

BROOKVILLE CITY COUNCIL
REGULAR MEETING
August 19, 2014

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on August 19, 2014 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Duncan, Garber, Kirklin and Letner; Fire Chief Fletcher, Police Chief Jerome, Law Director Stephan, Manager Wright and Assistant Manager/Finance Director/Clerk Keaton were present. Member Cantrell arrived later.

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

Motion by Apgar, second by Kirklin to accept the August 5, 2014 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Seagraves announced State Representative Roland Winburn is present and welcomed him to the meeting.

Representative Winburn thanked the Mayor and stated he is present because he is interested in things that impact our citizens and enjoys meeting Council Members and citizens.

Todd Clemmons, of 841 Flanders, advised Cub Scout Pack 47 is planning a hike in celebration of the 140th anniversary of the incorporation of Brookville. The "Hike the Sled Road" event will be on Sled Road or the General Anthony Wayne Trail and is approximately one mile in length, beginning at Market Street and Salem Street, down Salem Street to Walnut Street to Main Street to Wolf Creek Street to Harshman Street to Hill Street to Western Avenue and ending at Brookville Schools. Mr. Clemmons stated the walk will be open to the public and asked if they need approval from Council to hold the event?

Mayor Seagraves asked for the proposed date of the event?

Mr. Clemmons stated the event would be held on September 9, beginning at 6:30 p.m.

Mayor Seagraves stated Mr. Clemmons will need to meet with Police Chief Jerome to discuss the route and other details of the event to ensure public safety.

Police Chief Jerome asked how many scouts there will be?

Mr. Clemmons responded there are about 20 scouts, but he does not know how many will participate.

Police Chief Jerome commented it will not be an issue since they are using the sidewalk.

Mayor Seagraves asked where the starting point of the walk will be?

Mr. Clemmons stated the walk will start at Salem Street and Market Street. He plans to check with AMVETS about using their parking lot for the event. There will be some stopping points along the route, where the historical significance of each stop will be discussed.

Mayor Seagraves gave Mr. Clemmons the contact information for AMVETS and also suggested using the empty lot across the street from AMVETS for parking.

Member Cantrell arrived.

Motion by Duncan, second by Kirklin to allow Cub Scout Pack 47 to hold the "Hike the Sled Trail" event on September 9, 2014 at 6:30 p.m.; on the condition that Police Chief Jerome approves the event. All yeas, motion carried.

Chad Wakefield, of 417 Arlington Road, advised he is present on behalf of the Brookville Fire Association to request approval to hold the annual Fill the Boot Campaign at Triggs Road and Arlington Road on August 30, 2014 from 9:00 a.m. until 1:00 p.m. to benefit MDA.

Motion by Cantrell, second by Garber to allow the Brookville Fire Association to hold the annual Fill the Boot Campaign at Triggs Road and Arlington Road on August 30, 2014 from 9:00 a.m. until 1:00 p.m. All yeas, motion carried.

Brad Moler, of 650 Market Street, asked if the Fairgrounds have been approved yet?

Mayor Seagraves replied the footprint for the Fairgrounds has been approved. The Montgomery County Fair Association is under contract for the next two years to fulfill that footprint and the purchase of the property. Mayor Seagraves stated the Fair Association has raised six million dollars but still has a long way to go. It is safe to say the Montgomery County Fair will be held at its current location for the next two years.

Manager Wright presented a request from Neighborhood Watch Chairperson Carol Latino to hold a Neighborhood Block Party in the cul-de-sac on Urban Lane from 5:00-8:00 p.m. on Saturday, September 13, 2014.

Motion by Kirklin, second by Apgar to allow residents of Albert Road and Urban Lane to hold a Neighborhood Block Party in the cul-de-sac on Urban Lane from 5:00-8:00 p.m. on Saturday, September 13, 2014. All yeas, motion carried.

Manager Wright requested authorization and approval for a Change Order to the base bid of the 2015 Freightliner 25 yard HD rear loader refuse truck for a Reeving Cylinder that we need in order to empty our commercial dumpsters, strobe lights and a ladder with shutdown capabilities for safety reasons and a hopper liner to prolong the life of the hopper.

Motion by Apgar, second by Kirklin to authorize and approve the Change Order to the base bid of the 2015 Freightliner 25 yard HD rear loader refuse truck increasing the amount by \$4,834 for a Reeving Cylinder/Guide Latches, increasing the amount by \$875 for a ladder with auto shut down, increasing the amount by \$1,284 for an AR hopper liner and increasing the amount by \$684 for four (4) Smart strobe lights, changing the contract price from \$148,207 to \$155,884 as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported the Service Department has started our street painting and restriping program. Montgomery County will paint our center lines and edge lines as they can do it much cleaner and cheaper than we can. We will still do our crosswalks, and other smaller things. The areas around the school have been completed and the remainder should be completed in the next few weeks.

Manager Wright reported the Annual Street Resurfacing Bids will be opened this Friday.

Manager Wright reported Advanced Auto opened for business last Friday and encouraged Council to attend their ribbon cutting tomorrow at noon. The Speedway south location is scheduled to open on August 29, 2014.

Member Kirklin thanked the Service Department for picking up the limbs on Crosswell and June Place. Member Kirklin reported the light pole has been repaired as well and thanked Member Garber for his help in orchestrating that repair.

Member Cantrell asked Manager Wright if he attended the Community Garden Meeting?

Manager Wright reported he tried to attend a lunch meeting at Carmela's Pizza but no one else showed.

Member Duncan inquired about the closure of the north incinerator?

Manager Wright replied that he noted a year and a half ago that the costs will increase with the closure. All of the northern communities will see an increase but they may not see it as quickly as we will because we pay the fees up front. The increase on moving to the south transfer station could potentially be up to \$20,000. Manager Wright advised that Montgomery County has spent a ton of money on the south transfer station installing another entrance and exit and other upgrades.

Mayor Seagraves asked how many trips to the incinerator do we make in a week?

Manager Wright replied about six to seven trips per week depending on how heavy the trash is.

Member Cantrell asked if the new refuse truck will be more fuel efficient?

Manager Wright replied it might be slightly more fuel efficient but not much.

Fire Chief Fletcher reported the semi-annual fire inspections have been completed at Brookville Schools and everything went well. Fire Chief Fletcher advised the schools are up to code and are extremely safe. Fire Chief Fletcher reported a false fire alarm was pulled yesterday and everything went as planned.

Fire Chief Fletcher reported the Fire Department is experiencing lots of weddings and new babies among personnel and positive attitudes abound.

Police Chief Jerome reported the Brookville Police Department has handled 417 Reportable Incidents year-to-date, compared to 463 during this same time period last year. Citations are down 15 for a total of 332 Citations year-to-date. The Brookville Police Department made 107 traffic stops during the month of July, which is a decrease of 31 traffic stops over this same time period last year. Police Chief Jerome reported arrests continue to be up with an average of 21 to 22 arrests per every two week period.

Police Chief Jerome reported the Coffee with a Cop will begin again on September 4, 2014, from 9:00 a.m. until 10:00 a.m. at the Villas of BrookHaven. The public is invited to attend.

Police Chief Jerome reported some upcoming events on the 2014 Calendar are the "Be a Reading Hero Program" on September 9, Women's Assault Survival Program on September 20 and the Breast Cancer Awareness 5K Walk on Saturday, September 27, 2014.

Member Cantrell inquired if the Ghostly Night Out event is a go?

Police Chief Jerome responded the event is a go, pending formal Park Board approval.

Member Garber commented while vacationing recently he listened to the radio in Florida and Georgia and heard that the heroin epidemic is just as bad in that area of the country. Member Garber commented that he also read an article stating that 25% of Police Forces wear a camera on their uniform, rather than just a dash cam in their vehicle. Member Garber stated the media reported the cost is about \$1,000 per camera and suggested we fund this in our budget next year.

Manager Wright stated there are pros and cons to that and asked Police Chief Jerome for his thoughts on it.

Police Chief Jerome reported there are also repair costs, retention schedules and other costs associated with police officers wearing cameras. There can also be knee jerk reactions to the raw video on the cameras. Police Chief Jerome advised Congress is also looking into stopping the issue of surplus government property to police departments and cities; which would force us to budget for this kind of items. Police Chief Jerome advised once you begin wearing cameras, it also becomes a public records issue, where anyone can request to see the video footage of incidents that may be quite personal in nature.

Motion by Cantrell, second by Apgar to recess the Regular Meeting of Council for the Public Hearing. All yeas, motion carried.

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

Assistant Manager/Finance Director Keaton announced the Public Hearing is to consider the adoption of proposed Ordinance No. 2014-08 that rezones Lot 2345 of the revised and consecutive numbers of lots of the City of Brookville, Ohio from its present classifications of R-1C, Urban Residential District, and I-1, Light Industrial District, to the new classification of R-1B, Urban Residential District. A Legal Notice was published in the August 6th and 13th editions of the Brookville Star advising of the Public Hearing. Twelve certified letters were also mailed out to the surrounding property owners advising them of this Public Hearing. Assistant Manager/Finance Director Keaton advised she received one call from Mr. David Long, of 195 Johnsville Brookville Road, who lives directly to the south of Lot 2345. Mr. Long expressed his concern that he would not be able to attend this Public Hearing tonight to voice his concerns of the Dayton Metro Library relocating the library to this location.

Assistant Manager/Finance Director Keaton asked if any Council Member needs to abstain from participating in the Public Hearing?

