

BROOKVILLE CITY COUNCIL
REGULAR MEETING
February 5, 2002

The Regular Meeting of the Brookville City Council was called to order by Mayor Imler at 7:30 P.M. on February 5, 2002 in the City Council Chambers. The Pledge of Allegiance was recited. Members Duncan, Garber, Sanders, Seagraves, Trimble and Ullery; Manager Wright, Assistant Manager Sewert and Law Director Stephan were present.

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

Motion by Seagraves, seconded by Duncan to accept the January 15, 2002 Regular Meeting Minutes as presented. All yeas, motion carried.

Assistant Manager Sewert presented an overhead map of the Applewood Commercial Subdivision and requested approval of the Final Plat.

Motion by Garber, seconded by Seagraves to approve the Final Plat for Applewood Commercial Subdivision as presented, and as recommended and approved by the Brookville Planning Commission, contingent on final approval of the construction plans by the City Manager and City Engineer, and a Performance Surety shall be posted to meet the requirements of the Brookville Design Criteria and Subdivision Regulations. All yeas, motion carried.

Law Director Stephan reported that Planning Commission has recommended that Council approve the Street Dedication of Right-of-Way Plat, for the street located in the City of Brookville's new Industrial Park, off of West Campus Boulevard. Discussion followed.

Motion by Seagraves, seconded by Duncan to approve the Street Dedication of Right-of-Way Plat, for the street located in the City of Brookville's new Industrial Park, off of West Campus Boulevard, as recommended and approved by the Brookville Planning Commission. All yeas, motion carried.

Assistant Manager Sewert presented an overhead map on the re-plat of Harvest Wing Subdivision, Section One, and vacating a portion of East Campus Boulevard. Assistant Manager Sewert requested approval of the Final Plat and reducing the right-of-way on East Campus Boulevard from 90' to 60'. Discussion followed.

Motion by Duncan, seconded by Seagraves to read proposed Ordinance No. 2002-04. Garber yea, Trimble nay, Ullery yea, Seagraves yea, Duncan yea, Sanders yea and Imler yea. Motion carried with six yeas and one nay.

Motion by Duncan, seconded by Seagraves to accept the first reading, dispense with the second and third reading and adopt proposed Ordinance No. 2002-04 entitled "AN ORDINANCE VACATING A PORTION OF EAST CAMPUS BLVD., AND DECLARING IT AN EMERGENCY." Duncan yea, Seagraves yea, Sanders yea, Garber yea, Trimble nay, Ullery yea and Imler yea. Motion carried with six yeas and one nay.

Motion by Garber, seconded by Ullery to approve the Record Plan Re-Plat for Harvest Wing Development, Section One as presented, and as recommended and approved by the Brookville Planning Commission, contingent on final approval of the construction plans by the City Manager and City Engineer, and a Performance Surety shall be posted to meet the requirements of the Brookville Design Criteria and Subdivision Regulations. All yeas, motion carried.

Dick Baker, representing the Optimist Club, requested permission to hold their annual Community Picnic Run on the streets of Brookville. Discussion followed.

Motion by Seagraves, seconded by Garber to approve the request for the Optimist to hold their annual Community Picnic Run during the Community Picnic using the same day and time as last year with an altered course from previous years due to the Western Avenue project. All yeas, motion carried.

Manager Wright requested approval for purchase of a new mower.

Motion by Seagraves, seconded by Duncan to authorize Manager Wright to purchase a 3400 Hustler, 28HP diesel mower, to be used in the parks under ODOT's Cooperative Purchasing Program in the amount of \$15,769.26 as recommended by Manager Wright. All yeas, motion carried.

Manager Wright requested approval to expand our EMS billing into the incorporated and unincorporated areas of Perry Township within the Brookville Fire District.

Motion by Duncan, seconded by Seagraves to approve the EMS billing of residents living in the incorporated and unincorporated areas of Perry Township within the Brookville Fire District. All yeas, motion carried.

Manager Wright reported the city is updating approximately 100 signs this year throughout the city. These signs include new stop, speed limit and school signs.

Manager Wright reported on the four standards that are required in order to become a Tree City USA Community. Discussion followed with no action taken.

Manager Wright requested authorization to advertise for bids for water main and backfill materials for the Western Avenue Reconstruction Project and the Brookville Industrial Campus Roadway/Utility Extension.

Motion by Ullery, seconded by Duncan to authorize Manager Wright to advertise for bids for water main and backfill materials for the Western Avenue Reconstruction Project and the Brookville Industrial Campus Roadway/Utility Extension. All yeas, motion carried.

