

BROOKVILLE CITY COUNCIL
REGULAR MEETING
April 6, 2004

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:33 p.m. on April 6, 2004 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 Duncan to accept the March 16, 2004 Regular Meeting Minutes as presented. All yeas, motion carried.

Chuck Letner, of 248 Johnsville-Brookville Road, presented his safety concerns if Brookville-Pyrmont Road is closed between Westbrook and Johnsville-Brookville Roads.

Mayor Seagraves stated Council will consider his concerns when discussing the future of Brookville-Pyrmont Road between Westbrook and Johnsville-Brookville Roads.

Linda Leeth, of 254 Johnsville-Brookville Road, stated she agrees with Mr. Letner's safety concerns should a portion of Brookville-Pyrmont Road be closed.

Margo Cantrell, owner of The Point at Brookville located at 206 Johnsville-Brookville Road, stated she would like to see Brookville-Pyrmont Road, between Westbrook and Johnsville-Brookville Roads, left open for her business.

Manager Wright reported the 2004 Annual Water/Sewer Survey, which was conducted by the City of Englewood, conveys Brookville as 15th out of 65 communities on combined water and sewer rates, 33rd out of 70 communities on water rates and 8th out of 65 communities on sewer rates. Manager Wright commented the City improved its standing on two of the three categories from 2003.

Manager Wright reported the Albert Road Project is almost completed. All of the utility components are installed.

Manager Wright reported the City recently took delivery on a new Vermeer Brush Chipper, Ford Pickup Truck and a Turf Mower.

Manager Wright commented that the City has been working on clearing out the land that was donated to the City last year, which is just beyond the SK8 Park. This will enable the City to construct a connector between the SK8 Park and the Bikeway.

Manager Wright reported Community Cleanup Day was a major success. A lot of work was accomplished.

Manager Wright requested an Executive Session on two Real Estate Matters.

Manager Wright reported the various Department Heads will give a presentation of their section of the 2003 Annual Report.

Assistant City Manager Sewert presented highlights of the various departments under the direction of the Service Department, Planning, Community Development, Economical Growth, Grants, Zoning, Property Maintenance and Building portion of the 2003 Annual Report with questions and discussion.

Finance Director/Clerk Keaton presented highlights of the Finance and Administration, Personnel, Enterprise Funds and Clerk of Council portion of the 2003 Annual Report with questions and discussion.

Police Chief Preston presented highlights of the Police Department's portion of the 2003 Annual Report with questions and discussions. Police Chief Preston announced Patrolman Randy Price recently underwent major surgery. He has been released and is at home recovering. Police Chief Preston also announced that Patrolman David Jacoby recently submitted his resignation as a full-time employee, but will continue as a part-time employee with the Brookville Police Department. Patrolman Jacoby accepted a full-time position as an Assistant General Manager with a private company.

Fire Chief Nickel presented highlights of the Fire Department's portion of the 2003 Annual Report with questions and discussions.

Manager Wright and Council thanked the City staff for their reports and presentation.

* Member Sanders inquired if the City knew what the annual costs would be to operate a water park?

Manager Wright commented that we do not have those figures, but we will try to obtain some figures.

Mayor Seagraves thanked Manager Wright and the City staff who participated with the Community Cleanup Day. It was a great success.

Law Director Stephan announced on March 30, 2004, the Montgomery County Commissioners approved the proposed annexation of 68.522 acres along E. Westbrook Road to the City of Brookville. Law Director Stephan stated there is a 60-day waiting period before we can accept the annexation into Brookville.

Law Director Stephan reported Resolution No. 04-08 is accepting the recommendation of the Tax Incentive Review Council for continuation of the Enterprise Zone Agreement for Green Tokai Company, Ltd. and Resolution No. 04-09 is accepting the recommendation of the Tax Incentive Review Council for continuation of the Enterprise Zone Agreement for I.M.I Norgren, Inc. Law Director Stephan commented that both companies are exceeding the number of employees that are required by the Enterprise Zone Agreements. Discussion continued.

Motion by Duncan, second by Sanders to read proposed Resolution No. 04-08 and Resolution No. 04-09. All yeas, motion carried.

Motion by Duncan, second by Ullery to accept the first reading, dispense with the second and third reading and adopt Resolution No. 04-08 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR CONTINUATION OF THE ENTERPRISE ZONE AGREEMENT OF GREEN TOKAI CO. LTD., AND DECLARING IT AN EMERGENCY" and Resolution No. 04-09 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FOR CONTINUATION OF THE ENTERPRISE ZONE AGREEMENT OF I.M.I. NORGREN, INC., AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Law Director Stephan explained the revisions that were made to the two proposed skateboarding Ordinances as requested by Council and citizens. Discussion followed.

Motion by Duncan, second by Sanders to read proposed Ordinance No. 2004-01 and Ordinance No. 2004-02. All yeas, motion carried.

Motion by Duncan, second by Ullery to accept the second reading of proposed Ordinance No. 2004-01 and Ordinance No. 2004-02. All yeas, motion carried.

Law Director Stephan commented he reviewed Member Garber's previous question on the displaying of adult reading material; displaying of adult magazines does not fit under our current adult statute.

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

Motion by Duncan, second by Sanders to approve the March 31, 2004 Fund Balance as presented. All yeas, motion carried.

Motion by Garber, second by Duncan to waive the right to object to the renewal of the yearly permits to sell alcoholic beverages in the City that expire on June 1, 2004. All yeas, motion carried.

Member Duncan requested an Executive Session on a Confidential Matter.

Motion by Duncan, second by Ullery to read proposed Ordinance No. 2004-03. All yeas, motion carried.

Motion by Reel, second by Duncan to accept the first reading of proposed Ordinance No. 2004-03. All yeas, motion carried.

Mayor Seagraves set a Public Hearing for proposed Ordinance No. 2004-03 for May 4, 2004 at 8:00 p.m.

In New Business, Member Duncan remarked that a citizen recently contacted him to see if it is possible to eliminate truck traffic on Albert Road, from the bikeway to Westbrook Road, due to yards being torn up at the intersection of Albert and Westbrook Roads. If we can't eliminate truck traffic, could guardrails be installed? Manager Wright stated he does not want to install guardrails at that intersection. Manager Wright commented that he viewed that area last year, after receiving complaints, but he did not see any damage. Manager Wright stated he will take a look at the situation again. Manager Wright commented that he does not have a problem with restricting truck traffic in this area.

Motion by Duncan, second by Ullery to go into Executive Session on Real Estate Matters as requested by Manager Wright and on a Confidential Matter as requested by Member Duncan. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor