

BROOKVILLE CITY COUNCIL
REGULAR MEETING
September 6, 2011

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on September 6, 2011 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, 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. Member Cantrell arrived later.

Motion by Duncan, second by Apgar to accept the Agenda as presented. All yeas, motion carried.

Member Cantrell arrived.

Motion by Apgar, second by Duncan to accept the August 16, 2011 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Wright reported three bids were recently opened for the "2011 Asphalt Resurfacing and Pavement Removal Project" and recommended that Council accept the lowest and best bid from Wagner Paving Inc., with the contractor keeping the material.

Motion by Ullery, second by Apgar to accept the bid of \$76.50 per ton for approximately 1,115 tons of asphalt concrete overlay Type 1H, \$66.00 per ton for approximately 385 tons of asphalt concrete overlay Type 1 and \$1.55 per square yard for pavement removal; Contractor keeps material for approximately 13,540 square yards and pavement markings at \$9,300 from Wagner Paving, Inc. All yeas, motion carried.

Manager Wright commented Council should have copies of some news articles regarding the grants awarded to help fund the new roadway in the NorthBrook Industrial Park and one announcing the recent acquisition of Provimi that will not affect the company's plans to consolidate its U.S. headquarters in Brookville.

Manager Wright reported a warrant study is being conducted at Westbrook Road and June Place, which should show whether the traffic light is still needed now that the new elementary school on Blue Pride Drive is in use. Manager Wright stated he should know by the next Council meeting whether the traffic signal will stay or be removed.

Member Garber stated that several citizens have asked him about installing a traffic light at Brookville Johnsville Road and Westbrook Road and Arlington and Westbrook Roads due to the traffic backing up at both of these intersections during school drop-off times.

Police Chief Preston commented that Brookville Johnsville Road is in Perry Township and only half of Westbrook Road at that intersection is in the City, the other side is in the township.

Member Ullery stated he has observed the school traffic in the mornings and while there is quite a bit of traffic it moves along quickly.

Member Letner suggested having a Police Officer direct traffic in the mornings.

Manager Wright responded he and Chief Preston will discuss this issue at the next staff meeting, but adding traffic lights will not reduce the amount of traffic.

Manager Wright reported the traffic light on Arlington at Upper Lewisburg Salem was affected by lightning and is not functioning properly. The repair company has looked at it and parts have been ordered to repair it.

Manager Wright thanked Member Garber for his role in getting the power restored after the storm this past weekend.

Manager Wright advised construction has commenced on Nutrition Way, and the water and sewer lines should be installed this week. Manager Wright reported a traffic study is being done that will allow us to tie into the new road at Arlington Road. This area of Arlington is

not within the city, so the study has to be done through the Montgomery County Engineer's Department.

Manager Wright shared photographs of the newly installed playground surface at Ward and Westbrook Parks. The recycled rubber mulch was purchased with a recycling grant and the work was done in-house.

Manager Wright also shared photographs of the new street banners that were purchased and are hung on Market Street.

Manager Wright reported two street lights are being installed at Arlington Road and Campus Boulevard after citizens have expressed concern about how dark the area is at night.

Manager Wright reported our crack sealing program is currently in full swing and our semi-annual street sweeping is also underway. We have also contracted with a local company to seal coat the parking lots at Fire Station 1, Gateway Park and the city office lots.

Manager Wright requested an Executive Session on a Real Estate Matter.

Member Garber inquired when the new leaf vacuum will be in?

Manager Wright stated the leaf vacuum has been ordered and will probably be delivered in late October.

Member Garber inquired about the sidewalk installation from Golden Gate Estates to the park entrance?

Manager Wright stated the sidewalk is scheduled to be constructed in October.

Fire Chief Nickel presented the Brookville Fire Department Incident Type Summary by District Report for August 16 through September 6, 2011 which indicates the Brookville Fire Department responded to 79 calls. This same report shows there were 129 calls for the month of August, 2011.

Fire Chief Nickel stated the Fire Department is sponsoring a fire training burn on Diamond Mill Road this weekend which will also be attended by fire departments from Englewood, Verona and Phillipsburg.

Fire Chief Nickel reported he is preparing to apply for a FEMA grant to help fund the purchase of a new fire engine to replace a 1986 model. A new engine will cost approximately \$400,000.

