

BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 19, 2003

The Regular Meeting of the Brookville City Council was called to order by Mayor Imler at 7:30 p.m. on August 19, 2003 in the City Council Chambers. The Pledge of Allegiance was recited. Members Duncan, Garber, Sanders, Trimble and Ullery; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, and Police Chief Preston were present. Member Seagraves was absent.

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

Motion by Duncan, second by Sanders to accept the August 5, 2003 Regular Meeting Minutes as presented. All yeas, motion carried.

Bob Batz, with the Brookville Fire Department, presented plans for their annual Fire Prevention Parade scheduled for October 11, 2003.

Motion by Garber, second by Ullery to authorize the Brookville Fire Prevention Parade to be held on October 11, 2003 with the parade to start at 2:00 p.m. The parade will start at Station 77 at the corner of Albert Road and Cusick Avenue. The parade route will proceed left onto Albert Road, left onto Salem Street, left onto Market Street, right onto Wolf Creek Street and ending at Boose Chevrolet, to allow the Brookville Fire Department to hold a Community Garage Sale in the rear parking lot of Station 76 from 8:00 a.m. to 3:00 p.m., to block off Mulberry Street from Main to Market Streets, from 12:30 to 4:00 p.m. for equipment demonstrations and to block off the municipal parking lot behind the Post Office for a possible Care Flight demonstration, all to be held on October 11, 2003. All yeas, motion carried.

Dan Graeter, Assistant Manager of the Montgomery County Solid Waste Service Division, provided a slide presentation and a brief overview of the Montgomery County Solid Waste District. Mr. Graeter stated there are 28 district members, which consists of various cities, villages and townships in Montgomery County. Mr. Graeter reported there are two transfer stations in Montgomery County. Mr. Graeter commented that the Montgomery County Solid Waste District provides residents with a variety of daily programs, such as recycling, recovery, litter prevention, reuses and waste disposal services. Mr. Graeter stated the Solid Waste District offers a recycling resource center that offers workshops, presentations/tours, contests and recycling assistance. Mr. Graeter reported the Solid Waste District offers the Montgomery County Material Refuse Facility, MCMRF, which provides reusable materials for non profit organizations (501c), schools and artists.

Manager Wright presented a request from the Brookville Booster Club for permission to paint stencils on S. Clay Street, also known as "Victory Lane."

Motion by Garber, second by Ullery to allow the Brookville Booster Club to paint stencils on S. Clay Street. All yeas, motion carried.

Manager Wright requested authorization to apply for two Issue Two, Ohio Public Works Commission (OPWC) Grants. One Issue Two Grant is a resubmittal of the Arlington Road Reconstruction Project and the other is for the Brookville-Pyrmont, Westbrook Road and Johnsville-Brookville Road Reconstruction Project. Manager Wright commented the City may still be awarded contingency money later this year for the Arlington Road project.

Motion by Garber, second by Duncan to authorize Manager Wright to submit an OPWC Grant for the Arlington Road Reconstruction Project and an OPWC Grant for the Brookville-Pyrmont, Westbrook Road and Johnsville-Brookville Road Reconstruction Project, and to execute any necessary contracts. All yeas, motion carried.

Manager Wright reported bids for the 2003 Street Repaving Project will be opened soon. The streets involved are McKinley Street, from the bridge to Hill Street, Columbia Street, from Hay to Market, Antwerp Avenue, Maple Street, Beechwood Avenue, Ankara Avenue, from Antwerp to Brookside and the Wastewater Treatment Plant driveway.

Manager Wright requested authorization to explore the probability of reconstructing Salem Street, from Main to Market Street, as a reconstruction project for 2004 due to the condition of that roadway.

Motion by Duncan, second by Sanders to allow Manager Wright to research the costs to reconstruct Salem Street, from Main to Market Street, as a reconstruction project for 2004. All yeas, motion carried.

Manager Wright reported various projects throughout the city have recently been completed, such as construction of a new shelter in Ward Park, maintenance of the playground and basketball court and tree trimming at Ward Park, a new fence, a new HVAC/air-conditioning unit in the Christina Leiber Center along with new siding on the exterior of that building.

Manager Wright announced that Merit Abrasives, formerly known as Needmore Abrasives, will be terminating their operations in Brookville at the end of August. Manager Wright commented Merit Abrasives employed 45 people. Manager Wright stated Assistant Manager Sewert contacted the Job Center in Dayton to assist Merit Abrasives and their employees.

Manager Wright requested an Executive Session on a Personnel Matter.

Fire Chief Nickel presented his monthly and yearly activity report for fire and ambulance runs for 2003. Fire Chief Nickel commented the run numbers are almost identical to this same time last year.