No Council Member indicated the need to abstain.

Law Director Stephan reported Lot 2345 is a 2.122 acre parcel on Blue Pride Drive that is owned by the City of Brookville. The property was acquired by the City in 2004 from Mid States Container and is part of the former Carris Reels manufacturing site. The property is primarily I-1 and a small portion of the property is zoned R-1C. The property is surrounded by residential zoning, with the Brookville Schools property zoned R-1B and the residential property is zoned R-1B or R-1C. Therefore, the proposed rezoning of this property to R-1B will fit with the zoning classifications of the surrounding properties and will eliminate the current industrial zoning of the property that does not fit with the residential zoning classification of the surrounding property. Law Director Stephan stated the City has entered into a contract to sell the property to the Dayton Metro Library as the site for its new library in Brookville. Libraries are a Special Use in all residential zoning districts in Brookville, including the proposed zoning classification of R-1B. The Dayton Metro Library will need to obtain a Special Use approval from the Planning Commission for the library after the completion of the rezoning of this property to R-1B. The City Staff strongly supports this rezoning and the use of the property for the new library and believes it will be a good fit with the Brookville Local Schools located on Blue Pride Drive as students will have easy access to the site. The property is larger than the current library site and the increased size of the new library will benefit all of the patrons of the library.

Assistant Manager/Finance Director Keaton asked if anyone who would like to present testimony during the Public Hearing or otherwise participate to please stand and be sworn in. Assistant Manager/Finance Director Keaton administered the Oath of Witnesses to those who indicated yes.

Assistant Manager/Finance Director Keaton opened the floor and introduced Tim Kambitsch of the Dayton Metro Library. Assistant Manager/Finance Director Keaton asked those who wished to speak to stand and indicate their name and address for the record.

Mr. Kambitsch indicated the manager of the Brookville branch of the Dayton Metro Library is present this evening. Mr. Kambitsch advised the current Brookville Library's construction does allow only minimal renovations or expansions and would not benefit library patrons. Mr. Kambitsch stated the new site will allow them to double the size of the current branch and offer a wider range of collections, additional computers, meeting rooms and other improvements. Mr. Kambitsch reported the proximity of that property in relation to Brookville Schools makes it very appealing. Mr. Kambitsch presented a masking diagram that shows the site will meet the requirements of the building and

shows the entrance of the building will be from Blue Pride Drive to avoid the speed of the traffic on Johnsville Brookville Rd. Mr. Kambitsch asked if there were any questions?

Member Cantrell asked if the building would be one or two stories?

Mr. Kambitsch replied it will be a one story building.

Mayor Seagraves asked what the projected start and completion dates are?

Mr. Kambitsch advised they would like to put the project out for bid in the spring of 2015 and complete the construction about a year later.

Member Letner asked if the hours of operation would remain the same?

Mr. Kambitsch replied that is correct. They are striving to maintain current hours while expanding the buildings. They are building fewer libraries and consolidating a lot of the city libraries so that they can continue to offer the same quality of services. Mr. Kambitsch stated with the revaluation of properties in Montgomery County, levy dollars have declined. Hopefully at some point in the future when they go back to the voters, they can expand hours to where they were three or four years ago.

Don Jackson, of 119 Blue Pride Drive, stated he lives across the street from this project, and is looking forward to the library, but would like to know if the City has entered into any other agreements with the county library as far as infrastructure or other items outside of the new building?

Law Director Stephan replied the City is not providing any additional infrastructure outside of the utilities to this site. The City is extending sanitary sewer across Blue Pride Drive to this site. The City is not providing any tax dollars or other incentives for the Project.

Mr. Jackson stated the rezoning of the property for the library has moved quickly and asked if somewhere down the road he wants to sell his property for a doctor's office, dentist office or church, will it be that easy to rezone his property.

Mayor Seagraves replied if that happened the same process would be followed.

Law Director Stephan stated the rezoning of the proposed new library property is a three month process, and the same process is followed for any rezoning.

Mr. Jackson stated he and his wife love where they live, but the neighborhood is changing, and he foresees more businesses wanting to come to the area. Mr. Jackson asked if he and/or all his neighbors could come to Council in the future and request to be rezoned in anticipation of that happening?

Law Director Stephan repeated in that instance the same rezoning process would be followed. Churches and schools fit in the zoning as Special Uses within a residential district. A rezoning would be required to change to a commercial use.

Mayor Seagraves advised Mr. Jackson of when the Planning Commission meets and stated he is welcome to attend. Mayor Seagraves stated there are several members of Planning Commission present this evening and they hear his concerns.

Mr. Jackson replied he just wanted to let Council know he supports the library project, but wanted to voice his concern for the future of the neighborhood.

Member Cantrell asked if a resident applied for his property to be rezoned to commercial, could they still maintain their residence?

Law Director Stephan stated he believes Mr. Jackson is referring to the vacant lots in his subdivision.

Brad Moler, of 650 Market, asked if the library could be built to support a second floor if they wanted to expand in the future?

Mr. Kambitsch stated that might be a possibility but that would include up-front money that they have not anticipated.

Mayor Seagraves commented this is an ideal location for the library and the surrounding communities will be able to utilize the facility as well.

Mike Moran, 310 Maple Street, asked how the sewer will be tied into that property?

Manager Wright replied the sewer will be extended from Blue Pride Drive.

Mr. Moran asked if it will involve a lift station?

Manager Wright replied that will depend on the elevation of the building. It may require a grinder pump rather than a lift station, which is common for an individual business.

Member Garber asked about the storm sewer?

Manager Wright replied we are not to that stage yet, but it will not be a major issue.

Mr. Kambitsch advised the library will be holding community forums on September 3 and October 1 which will provide an opportunity for the residents to make it their own by helping with the building design process.

Member Garber asked if the setbacks are met and if the number of parking spaces are more than the minimum?

Law Director Stephan stated they will be presenting a more detailed site plan to Planning Commission when the Special Use approval is sought after the rezoning is completed. Staff has made a preliminary review of the plan and the 50 foot setback required for libraries in the Special Use provisions has been met and the parking is adequate from their initial calculations.

Member Garber asked if it will all be in grass up to the point area?

Manager Wright replied a lot of that will probably be retention, but we are not that far yet.

Member Letner asked what the plans are for the old library?

Mr. Kambitsch advised they would like to market the property to offset the costs of the new library.

Motion by Duncan, second by Cantrell to close the Public Hearing and go back into Regular Session. All yeas, motion carried.

Law Director Stephan had no report.

Assistant Manager/Finance Director Keaton requested Council approval to transfer \$75,000 into the Street M&R Fund and \$50,000 into the Capital Improvement Fund. These are partial transfers that were appropriated.

Motion by Apgar, second by Letner to authorize the transfer of \$75,000 into the Street M&R Fund and \$50,000 into the Capital Improvement Fund as appropriated. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported the City of Englewood will host an Electronics Recycling Day on Saturday, October 11 from 9:00 a.m. to 1:00 p.m. at the Englewood Government Center. The City of Brookville, City of Clayton and the City of Union will be participating with the City of Englewood in this event.

Assistant Manager/Finance Director Keaton presented the Municipal Tax Exempt Lease Proposals received for our 2015 Refuse Truck. Proposals were requested from Fifth Third Bank and Huntington National Bank. Assistant Manager/Finance Director Keaton stated with the interest rates and zero fees that Fifth Third Bank presented in their proposal, it is her recommendation that we lease the new refuse truck with Fifth Third Bank.

Assistant Manager/Finance Director Keaton requested Council adopt proposed Resolution No. 14-20 which authorizes the execution and delivery of a Master Tax Exempt Lease/Purchase Agreement with Fifth Third Bank and authorizes the City Manager and Finance Director to execute the lease documents. The interest rate will be locked in for the duration of the lease at closing.

Motion by Apgar, second by Garber to read proposed Resolution No. 14-20. 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. 14-20 entitled "A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER TAX-EXEMPT LEASE PURCHASE AGREEMENT, EQUIPMENT SCHEDULE AND ESCROW AGREEMENT AND RELATED INSTRUMENTS, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Assistant Manager/Finance Director Keaton reminded Council of the Special Council Meeting scheduled for Monday, August 25 at 6:30 p.m. in our Council Chambers to discuss future budget related items and to go into Executive Session on a Personnel Matter.

Mayor Seagraves thanked Vice Mayor Cantrell for filling in during his absence.

Mayor Seagraves thanked Manager Wright and staff for the preparation and readiness of the City on addressing the maintenance and upkeep of Golden Gate Park for the Community Picnic. Mayor Seagraves stated the park looked beautiful and really showed off and made an impression on citizens and first time visitors.

Mayor Seagraves requested an Executive Session on a Real Estate Matter.

Mayor Seagraves reminded everyone of the Planning Commission Meeting on August 21 at 7:30 p.m.

Assistant Manager/Finance Director Keaton advised there are no Park Board Minutes as the Trustees did not meet due to lack of quorum.

There was no Old Business.

Member Garber commented the Mayor and Council Salary Survey conducted by the City of Vandalia was interesting.

Mayor Seagraves stated Vandalia recently raised the Mayor and Council Salary and so did Tipp City.

Motion by Duncan, second by Garber to go into Executive Session on a Real Estate Matter as requested by Mayor Seagraves. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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

Sonja M. Keaton, Clerk

David E. Seagraves, Mayor