

BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 20, 2002

The Regular Meeting of the Brookville City Council was called to order by Mayor Imler at 7:30 P.M. on August 20, 2002 in the City Council Chambers. The Pledge of Allegiance was recited. Members Duncan, Garber, Sanders and Ullery; Manager Wright, Assistant Manager Sewert and Law Director Stephan were present. Member Seagraves arrived later. Member Trimble was absent.

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

Member Seagraves arrived.

Motion by Duncan, seconded by Sanders to accept the August 6, 2002 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Imler welcomed Arlene Setzer, Representative of the 40th District to our Council meeting.

Ron Foeller, representing the Ohio Consumer's Counsel, gave a brief presentation on electric deregulation. Mr. Foeller spoke on the advantages of the electric and natural gas choice programs, how to shop for a new supplier, consumer protections and other helpful information to make the transition to a competitive marketplace a successful one. Previously, one company provided all parts of your electricity including generation (the production of electricity at the power plant), transmission (the poles that carry electricity from the power plant through the countryside) and distribution (the poles and wires used to deliver the electricity to your home). With Electric Choice, you will now be able to choose the company that supplies the generation portion of your electric service. Electric Choice offers you the opportunity to comparison shop for electricity just like you do for any other goods and services. Mr. Foeller reported aggregation allows consumers to pool together utility usage or load and form a buying group. Group purchasing, or aggregation, may allow consumers to secure greater buying power in a competitive market. Mr. Foeller stated the Ohio Consumers' Counsel is the legal representative and residential utility advocate serving as a resource for individuals who have questions and concerns or would like more information, about the services provided by the publicly owned electric, natural gas, telephone and water companies. The state agency also educates consumers about utility issues and resolves complaints from individuals. To receive utility information brochures, schedule a presentation or file a utility complaint, residential consumers may contact 1-877-PICKOCC(1-877-742-5622) or visit the OCC website at www.pickocc.org.

Carl Snedeker, of 857 Shaney Lane, thanked Law Director Stephan for responding to his letter. He stated he would like a representative from the City of Brookville present at a meeting between the developer and homeowners of the Arlington Woods Subdivision. Mr. Snedeker also voiced a complaint to the city on weeds and rubbish on the unsold lots within the subdivision. The city will look into this.

Manager Wright gave his report with the following action taken.

Motion by Duncan, seconded by Ullery to authorize and approve Change Order #2 on the Western Avenue Reconstruction Project increasing the amount by \$16,515.00, changing the total contract price from \$312, 733.25 to \$329,248.25 due to the addition and preparation of stone for the sidewalk, additional storm sewer work and the extension of the N. Hill Street intersection, as recommended by Manager Wright. All yeas, motion carried.

Motion by Garber, seconded by Seagraves to authorize and approve Change Order #1 on the Cusick Avenue Sanitary Sewer Relief Project increasing the amount by \$7,046.00, changing the contract price from \$123,167.00 to \$130,213.00 for working around several storm tiles that were not on the construction plans, working around a 3/4" water service, repair of a 10" and 15" storm sewer, removal of debris in the area of the bikeway and to modify a manhole, as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the City of Brookville has recently received several telephone calls from residents advising they have received phone calls from either the City of Dayton or Brookville posing as employees of the respective water departments attempting to make an appointment to enter the house to check the water meter or water service. Manager Wright stated a notice was published in the Brookville Star and on Brookville's web site to make people aware of the situation. The City of Brookville municipal office generally delivers flyers and/or mails letters to residents when it has been 9 to 12 months since their meter was read last. If anyone has any questions, they can call the city offices at 833-2135.

Manager Wright reported each year problems with traffic at Westbrook Elementary continue as parents drop off or pickup their children from the school. In an effort to reduce this problem, Simmons Street will be one-way, eastbound, from the Brookville Board of Education Office to Clay Street between the restricted hours of 8:30 - 9:30 a.m. and again from 2:45 - 3:45 p.m. A "Do Not Enter" sign, during restricted hours, will be posted on Simmons Street at Clay Street. A "No Right Turn" sign, during restricted hours, will be posted on Clay Street at Simmons Street. It will be required, during the restricted hours that ALL vehicular traffic entering Westbrook School, will enter the school property from June Place and exit using Simmons Street. Manager Wright stated these changes were made at the recommendation of the schools and the city. The new signs will be posted prior to the start of school.

Manager Wright announced the Chamber of Commerce will be holding their Quarterly Business Meeting and Luncheon at noon on Thursday, August 29, 2002. The meeting/luncheon will be held at McGregor and Associates new location, 365 Carr Drive. Manager Wright encouraged Council Members and Administrative Staff to attend if possible.

Member Seagraves thanked the City for all of their assistance in the road closures and trash pickup during the MDA event.

Law Director Stephan had no report.

Director of Finance/Clerk Keaton gave her report with the following action taken.

Motion by Seagraves, seconded by Garber to accept the United HealthCare of Ohio, Plan E, quote at a monthly rate of \$257.19 per single employee; \$509.29 per employee + spouse; \$496.68 per employee + children and \$786.59 per family for health and life insurance for all full time employees. All yeas, motion carried.

Motion by Garber, seconded by Seagraves to not request a hearing on the Patricia Ann Riley, D.B.A. O'Riley's Drive thru & Carry-out, 11 Market Street, application for a C1 carry-out permit with the Ohio Department of Liquor Control. Garber yea, Ullery yea, Seagraves yea, Duncan yea, Sanders yea and Imler abstains. Motion carries with five yeas and one abstention.

Mayor Imler had no report but thanked the City for all their assistance during the MDA event.

Chairperson Watkins, of the Planning Commission, read the Planning Commission's recommendation to Council to move forward with the Comprehensive Land Development update and the formation of a committee that would consist of Administrative Staff, City Engineer Schroeder, Law Director Stephan and one representative each from Planning Commission and Council to review the scope of services that we want to address with the Comprehensive Land Development update. Discussion followed with the following action taken.

Motion by Seagraves, seconded by Garber to appoint Dean Sanders to serve as the Council representative for the internal committee that is being formed to review the scope of services to address with the Comprehensive Land Development update. All yeas, motion carried.

Motion by Duncan, seconded by Garber to read proposed Resolution No. 02-21. All yeas, motion carried.

Motion by Duncan, seconded by Sanders to accept the second reading of proposed Resolution No. 02-21. All yeas, motion carried.

Manager Wright expressed his appreciation to Arlene Setzer for taking the time to meet with the Managers around the area.

Member Garber requested an Executive Session on a Personnel Matter.

Motion by Garber, seconded by Duncan to go into Executive Session on a Personnel Matter. All yeas, motion carried.

Mayor Imler called Council back into Regular Session.

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


Sonja M. Keaton, Clerk


Carole A. Imler, Mayor