Police Chief Preston presented the Brookville Police Department Incident Log and Arrest Log for August 16 through September 5, 2011 which shows there were 56 new cases for investigation with 41 closed and 15 pending further investigation. The Brookville Police Department closed 22 of these cases by arrest.

Police Chief Preston advised that the Brookville Police Department has taken about 15 reports on cars that have been gone through. None of the vehicles were locked. There is video footage of some of the suspects trying to use a stolen credit card at the Meijer store in Englewood.

Police Chief Preston presented the Call Analysis Report for the month of July which shows there were 721 calls for service which is 3% under this same time last year.

Member Ullery inquired whether the cars that were gone through were all in the same area of town?

Police Chief Preston replied that the first area hit was the Terrace Park area, next in the area of Caleb Drive and Meadow Glen and a few cars were hit on the other side of Arlington Road.

Law Director Stephan commented on proposed Ordinance No. 2011-06, which is designed to set standards for maintenance of retention/detention ponds and basins and other drainage improvements. The proposed ordinance includes language that has been previously considered by Planning Commission and reviewed by Council. Language has been added to allow assessment of maintenance expenses to the property owner or to all property owners within a recorded subdivision that are served by the drainage improvement. Law Director Stephan stated the proposed ordinance is before Council tonight for a first reading, after which a Public Hearing will be held, and then reviewed by Planning Commission who will give a final recommendation to Council.

Mayor Seagraves commented that Planning Commission did not have a quorum for the September 1 meeting and asked that Council approve the first reading of proposed Ordinance No. 2011-06 so that it can go before Planning Commission at their next meeting.

Motion by Garber, second by Duncan to read proposed Ordinance No. 2011-06. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading of proposed Ordinance No. 2011-06. All yeas, motion carried.

Mayor Seagraves set a Public Hearing on proposed Ordinance No. 2011-06 for October 4, 2011 at 8:00 p.m.

Assistant Manager/Finance Director Keaton presented the August 31, 2011 Fund Balance for Council review and approval.

Motion by Cantrell, second by Duncan to approve the August 31, 2011 Fund Balance as presented. All yeas, motion carried.

Assistant Manager/Finance Director Keaton requested Council approval to transfer \$50,000 from the General Fund into the Street M & R Fund as appropriated.

Motion by Garber, second by Apgar to approve the transfer of \$50,000 into the Street M & R Fund as appropriated. All yeas, motion carried.

Assistant Manager/Finance Director Keaton announced the Miami Valley Planning & Zoning Workshop will be held on Friday, October 21 at Sinclair Community College and requested Council approval to pay the \$50 registration fee for those Council, Planning Commission, Board of Zoning Appeals and staff who are interested in attending. The date was moved from the first Friday in December to coincide with American Planning Association Ohio Statewide Conference that will be held on October 20 and 21, 2011.

Motion by Cantrell, second by Apgar to allow the City to pay the \$50 registration fee for those Council, Planning Commission, Board of Zoning Appeals and staff who are interested in attending the Miami Valley Planning & Zoning Workshop on Friday, October 21, 2011. All yeas, motion carried.

Assistant City Manager/Finance Director Keaton advised the City's \$600,000 Note for the construction of Nutrition Way went to Market on August 31 and priced at a net interest cost of 1.48%. The issue is set to close on September 14, 2011.

Assistant City Manager/Finance Director Keaton requested an Executive Session on a Personnel Matter to discuss the re-appointment of various Board Members.

Mayor Seagraves reminded everyone of the Fire Prevention Parade and Festival on October 8, 2011 and encouraged attendance.

Fire Chief Nickel commented September is National Preparedness Month.

There was no Old Business.

There was no New Business.

Motion by Duncan, second by Apgar to go into Executive Session on a Real Estate Matter as requested by Manager Wright and a Personnel Matter as requested by Assistant Manager/Finance Director Keaton. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

Motion by Apgar, second by Cantrell to authorize Manager Wright to enter into and sign a Purchase and Sale Agreement with Matt & Lori Balsbaugh to sell 5.7 acres in the NorthBrook Industrial Park at a price of \$15,000 per acre. All yeas, motion carried.

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

Sonja M. Keaton, Clerk

David E. Seagraves, Mayor