

BROOKVILLE CITY COUNCIL
REGULAR MEETING
June 21, 2011

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on June 21, 2011 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Letner and Ullery; Fire Chief Nickel, Police Chief Preston, Manager Wright, Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present.

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

Motion by Cantrell, second by Garber to accept the June 7, 2011 Regular Meeting Minutes as presented. All yeas, motion carried.

Gale Colston, representing the "Challenge for the Cure" team requested permission to hold their annual 5K Walk to promote breast cancer awareness within the community and to raise funds for the ACS Making Strides for Breast Cancer fundraiser. The 5K walk will be held on October 1, 2011 at 9:00 a.m. and begin at the Community Theatre, down Westbrook to Wolf Creek Street and back to the Community Theatre. Ms. Colston stated the team would like to paint the route with pink ribbons using water soluble paint as they have done in the past. One hundred and thirty nine people participated in the 5K walk last year.

Motion by Cantrell, second by Apgar to allow the "Challenge for the Cure" team to hold their annual 5K breast cancer awareness walk and fundraiser on October 1, 2011 at 9:00 a.m. following the same route as last year and to allow them to paint the route with pink ribbons as requested. All yeas, motion carried.

Brookville Fire Department Captain Ed Ullery, President of the Brookville Fire Association, requested permission to hold a family portrait fundraiser for the Brookville Fire Department. It has been several years since this has been offered and it has proven to be a good money maker for the Fire Association. The portraits will be shot in October and they will begin soliciting next month.

Brookville Fire Department Captain Ed Ullery also requested permission to hold the annual "Fill the Boot Campaign" to benefit MDA on August 20, 2011 from 8:00 a.m. until 2:00 p.m. Fire Department members will be on Arlington at Triggs Road and Arlington at Wolf Creek Street collecting donations. The campaign will be held on August 27, 2011 in the event of inclement weather.

Mayor Seagraves asked Captain Ullery to explain how residents will be approached to participate in the family portrait fundraiser?

Captain Ullery stated solicitors for the portrait studio will go door to door requesting a donation of twenty dollars in exchange for a certificate for an 11" x 14" portrait. The Brookville Fire Department will receive a percentage of the certificate sales or of the actual portrait package sales, whichever is greater.

Motion by Apgar, second by Duncan to allow the Fire Department to hold a portrait fundraiser in October and a "Fill the Boot Campaign" to benefit MDA on August 20, 2011 with a rain date of August 27, 2011 as requested. All yeas, motion carried.

Manager Wright reported three contractors submitted bids for the Wolf Creek Sanitary Sewer Relief Project on June 16, 2011. Manager Wright requested authorization to enter into a contract with the lowest bidder, C.A. Shindeldecker & Sons, for \$69,123.95.

Motion by Garber, second by Letner to accept the bid from C.A. Shindeldecker & Sons of \$69,123.95 for the Wolf Creek Sanitary Sewer Relief Project as the lowest bidder as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported work on Diamond #2 dugouts is complete and the new storage building at the city garage is nearly complete. The new storage building will hold most of our rolling stock and protect it from the weather.

Manager Wright stated he is pleased to report the dump truck that was recently rotated out of stock sold on Gov Deals for \$16,550 and attributed the high sale price to the way our equipment is maintained.

Manager Wright reported the fire damaged house at 133 N. Wolf Creek Street has been demolished.

Manager Wright stated the work is completed on the fountain at Gateway Park.

Manager Wright requested permission to purchase a leaf vacuum to replace our current 30 year old model. The new equipment was budgeted for and can be purchased through the Ohio DAS from Old Dominion Brush for \$30,650.

Motion by Duncan, second by Cantrell to allow Manager Wright to purchase a leaf vacuum through Ohio DAS at a cost not to exceed \$30,650. All yeas, motion carried.

Member Garber inquired whether the aerator fountains in the pond at Golden Gate Park are pumping as much water as they used to?

Manager Wright stated the type of aeration that we are using cannot really be clogged but he will look into it.

Fire Chief Nickel presented the Brookville Fire Department Incident Summary by District Report from May 18 through June 21, 2011 that shows there were a total of 139 calls for service. Of those 139 calls for service, 115 were attributed to rescue calls.

Fire Chief Nickel reported this week the Brookville Fire Department has been busy with CPR classes at a local physician's office and fire extinguisher classes at Consolidated Brands, who are in the process of disaster planning.

Fire Chief Nickel reported the Brookville Fire Department also participated in helping the Chamber of Commerce with the recent Block Party as well as assisting with the recent German Baptist Convention in Perry Township.

