

BROOKVILLE CITY COUNCIL
REGULAR MEETING
June 1, 2004

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on June 1, 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 Sanders to accept the Agenda with additions. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the May 18, 2004 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Seagraves administered the Oath of Office to Firefighter/EMT Shon Smith.

Janet Malone, President of the Brookville Chamber of Commerce, thanked Council and the City for their support in the Mardi Gras event. It was a great success.

Ms. Malone commented the Farmer's Market began this past weekend, and will continue through October.

Joel Glunz, of 405 Sycamore Street, commented on the recent flooding that occurred on Sycamore Street. Mr. Glunz stated he has never had that much water, nor mud in his basement. Mr. Glunz wanted to know what the City was going to do to correct the problem.

Manager Wright commented the City found broken storm tile today on Gaines Street and a property on Maple Street, which was partially rectified today. Manager Wright stated the tile is approximately 80 years old with portions of the tile being 12" and some 24". The problem runs from Sycamore Street down to Wolf Creek Street. Manager Wright commented a new storm tile will be installed on Gaines Street to the rear of the property at 345 Maple Street. Further investigation of the storm tile will take place shortly from the rear of the property at 345 Maple Street to Sycamore Street.

Mrs. Huffman, of 415 Sycamore Street, commented that she has lived on Sycamore Street for a long time, and has never seen mud on Sycamore Street during a rainstorm.

Diane Glunz, of 405 Sycamore Street, stated she would like to be notified of what is going on during the storm tile project.

Manager Wright commented the probable time frame on this project is three to four weeks.

Janet Malone, of 241 Cusick Avenue, commented her street also flooded, but the homeowners along that street are fortunate in that their houses are up on a hill.

Manager Wright stated the storm sewer on Cusick Avenue is on a separate storm sewer from the one on Sycamore, Maple and Gaines Streets. Work was done on that storm sewer a few years back, and it does drain properly; we just had a lot of rain in a short amount of time.

Margo Cantrell, of 924 Golden Beech Drive, commented Golden Gate Estates experienced some flooding also.

Manager Wright stated there is a drainage problem near Golden Gate Estates, but that is due to a broken field tile located in Clay Township, not the City.

Member Hanos commented she received several phone calls from residents along Mound Street that were experiencing flooding from the open area behind their homes.

Member Duncan commented citizens of Arlington Woods also experienced flooding.

John Rhodes, of 345 Maple Street, thanked the City for getting on the flooding problem early. He asked to be kept informed throughout the project.

Manager Wright gave an update on the SK8 Park equipment that was recently completed in-house, which cost about one third the price of a new piece of equipment. Manager Wright commented work will begin soon on another piece of skating equipment.

Manager Wright commented that bids were opened today on the 2004 Sidewalk Replacement Project. Discussion followed.

Motion by Garber, second by Duncan to accept the lowest unit price bid of \$4.00 per square foot for 4" concrete, \$5.00 per square foot for 6" concrete and \$920 per truncated dome from the TdM Construction Company, Inc. for the "2004 Sidewalk Replacement Program." All yeas, motion carried.

Manager Wright reminded Council, and those in attendance, that the 22nd Annual Municipal Auction will be held on Saturday, June 5 beginning at 9:00 a.m. at the Englewood Service Center. Brookville will be a participant in the auction.

Manager Wright reported the Arlington Road Reconstruction Project is moving along slowly. Most of the underground utility work is completed.

Manager Wright reported the Salem Street Reconstruction Project is moving along. Ninety-nine percent of the waterline is installed. Vectren will be in this week to lower the gas main.

Manager Wright reported the shaft at the Waste Water Treatment Plant, which was recently repaired, broke again. Manager Wright commented this does not have a major affect on the operation of the WWTP. The contractor should have the shaft repaired shortly.

Manager Wright reported the "Youth-In-Government" participants began working in their respective departments last Friday and will continue through Thursday, with a "Youth-In-Government" Council Meeting at 7:30 p.m. in the High School Auditorium. Manager Wright commented the participants have done an excellent job.

Manager Wright requested an Executive Session on Real Estate and Personnel matters.

Fire Chief Nickel presented his Monthly Activity report for 2004; there was a combined total of 680 Fire and Ambulance runs through May.

Fire Chief Nickel reported he was recently notified that the Brookville Fire Department is not a recipient of the Fire Prevention and Safety Grant, which was applied for in 2003.

Fire Chief Nickel reported the Fire Department assisted with gas shut-offs during the recent flooding.

Manager Wright commended the Brookville Police and Fire Departments for their assistance during the recent flooding. Their assistance was much appreciated.

Police Chief Preston presented an overview of the Incident List and the Brookville Police Department Time Analysis from May 18 through May 31, 2004. Chief Preston reported there were 376 calls for service in this time period. Chief Preston reported the number of reportable incidents are up six reports and total calls handled are up 1,099, or 42% from this same time last year. The average response time is 2.15 minutes.

