

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
May 4, 2004

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on May 4, 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 as presented. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the April 20, 2004 Regular Meeting Minutes as presented. All yeas, motion carried.

Pat Riley, representing O'Riley's, requested permission to block off streets for the annual Muscular Dystrophy-O'Riley's Chili Cook-off, Auction and Car Show that benefits the MDA, which is scheduled for Sunday, August 22, 2004. Discussion followed.

Motion by Garber, second by Duncan to approve the request to block off Market Street from Wolf Creek to Sycamore Street, Wolf Creek Street from Hay Avenue to Main Street, Western Avenue from Hill Street to Wolf Creek Street and Walnut Street from alley to alley on Sunday, August 22, 2004 from 10:00 a.m. to 9:00 p.m. for the annual MDA-O'Riley's Chili Cook-off, Auction and Car Show. All yeas, motion carried.

Chris House, Property Director for the Brookville Band Association, requested permission to block off Westbrook Road, from Hill Street to Western Avenue for a band contest to be held on October 23, 2004. Discussion followed. The consensus is to not block off Westbrook Road, as Westbrook Road is a major arterial street.

Motion by Garber, second by Ullery to allow the Brookville Police Department to assist pedestrians crossing Westbrook Road on Saturday, October 23, 2004 during the band contest. All yeas, motion carried.

It was recommended to only allow parking on one side of March Avenue during this event, just as it is during home football games.

Manager Wright reported bids were recently opened for the "Building Demolition/ Site Clearing Project" and recommended that Council accept the Option One bid from Brunk Excavating and the Option Two bid from Fryman-Kuck General Contractors. Manager Wright commented Option Two bids received from Baumann Enterprises and Charles Jergens Contractors were deemed non-responsive.

Motion by Duncan, second by Ullery to accept the low bid of \$43,579 from Brunk Excavating for Option One, demolition and removal of all buildings and structures to ground level with the exception of the concrete silo and to accept the bid of \$11.00 per ton from Fryman-Kuck General Contractors for Option Two, removal and crushing of all concrete after building demolition is complete for the "Building Demolition/Site Clearing Project" as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the parking lot at Gateway Park has been paved and striped. Phase One of the Project is now complete.

Manager Wright reported the parking lot, near the Castle Playground, has been paved. Manager Wright commented the Brookville Chamber of Commerce will pay for the majority of the paving.

Manager Wright reported the Arlington Road project is moving along; the general contractor will begin excavation soon. The Albert Road project is now complete.

Manager Wright requested authorization to advertise for bids for the 2004 Sidewalk Replacement Program.

Motion by Ullery, second by Reel to authorize Manager Wright to advertise for bids for the 2004 Sidewalk Replacement Program. All yeas, motion carried.

Manager Wright reported bids were recently opened on the Salem Street Reconstruction Project, Phase II and recommended that Council accept the lowest and best bid from Coate Construction, LLC.

Motion by Garber, second by Duncan to accept the low bid from Coate Construction LLC of \$69,355.40 for the Salem Street Reconstruction Project, Phase II, as the lowest and best bid as recommended by Manager Wright. All yeas, motion carried.

\* Manager Wright presented Council with information on a water spray park. Discussion was held. The consensus is to obtain an approximate monthly maintenance cost estimate from the City of Englewood on their water park.

Mayor Seagraves recessed the Regular Meeting of Council at 8:03 p.m. for the Public Hearing, which is a combined meeting with Council and Planning Commission, on proposed Ordinance No. 2004-03, to consider the zoning of the recent annexation of 8.157 acres along W. 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 April 28<sup>th</sup> -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 office to review the Ordinance. At the March 18, 2004 Planning Commission meeting, Planning Commission discussed the possible zoning of the 8.157 acres along the south side of West Westbrook Road. During discussion Chairperson Watkins commented that a portion of the Arlington Woods subdivision, which is directly across the street from Brookville Grace Brethren Church, is currently zoned R-1A. Churches and other buildings for the purpose of religious worship are permitted as a Special Use in the R-1A zoning district. The R-1A zoning would also be consistent with the houses along the same side of the street. Since Brookville Grace Brethren Church is already in existence on this site, they would not need to obtain a Special Use permit. At the March 18 Planning Commission meeting a motion was made by Seagraves, second by Sanders to recommend to Council the zoning of Suburban Residential to the recently annexed 8.157 acres. Claggett abstained, Sanders yea, Swabb yea, Boose yea, Seagraves yea and Watkins yea. Motion carried with five yeas and one abstention.

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

Mayor Seagraves called Council back into Regular Session.

Member Ullery asked if the City could step up property maintenance on structures, both residential and commercial, that need to be painted, and address dead trees throughout the City. Manager Wright commented that we will look into these issues.

Chief Nickel commented that he has prepared a draft of the Strategic Plan for committee members to review. Once the Strategic Plan is reviewed, a copy will be presented to Council.

Chief Preston introduced Thomas Simon, as the new part-time Police Officer. Mayor Seagraves administered the Oath of Office to Police Officer Thomas Simon.

Police Chief Preston presented an overview of the Incident List and the Brookville Police Department Time Analysis from April 20 through May 4, 2004. Chief Preston reported there were 358 calls for service in this time period. Chief Preston reported the number of reportable incidents are up 17 reports, or 7% and total calls handled are up 964 calls, or 48% from this same time last year. The average response time was 2.02 minutes.

Police Chief Preston announced Patrolman John Minniear has announced his retirement from law enforcement and Patrolman Anthony Scott, who is currently a part-time Patrolman, will become a full-time Patrolman.

Law Director Stephan had no report.

Finance Director/Clerk Keaton presented the Fund Balance. Finance Director/Clerk Keaton reported Estate Tax is down considerably this year from the same time last year.

Motion by Duncan, second by Garber to approve the April 30, 2004 Fund Balance as presented. All yeas, motion carried.

Mayor Seagraves had no report.

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

Motion by Sanders, second by Garber to accept the first reading of proposed Resolution No. 04-11. All yeas, motion carried.

Motion by Sanders, second by Reel to read proposed Resolution No. 04-12. All yeas, motion carried.

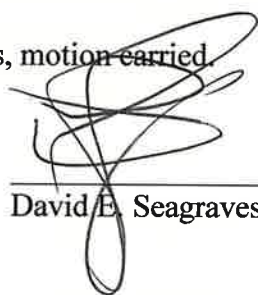
Motion by Duncan, second by Ullery to accept the first reading, dispense with the second and third reading and adopt Resolution No. 04-12 entitled "A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING, REPLACING OR REPAIRING CERTAIN SIDEWALKS, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Sanders, second by Duncan to read proposed Resolution No. 04-13. 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. 04-13 entitled "A RESOLUTION DECLARING THE NECESSITY OF REPLACING CERTAIN SIDEWALKS IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

In Old Business, Member Hanos inquired on the name selection process for the new roadway near the new school. Manager Wright stated he spoke with Superintendent of Brookville Schools, Tim Hopkins, and he will address the issue with their Board at their next meeting.

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

  
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Sonja M. Keaton, Clerk  
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David E. Seagraves, Mayor