Fire Chief Nickel reported remodeling work is continuing at Station 1.

Police Chief Preston presented the Call Analysis Report for the month of May, 2011 which shows the Brookville Police Department responded to 616 calls for service. The Brookville Police Department has handled a total of 2,917 calls through May, which is a decrease of 111 calls or .03%. Total reportable incidents are down 44, or 16% less than this same time last year.

Police Chief Preston reported the Brookville Police Department Incident Log shows from June 7 through June 20, 2011 that there were 22 new cases for investigation and 20 of these cases have been closed with 2 pending. The Brookville Police Department closed 11 of these cases by arrest.

Police Chief Preston reported the Block Party went well, with only a few minor incidents.

Law Director Stephan requested Council approval for NorthBrook Industrial Park, Section 6, Final Plat which will replat lots 2605 and 2606, plat a new street named Nutrition Way running from Collective Way to Arlington Road and also plats three lots north of the new street. This subdivision was reviewed and recommended for approval by Planning Commission at their last meeting.

Member Letner inquired whether the new roadway would be designated "No Truck Traffic"?

Law Director Stephan stated the street would be posted for "No Truck Traffic" and Collective Brands will be advised to inform their semi drivers to continue to use Collective Way to exit onto the highway.

Motion by Cantrell, second by Apgar to approve the Final Plat for Northbrook Industrial Park, Section 6 as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton advised Council should have a copy of a Note Purchase Agreement that is a part of our Note issuance and is also addressed within the Note Ordinance. The Note Agreement will provide the purchase price, payment of expenses, public offering, definitions of certain words and terms, representations, warranties and covenants of the City and of the Original Purchaser, closing, delivery and payment of the Notes. The Original Purchaser will be Fifth Third Securities, Inc.

Assistant Manager/Finance Director Keaton stated proposed Ordinance No, 2011-05 authorizes the issuance of Notes in an aggregate principal amount of \$600,000, in anticipation of the issuance of Bonds to pay costs of constructing Nutrition Way, in the NorthBrook Industrial Park.

Assistant Manager/Finance Director Keaton presented a signed Fiscal Officer's Certificate that reads: "As fiscal officer of the City of Brookville, I certify in connection with Council's proposed issue of notes in an aggregate principal amount of \$600,000, to be issued in anticipation of the issuance of bonds to pay costs of constructing Nutrition Way, together with all necessary appurtenances thereto, including water, storm water and sanitary sewer improvements, curbing and traffic signals, and that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity is 20 years, and the maximum maturity of the Notes is 20 years from the date of the original issuance of notes to pay the costs of the Improvements."

Assistant Manager/Finance Director Keaton advised this Note will be dated the date of issuance and will mature on April 19, 2012. With this maturity date, we will be able to combine this Note with the Note that was issued this past April for the NorthBrook Industrial Park into one Note in 2012. Assistant Manager/Finance Director Keaton advised this Note will bear interest at a rate or rates not to exceed 6%.

Assistant Manager/Finance Director Keaton stated the reason for the proposed Ordinance to be in emergency fashion is to permit the City to timely award a contract for these improvements.

Motion by Duncan, second by Apgar to read proposed Ordinance No. 2011-05. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2011-05 entitled "AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN AN AGGREGATE PRINCIPAL AMOUNT OF \$600,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING NUTRITION WAY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, INCLUDING WATER, STORM WATER AND SANITARY SEWER IMPROVEMENT, CURBING AND TRAFFIC SIGNALS, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton stated the City has received a Montgomery County ED/GE Grant in the amount of \$250,000, which will be used to pay down the Note. The City has also applied for a grant from the State of Ohio which, if received, will be used to pay down the Note as well.

Manager Wright commented that the estimated 41 new jobs that will come out of this expansion at the NorthBrook Industrial Park will generate approximately \$75,000 a year in income tax revenue for the City.

Member Garber commented the City is still well below the amount we are allowed to be in debt.

Assistant Manager/Finance Director Keaton requested Council approval to adopt proposed Resolution No. 11-08, which is before Council this evening.

Motion by Garber, second by Apgar to read proposed Resolution No. 11-08. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third reading and adopt Resolution No. 11-08 entitled "A RESOLUTION AMENDING THE 2011 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton advised the State Auditor will be conducting our annual audit beginning this week.

Mayor Seagraves congratulated City staff on the approval of CDBG grant monies for Phase 4 of the Downtown Revitalization Project.

Mayor Seagraves wished everyone a happy and safe Fourth of July.

There was no Old Business.

There was no New Business.

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

Sonja M. Keaton, Clerk

David E. Seagraves, Mayor