Manager Wright reported the Montgomery County Commissioners heard testimony last week on two proposed annexations, into the City of Brookville, that were filed in 2001. Manager Wright stated the Commissioners will hand down a decision within 90 days. Manager Wright thanked and complimented Law Director Stephan for his work on the two annexations.

Manager Wright introduced Eric Collins, Economic Development Manager with Montgomery County. Mr. Collins gave a brief overview of the Business First! a Retention & Expansion Program that the city is participating in, along with 15 other communities within Montgomery County. Mr. Collins thanked Council for their acceptance and participation in this program. Mr. Collins also stated that Brookville was successful on their first attempt with this program, with IMI Norgren. Mr. Collins thanked Assistant Manager Sewert, the Dayton Chamber of Commerce, Ohio Department of Development, Montgomery County Commissioners and the Dayton Job Center, for pulling all their resources together in order to keep IMI Norgren in Brookville. Mr. Collins stated the City of Brookville provided an Enterprise Agreement and ED/GE funds in the amount of \$193,000, for IMI Norgren.

Mike Vinski, Vice President/General Manager of IMI Norgren, thanked Council, Assistant Manager Sewert, Law Director Stephan, Montgomery County and everyone else involved for their participation in providing the incentives to keep IMI Norgren in Brookville.

Manager Wright requested an Executive Session on a Personnel Matter.

Law Director Stephan had no report.

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

Motion by Duncan, seconded by Seagraves to accept the January 31, 2002 Fund Balance as presented. All yeas, motion carried.

Motion by Duncan, seconded by Seagraves to appoint Brent Boose to fill the unexpired term of Ron Ullery on the Brookville Planning Commission ending on December 31, 2002 and Kenneth Claggett to fill the unexpired term of Dean Sanders on the Brookville Planning Commission ending on December 31, 2003. Duncan yea, Seagraves yea, Sanders yea, Ullery yea, Trimble yea, Garber yea and Imler abstained. Motion carried with six yeas and one abstention.

Mayor Imler had no report.

Motion by Duncan, seconded by Seagraves to read proposed Ordinance No. 2002-01 through Ordinance No. 2002-03. All yeas, motion carried.

Motion by Duncan, seconded by Garber to accept the third reading and adopt Ordinance No. 2002-01 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.09, FIXING THE TAPPING PERMIT CHARGES, AMENDING SECTION 931.20(a), FIXING THE RATES AND CHARGES TO ALL WATER CUSTOMERS AND AMENDING SECTION 931.22(a), FIXING THE FIRE LINE SERVICE CHARGES IN THE CITY OF BROOKVILLE, OHIO, Ordinance No. 2002-02 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 935.14 (a) AND (c)(1), FIXING THE RATES AND CHARGES TO ALL SEWER CUSTOMERS, AND AMENDING SECTION 935.15 (a), FIXING THE TAP-IN-FEES IN THE CITY OF BROOKVILLE, OHIO and Ordinance No. 2002-03 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 5, SECTION 957.06 (a) AND (d), FIXING THE RATES AND CHARGES TO ALL REFUSE CUSTOMERS SERVICED BY THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

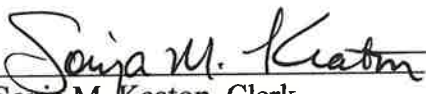
Motion by Seagraves, seconded by Duncan to read proposed Resolution No. 02-05 through Resolution No. 02-10. All yeas, motion carried.

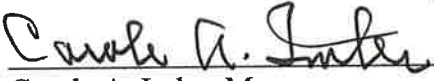
Motion by Duncan, seconded by Seagraves to accept the first reading, dispense with the second and third reading and adopt Resolution No. 02-05 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE CITY MANAGER AND DECLARING IT AN EMERGENCY, Resolution No. 02-06 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE ASSISTANT CITY MANAGER AND DECLARING IT AN EMERGENCY, Resolution No. 02-07 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL AND DECLARING IT AN EMERGENCY, Resolution No. 02-08 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF FIRE AND DECLARING IT AN EMERGENCY, Resolution No. 02-09 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF POLICE AND DECLARING IT AN EMERGENCY and Resolution No. 02-10 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF LAW AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Duncan, seconded by Seagraves to go into Executive Session on a Personnel Matter as requested by Manager Wright. All yeas, motion carried.

Mayor Imler called Council back into Regular Session.

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


Sonja M. Keaton, Clerk


Carole A. Imler, Mayor