

BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 17, 2004

The Regular Meeting of the Brookville City Council was called to order by Vice Mayor Ullery at 7:30 p.m. on August 17, 2004 in the City Council Chambers. The pledge of allegiance was recited. Members Duncan, Garber, Hanos, Reel, and Sanders; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, Police Chief Preston and Director of Finance/Clerk Keaton were present. Mayor Seagraves was absent.

Motion by Duncan, second by Sanders to accept the Agenda with additions. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the August 3, 2004 Regular Meeting Minutes as presented. All yeas, motion carried.

Bob and Sally Batz, representing the Brookville Fire Department displayed the new dress uniforms for the Brookville Fire Department, which was partially paid by memorial donations in honor of Bill Mills at the families request.

Bob and Sally Batz presented plans for the annual Brookville Fire Prevention Parade scheduled for October 9, 2004. The parade will feature 38 marching units from the Dayton Antioch Shriners, Brookville High School Marching Band and approximately 20 Miami Valley Fire Department vehicles. The annual chicken barbecue will be held at Station 76 beginning at noon along with a CERT exhibit and a four-hour radio broadcast by WFCJ-FM(93.7).

Motion by Duncan, second by Garber to authorize the Brookville Fire Prevention Parade to be held on October 9, 2004 with the parade to start at 2:00 p.m. The parade will start at Carr Drive and proceed right on Albert Road, left on Salem Street, left on Market Street, right on Wolf Creek Street and ending at Boose Chevrolet, and to allow the Brookville Fire Department to hold a Community Craft/Garage Sale in the rear parking lot of Station 76 and along Market Street, from 7:00 a.m. to 5:00 p.m., to block off Mulberry Street, from the end of the Post Office parking lot to Hay Avenue for ambulance and auto extrication demonstrations and Market Street during the parade. All yeas, motion carried.

Ed Stutz, representing Brookville Grace Brethren Church, stated the Mission Board of the church along with the help of Operation Barnabas conducted a survey of the Brookville area, where eight questions were asked of 151 people over a wide area of Brookville. Copies of the survey were distributed to Council. The church thought it might be helpful for the Council Members to see the results of the survey.

Janet Malone, President of the Brookville Chamber of Commerce, reported she recently met with the fireworks representative and requested Council approval to appropriate \$8,000 for the 2005 fireworks display to be held at the end of the Community Picnic, which will be bigger and better than in previous years. Ms. Malone stated the City has paid \$5,000 each year for the last five years; an increase is warranted. Discussion followed. The consensus of Council is to obtain additional information on what the cost increase would be if we continue with the same display and what additional fireworks would be provided if we increase the price to \$6,000, which would be a 20% increase over the current expense.

Manager Wright reported the Administrative Staff has decided to submit an Issue Two, Ohio Public Works Commission (OPWC) Grant to replace the storm sewer along the east side of Albert Road, between Brookville Salem Road and just south of Hay Avenue. Manager Wright commented the storm sewer is undersized and has caused increased problems over the years. Manager Wright recommended Council approval of proposed Resolution No. 04-17, which authorizes him to submit this grant.

Motion by Garber, second by Reel to read proposed Resolution No. 04-17. All yeas, motion carried.

Motion by Garber, second by Duncan to accept the third reading and adopt Resolution No. 04-17 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." All yeas, motion carried.

Manager Wright reported the Arlington Road Reconstruction Project is on schedule. The mast arms are installed.

Vice Mayor Ullery recessed the Regular Meeting of Council at 8:00 p.m. for the Public Hearing, which is a combined meeting with Council and Planning Commission, on proposed Ordinance No. 2004-07, to consider the zoning of the recent annexation of 68.552 acres along E. Westbrook Road to the proposed classification of Suburban Residential.

The Public Hearing was recorded and is on file with the Clerk at the City Offices.

Clerk Keaton reported a Legal Notice was published in the August 4th edition of the Brookville Star advising of the Public Hearing. The City Office did not receive any telephone calls nor did anyone come into the Municipal Office to review the proposed Ordinance. The 68.552 acres are adjacent to the Wolf Run Development, which is zoned R-1A. At the July 15, 2004 Planning Commission meeting, Law Director Stephan indicated the annexation of the 68.552 acres was effective July 1, 2004. Law Director Stephan indicated when annexation discussion was held with the landowners, it was their desire to zone the area Suburban Residential, or R-1A, along with the Administrative Staff's recommendation. During the Planning Commission meeting, Member Sanders stated there are no R-1A lots currently available in the City to build on. At that Planning Commission meeting a motion was made by Williamson, second by Swabb to recommend to Council the zoning of Suburban Residential to the recently annexed 68.552 acres along East Westbrook Road. All yeas, motion carried.

There was no one present to speak at the Public Hearing.

Motion by Reel, second by Sanders to close the Public Hearing. All yeas, motion carried.

Vice Mayor Ullery called Council back into Regular Session.

Manager Wright reported stop and street signs have been installed in the Arlington Woods, Section Two and Sterling Meadows, Section Seven subdivisions.

Manager Wright reported Council should have a copy of a letter that State Representative Arlene Setzer recently wrote regarding her views and past actions toward the Local Government Fund, which will be discussed during the development of the next state budget. Manager Wright commented that he and Clerk Keaton will keep Council abreast of this Fund.

Fire Chief Nickel commented the Brookville Fire Department has been saddened by the recent passing of Captain Chris Frazee. Fire Chief Nickel thanked the Brookville Police Department for their assistance following the funeral.

Fire Chief Nickel reported the Brookville Fire Department is saddened to report they will be losing an excellent employee, Mike Reigel; he will be sorely missed. Chief Nickel went on to say that he is proud to announce that Mr. Reigel has been hired by the City of Dayton as a Firefighter/Paramedic.

Fire Chief Nickel thanked the City Service Department for recently siding the Fire Training Center. The building looks great.

Police Chief Preston presented an overview of the Incident List and the Brookville Police Department Time Analysis from August 3, through August 16, 2004. Chief Preston reported there were 360 calls for service in this time period. Chief Preston reported the number of reportable incidents are down 35 reports or 6% and total calls handled are up 1,386 or 31% from this same time last year. The average response time was 1.48 minutes.

Police Chief Preston reported the Brookville Police Department recently held an Ident-a-Kid Program at McMaken's. Seventy-five children participated.

Police Chief Preston reported the issue of placing a stop sign at Mound and Flanders to create a four-way stop was researched. Chief Preston stated in reviewing the State of Ohio regulations governing traffic control devices, stop signs are warranted if one of four circumstances are met. The intersection of Mound and Flanders does not warrant a stop sign under any of the circumstances, and should not be used as a means to control speeding in the area. Member Hanos asked what could be done to slow traffic in this area, especially when the area develops out? Chief Preston indicated he could increase police presence in the area. Manager Wright commented once the area fully develops, we will look at the situation again.

Law Director Stephan had no report.

Director of Finance/Clerk Keaton had no report.

Vice Mayor Ullery had no report.

Motion by Sanders, second by Garber to read proposed Resolution No. 04-16. All yeas, motion carried.

Motion by Garber, second by Hanos to accept the third reading and adopt Resolution No. 04-16 entitled "A RESOLUTION AMENDING THE BOUNDARIES OF COMMUNITY REINVESTMENT AREA #1 OF THE CITY OF BROOKVILLE AND AMENDING RESOLUTION 83-04, AS PREVIOUSLY AMENDED BY RESOLUTIONS 93-13, AND 02-16 OF THE CITY OF BROOKVILLE." All yeas, motion carried.

Motion by Duncan, second by Garber to read proposed Resolution No. 04-19. All yeas, motion carried.

Motion by Duncan, second by Reel to accept the first reading, dispense with the second and third reading and adopt Resolution No. 04-19 entitled "A RESOLUTION APPROVING THE MONTGOMERY COUNTY NATURAL HAZARD MITIGATION PLAN AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Sanders, second by Garber to read proposed Ordinance No. 2004-08. All yeas, motion carried.

Motion by Duncan, second by Sanders to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2004-08 entitled "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION, REPAIR AND REPLACEMENT OF SIDEWALKS, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

In New Business, Member Hanos asked if the City has a noise ordinance. Police Chief Preston stated there is an ordinance that prohibits the sound from any sound amplifying equipment on a motor vehicle at a distance of 25 feet, or 50 feet from a building structure.

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


Sonja M. Keaton, Clerk


Ronnie Ullery, Vice Mayor