Fire Chief Nickel reported he is assigning Bob Batz as the Public Information Officer (PIO) for the Brookville Fire Department. The PIO will plan, organize and coordinate a public relations and information dissemination program for the Brookville Fire Department. Fire Chief Nickel stated Bob Batz will soon retire as a volunteer firefighter from the Brookville Fire Department; with his experience on the Brookville Fire Department and working for the Dayton Daily News, he will make an excellent PIO.

Fire Chief Nickel reported he will have a representative at the Fire Department on August 28, 2003 from 4 - 6:00 p.m. and again from 7 - 8:30 p.m. to demonstrate new EMS billing software.

Fire Chief Nickel reported he is in the process of creating an eight to ten-year Master Plan for the Brookville Fire Department. Fire Chief Nickel commented he is forming a committee of various representatives, within the Brookville Fire District, to work on drafting a Master Plan. The committee will then present their recommendations to Council.

Police Chief Preston presented an overview of the Incident List and the Brookville Police Department Time Analysis from August 5 - August 18, 2003. Police Chief Preston reported there were 357 calls for service in this time period. Police Chief Preston reported the number of reportable incidents are down approximately 2%, and the total calls handled are up approximately 20% from this same time last year.

Police Chief Preston reported the Brookville Police Department is participating with the Defense Logistics Re-utilization Program at Wright Patterson Air Force Base, which provides access to surplus property that the City can benefit from.

Law Director Stephan reported he has prepared a draft ordinance prohibiting skateboarding in the Community Center (CC) zoning district. Law Director Stephan commented that our current ordinance regarding skateboarding also includes rollerblading and in-line skating. Does Council want to include rollerblading and in-line skating in with the skateboarding ordinance? Law Director Stephan stated the draft ordinance excludes the bikeway because a portion of the bikeway is in the CC zoning district and it is his opinion that it would be impractical to prohibit skateboarding on the bikeway in this area, and not on the rest of the bikeway. Law Director Stephan stated we also need to address the appropriate penalty for the new ordinance. Law Director Stephan commented the draft ordinance uses the current penalty found in Section 377.99 of the Code of Ordinances. Law Director Stephan stated several members of Council have expressed an interest in expanding the no skateboarding area to the area on Market Street, north of the bikeway and south of Jefferson Street. Discussion followed. The consensus of Council is to address skateboarding only in the new ordinance, impose the same penalty as in Section 377.99 of the Code of Ordinances and to include Market Street, north of the bikeway and south of Jefferson Street, Hay Avenue and Main Street from Wolf Creek to the bikeway. Discussion continued on allowing skateboarding in the streets. Law Director Stephan commented he will research if any cities currently prohibit skateboarding in streets.

Finance Director/Clerk Keaton had no report.

Mayor Imler reported Montgomery County Commissioner Charles Curran will be speaking at the September 16, 2003 Council meeting on behalf of the Human Services Levy. Mayor Imler asked Council if they would like to endorse the passage and show support of the 2003 Human Services Issue at that meeting? The consensus of Council is to wait on any endorsement or show of support until Commissioner Curran speaks about the Human Services Issue.

Mayor Imler stated Council needs to set the time for Beggar's Night, which will be held on Thursday, October 30, 2003.

Motion by Duncan, second by Garber to set Beggar's Night for Thursday, October 30, 2003 from 6:00 to 7:30 p.m. All yeas, motion carried.

Mayor Imler reminded Council members to RSVP to Brookville Schools on the Ground Breaking Ceremony that will be held on Friday, August 29, 2003.

Motion by Duncan, second by Trimble to read proposed Resolution No. 03-15 and Resolution No. 03-16. 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. 03-15 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING IT AN EMERGENCY," and Resolution No. 03-16 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2003-05. All yeas, motion carried.

Member Duncan asked if Council could receive a copy of the Joint Venture Agreement. Manager Wright stated a copy will be available for Council at the next Council meeting.

Motion by Garber, second by Duncan to accept the first reading of proposed Ordinance No. 2003-05. All yeas, motion carried.

In Old Business, Member Ullery commented the intersection of Western, Wolf Creek and Market is looking quite bad with the number of vehicles sitting on all of the corners and the condition of some of the buildings and properties. Member Ullery stated that area is the main entrance into the downtown area of Brookville, and it should be addressed to improve the appearance. Manager Wright commented that he will look into the issues, but most are in compliance.

Member Duncan inquired on the former Doc's Pub building located on Market Street. Manager Wright reported the building was recently sold at the Sheriff's Auction for \$17,000. Manager Wright commented a property maintenance letter will be sent to the new owner, as soon as the deed is transferred.

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


Sonja M. Keaton, Clerk


Carole A. Imler, Mayor