bid of \$43.50 per ton for asphalt overlay, and \$1.60 per square yard for pavement removal, Contractor keeps materials from Barrett Paving Materials, Inc. for the "2005 Asphalt Resurfacing and Pavement Removal Project" as recommended by Manager Wright. All yeas, motion carried.

Manager Wright gave an update on the various projects throughout the City. The Market Street Project should have an approximate completion date of October 28, 2005. Manager Wright reported all of the underground work has been completed. Once we get closer to the Fire Prevention Parade date, we will make a decision if the parade has to be rerouted. The projected completion date for the Albert Road Storm Sewer Project is October 14, 2005. Due to some problems with the depth of the sewer, the project had to be rerouted and this may create a Change Order in the near future. Manager Wright reported the widening of West Upper Lewisburg-Salem Road is progressing well. Manager Wright commented the Caretaker Cabin project will be completed this week or next. Park Board would like to hold a ribbon cutting ceremony; Council will be invited to attend.

Manager Wright reported Council appropriated funds for the purchase of a portable pump, which would be used for standby power for the seven lift stations the City owns, during a power outage. Manager Wright commented he has reviewed what would be the most appropriate way to operate these lift stations during a power outage. Manager Wright commented it was determined the City would be better off purchasing a generator and to have the lift stations retro fitted, so all that would need to take place during a power outage, is to plug the generator in for a short while to activate the lift station into operation for a period of time, until power is restored.

Member Garber stated that was thinking ahead and a good move.

Member Garber inquired on the restriping Western Avenue between Westbrook and Blue Pride Dr.

Manager Wright stated the restriping of the roadway has not taken place yet. Manager Wright commented he researched the best way to do this, and that is to grind the current stripes off of the roadway and to repaint the street with double yellow lines down the middle, with turn lanes into the school and onto Westbrook Road.

Member Reel asked if the stop sign located in the roadway at Westbrook Road and Western Avenue has caused any problems yet?

Manager Wright stated he is not aware of any problems. Some time in the future, the City may create an island in that area, similar to the one on Arlington Road.

Fire Chief Nickel requested authorization to hold the annual Fire Prevention Parade on October 8, 2005. Fire Chief Nickel reported the Shriners will be in attendance again this year. Garage sales will be set up behind Fire Station #1 and Market Street from 7:00 a.m. to 4:00 p.m.

Motion by Sanders, second by Hanos to authorize the Brookville Fire Prevention Parade to be held on Saturday, October 8, 2005 with the parade to start at 2:00 p.m. and to allow the Brookville Fire Department to hold a community garage sale in the rear parking lot of Station 76 and along Market Street, from 7:00 a.m. to 4:00 p.m., to block off Mulberry Street, from Main Street to Hay Avenue for various demonstrations by the Brookville Fire Department. All yeas, motion carried.

Fire Chief Nickel reported he has been working with the Ohio Task Force during the aftermath of Hurricane Katrina. **

Police Chief Preston presented the Brookville Police Department Time Analysis from August 16, through September 5, 2005. Chief Preston reported there were 429 calls for service in this time period. Chief Preston reported the number of reportable incidents are up 46 reports or 8.9% and total calls handled are down 782, or 12.4% from this same time last year. The average response time was 2.84 minutes.

Police Chief Preston reported he was happy to announce the Brookville Police Department received a \$2,000 donation from the Service Clubs' Golf Outing. The money is earmarked for the Neighborhood Watch Program.

Police Chief Preston reminded everyone that the annual "Cops & Kids Fishing Derby" will be held on Saturday, September 17, 2005 at Golden Gate Park from 8:00 to 11:00 a.m.

Law Director Stephan had no report, but requested an Executive Session on a Real Estate Matter.

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

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

Finance Director/Clerk Keaton requested authorization to adopt proposed Resolution No. 05-24. The adoption of proposed Resolution No. 05-24 is a formal approval of the rates and yields for the inside millage for the City. This authorization is required by the County Auditor in order to collect the City's real and personal property tax.

Motion by Garber, second by Sanders to read proposed Resolution No. 05-24. 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. 05-24 entitled "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Finance Director/Clerk Keaton reported the City of Vandalia Income Tax Department recently reviewed the 2004 withholding reconciliations of 54 Brookville employers that showed a total of 3,375 employees. With that count, they were able to determine that there were approximately 956 Brookville city residents that worked for the 54 Brookville employers, or 28.35% versus 71.65% employees that were not residents of Brookville.

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

Mayor Seagraves announced Council needs to set the date and time for Beggar's Night. The Mayors and Managers Association has recommended Monday, October 31, 2005.

Motion by Duncan, second by Sanders to set Beggar's Night for Monday, October 31, 2005 from 6:00 to 7:30 p.m. All yeas, motion carried.

Mayor Seagraves announced Green Tokai recently held a grand opening of their new warehouse facility located on Carr Drive and Lee's Chicken recently held their grand opening. Mayor Seagraves expressed appreciation and welcomed both additions to the Brookville community. Mayor Seagraves commented Lee's Chicken will hold a ribbon cutting ceremony in the near future.

Member Garber stated he read the Planning Commission Minutes and saw where the Wenger Woods Subdivision contained one cul-de-sac and asked if there was any way to allow for a possible connection to the Terrace Park Subdivision in the future?

Law Director Stephan commented that the Comprehensive Plan update addressed this particular issue. The Comprehensive Plan update proposes the creation of a street south of the proposed Wenger Woods Subdivision that would extend from Brookville-Johnsville Road to the Terrace Park Subdivision.

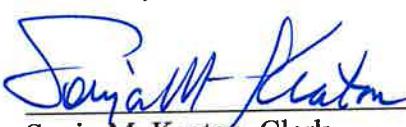
Assistant Manager Sewert stated the baseball and softball fields are located just beyond this particular Subdivision, so this may not be possible.

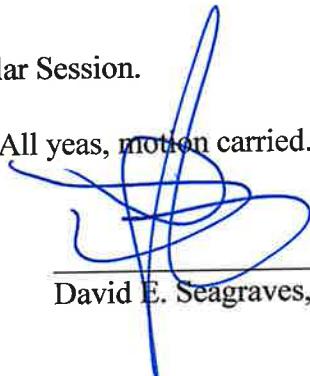
In New Business, Member Duncan requested an Executive Session on an Imminent Court Action.

Motion by Duncan, second by Sanders to go into Executive Session on a Real Estate Matter as requested by Law Director Stephan, a Personnel Matter as requested by Finance Director/Clerk Keaton and on an Imminent Court Action as requested by Member Duncan. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor

**Member Hanos inquired if the City has a Disaster Plan in place?

Chief Nickel indicated the City has a Disaster Plan, it is quite old. Chief Nickel stated the Disaster Plan was last updated in the late 1990's. Chief Nickel commented this is a good time to review and adopt a new Disaster Plan, in light of the situation with Hurricane Katrina. Chief Nickel indicated Montgomery County Emergency Management has a Disaster Plan that is currently in the process of being reviewed and adopted by Montgomery County. Chief Nickel commented several of the surrounding communities are in the process of adopting their own Disaster Plan after the County's Disaster Plan.