Police Chief Preston reported between May 18 through May 31, 2004, the Brookville Police Department presented their annual Prom Promise Program to the juniors and seniors of Brookville High School, arrested an individual for the operation of a meth lab and caught an establishment selling alcohol to an underage person.

Law Director Stephan reported proposed Ordinance No. 2004-04 is the final step in accepting the recent Clifford Price and Thomas Mochty annexation of 68.522 acres to the City of

Brookville. Law Director Stephan reported proposed Ordinance No. 2004-05, which amends the R-3 zoning district to reduce density, and proposed Ordinance No. 2004-06, which adds Chapter 1167, Site Development Plans, to place greater control over multi-family, was thoroughly reviewed by Planning Commission and recommended to Council.

Member Duncan asked if the Site Development Plans would apply to other zoning districts besides R-3? Law Director Stephan indicated if Council so desires, other zoning districts could be amended to require site plan review.

Mayor Seagraves commended the Planning Commission for a job well done on both Ordinances.

Finance Director/Clerk Keaton requested Council approval to transfer funds as appropriated.

Motion by Ullery, second by Garber to approve the transfer of \$400,000 from the General Fund to the Capital Improvement Fund as appropriated. All yeas, motion carried.

Finance Director/Clerk Keaton reported the 2003 General Purpose Financial Statements were recently filed with the State Auditor, and a copy is in the Clerk's office for review.

Finance Director/Clerk Keaton reported the 2003 Audit has been completed and the City received an excellent review.

Mayor Seagraves had no report, but thanked the Chamber of Commerce for the Mardi Gras event, and commented to the citizens present that the City hears their concerns on the water problem and we are working on the problem.

Chairperson Watkins, of the Brookville Planning Commission, read the Planning Commission's recommendation that Council accept and adopt proposed Ordinance No. 2004-03, which provides the territory recently annexed to the City of Brookville consisting of 8.157 acres, being Lots 2309, 2310, 2311 and 2312 of the revised consecutive number of lots of the City of Brookville to the zoning classification of "R-1A" Suburban Residential. Further, Planning Commission hereby determines that the proposed zoning is not clearly incompatible with existing Perry Township zoning, and therefore, a buffer is not required. Seagraves yea, Swabb yea, Sanders yea, Claggett abstains, Williamson yea and Watkins yea. Motion carried with five yeas and one abstention.

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

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

Motion by Reel, second by Duncan to read proposed Resolution No. 04-11. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the third reading and adopt Resolution No. 04-11 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY EITHER AT A PUBLIC AUCTION OR AT A PRIVATE SALE." All yeas, motion carried.

Motion by Duncan, second by Garber to read proposed Ordinance No. 2004-04. All yeas, motion carried.

Motion by Duncan, second by Reel to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2004-04 entitled "AN ORDINANCE ACCEPTING THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY CONTAINING 68.522 ACRES, MORE OR LESS, IN PERRY TOWNSHIP TO THE CITY OF BROOKVILLE, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Sanders, second by Ullery to read proposed Ordinance No. 2004-05. All yeas, motion carried.

Motion by Garber, second by Sanders to accept the first reading of proposed Ordinance No. 2004-05. All yeas, motion carried.

Motion by Reel, second by Sanders to read proposed Ordinance No. 2004-06. All yeas, motion carried.

Motion by Sanders, second by Reel to accept the first reading of proposed Ordinance No. 2004-06. All yeas, motion carried.

Mayor Seagraves set a Public Hearing for proposed Ordinance No. 2004-05 and proposed Ordinance No. 2004-06 for July 6, 2004 at 8:00 p.m.

Manager Wright pointed out that citizens should plug their floor drains if they have them. This will prevent water from entering through the drain. Manager Wright noted that it is illegal to tie floor drains into the storm sewers.

Mayor Seagraves thanked the City staff for all of their hard work during the recent rains on Thursday and Sunday.

Member Duncan asked Manager Wright to send a follow-up letter to the Clay Township Trustees regarding the meeting that was held earlier this year between the Trustees and the Committee that was formed to discuss fire levy concerns.

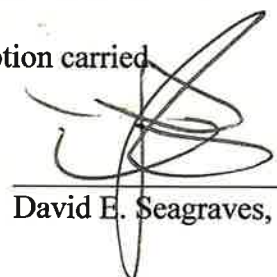
Member Hanos asked if the City has heard back from the Brookville School Board regarding naming of the new street. Manager Wright stated he has not heard back from them.

Member Ullery reported the motorcyclist's that recently paraded through Brookville were very appreciative of the City and the parade that was held in their honor that they are looking at making next year's stop an overnight trip.

Motion by Duncan, second by Garber to go into Executive Session on a Real Estate and Personnel matter as requested by Manager Wright. All yeas, motion carried.

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


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor