

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
June 16, 2015

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on June 16, 2015 in the City Council Chambers. The Pledge of Allegiance was recited. Members Apgar, Cantrell, Duncan, Garber, Kirklin and Letner; Fire Chief Fletcher, Acting Manager/Law Director Stephan and Assistant Manager/Finance Director/Clerk Keaton were present. Police Chief Jerome was absent.

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

Motion by Apgar, second by Cantrell to accept the June 2, 2015 Regular Meeting Minutes, June 3, 2015 Special Meeting Minutes and June 4, 2015 Special Meeting Minutes as presented. All yeas, motion carried.

Matthew Stark of Boy Scout Troop 47, introduced himself and stated he is present to earn his Citizenship and Community Merit badges. Matthew stated in addition to attending the Council Meeting, he will need to interview one Council or Staff Member about a community issue.

Mayor Seagraves advised Matthew to approach him after the meeting and he will make sure he gets his interview with someone.

Rodney Stark, Scoutmaster for Troop 47, introduced himself, stating he is present to support Matthew.

Mayor Seagraves stated he has always admired his Scoutmaster as it is a sacrifice above and beyond to leave family behind to take a bunch of kids on week long trips. Mayor Seagraves stated being a Scoutmaster takes an exceptional person. Mayor Seagraves encouraged Matthew to keep working and become an Eagle Scout.

Acting Manager/Law Director Stephan reported Council has selected candidate Gary Burkholder for the position of City Manager. Acting Manager/Law Director Stephan stated Council will need to pass Resolution No. 15-05 in order to appoint Mr. Burkholder as City Manager for the City of Brookville. Acting Manager/Law Director Stephan reported the City has reached an Agreement with Mr. Burkholder as to the terms of his employment as City Manager and an Employment Agreement has been submitted to Council for approval tonight. Mr. Burkholder would be starting on July 1, 2015 under the Resolution and the Employment Agreement. Acting Manager/Law Director Stephan stated to proceed with the appointment of Mr. Burkholder to the position of City Manager, Council will need to act on Resolution No. 15-05 and approve the Employment Agreement between the City of Brookville and Gary L. Burkholder and authorize the Acting City Manager to execute the Employment Agreement for the City. Acting Manager/Law Director Stephan commented that Mr. Burkholder is currently the Village Administrator for the Village of Hartford and has a wide range of other municipal and township experience. Acting Manager/Law Director Stephan stated Mr. Burkholder has been selected by Council as the successful candidate after a thorough search in which Council evaluated and interviewed a number of very qualified candidates. Acting Manager/Law Director Stephan opened the floor for comments from Council before moving forward with the Motion.

Mayor Seagraves stated he wants to personally comment on what a great group of Council Members we have, who went above and beyond. Mayor Seagraves stated he knows the anticipation and the thought process involved and assured everyone that Council worked their tails off to select Mr. Burkholder. Mayor Seagraves stated there were some very good candidates but through the process of elimination and through the process of Council asking good questions, it was a heck of an exercise. Mayor Seagraves stated initially he was a little concerned about how all of this went as this is something we have never done. Mayor Seagraves commented to try to find the right chemistry where an individual can come into a community that he is not familiar with and to extend his belief in us and vice versa has been quite a challenge. Mayor Seagraves thanked Council, stating they did a tremendous job, and

also thanked Acting Manager/Law Director Stephan for everything he has done through this great and challenging exercise. Mayor Seagraves congratulated Mr. Burkholder and welcomed him to town, stating he has a great opportunity. Mayor Seagraves stated some of the things that stood out about Mr. Burkholder are he was on time and even ahead of schedule to meet, he was dressed professionally and ready to go, and there was not a more excited guy than Mr. Burkholder about the position, which you could clearly see in his emotions and his attitude. Mayor Seagraves stated one of the things he thinks is important is integrity, trust, loyalty and commitment and Mr. Burkholder believes in that and practices that. Mayor Seagraves stated Council is going to work hard with Mr. Burkholder, who will be sworn in and begin his new position on July 1, 2015.

Member Apgar observed that Mayor Seagraves stated it all, and added that many candidates came in with a lot of knowledge, but Mr. Burkholder has the personality that Council was looking for that would fit within the City and with the residents. Member Apgar wished Mr. Burkholder good luck.

Member Garber stated other qualities that not were mentioned by the Mayor were that Mr. Burkholder had done his homework before coming in, looked people in the eye and talked to them directly. Member Garber observed Mr. Burkholder is very personable and easy to establish a rapport with, which is very important in working with businesses, schools and other vendors, as well as in economic development. Member Garber stated another thing he thinks Council did right was to involve Staff, who were all very positive in their feedback about Mr. Burkholder. Member Garber stated at the final interview, Mr. Burkholder had not lost a bit of energy and was still driven and able to recall things, which some of the candidates lacked after such a busy day. Member Garber welcomed Mr. Burkholder and his fiancée to Brookville and stated he thinks he will do fine.

Member Letner stated he was very impressed with Mr. Burkholder's enthusiasm from the first interview. Member Letner stated he hesitates to use the term giddy, but Mr. Burkholder seemed so excited he was a bit giddy. His passion came across, and that impressed Member Letner and sold him. Member Letner welcomed Mr. Burkholder to Brookville.

Member Kirklin congratulated Mr. Burkholder and stated Mayor Seagraves hit the nail on the head, and stated many of the candidates had the education, the background and the knowledge for the position but what stood Mr. Burkholder above the other candidates was the forward thinking, more strategic in planning, and more aggressive about where we want the City to go and putting the things in place to get there. Member Kirklin stated knowing that we will have a City Manager who is also committed to looking ahead and as opposed to being reactive, being proactive. Member Kirklin congratulated Mr. Burkholder and stated Council is very excited to have both him and his fiancée here.

Member Duncan commented that Council also involved the school system with the selection process and Superintendent Tim Hopkins was very impressed with Mr. Burkholder. Member Duncan stated during the interviews, Mr. Burkholder mentioned some things to Council that they should have been doing, as did some of the other candidates, and Council learned a lot from these interviews. Member Duncan stated he thinks Mr. Burkholder will do a fine job for us and his fiancée Kathy will keep him intact.

Member Cantrell presented Mr. Burkholder with a collection of Brookville Star articles written about various people here in Brookville. Member Cantrell stated she moved to Brookville from out of the area and several local people took her under their wing. Member Cantrell stated she hopes the articles will familiarize Mr. Burkholder with some of the people he may run into at the grocery store.

Mayor Seagraves joked that the best advice he can give is for Mr. Burkholder to get an artificial certificate from Superintendent Hopkins showing he is a Brookville graduate, because no matter how long you live here you are not a Brookvillian unless you graduate from here.

Mr. Burkholder introduced his fiancée Kathy Johnston and thanked the Mayor and Council, Law Director and Finance Director and Staff for making this process truly enjoyable. Mr. Burkholder stated he feels very privileged, honored and humbled by this opportunity. Mr.

Burkholder stated he is very excited as this is the kind of position he has been looking for, for a long time. Mr. Burkholder stated he felt it was right after his first interview with Council and knew we were on the same page. Mr. Burkholder stated he would like to thank the citizens of the community for their patience as this was a long, arduous process that was done professionally with a good search firm. Mr. Burkholder stated he looks forward to working with Council and staff, and also with the residents. Mr. Burkholder stated he hopes everyone feels free to call him once he gets on board, stating we are going to have a good time and he is looking forward to being a part of the community.

Motion by Duncan, second by Cantrell to read Resolution No. 15-05. All yeas, motion carried.

Motion by Duncan, second by Apgar to accept the first reading, dispense with the second and third reading and adopt Resolution No. 15-05 entitled "A RESOLUTION NAMING GARY L. BURKHOLDER CITY MANAGER AND ESTABLISHING THE COMPENSATION FOR THIS POSITION, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Acting Manager/Law Director Stephan requested a motion to approve the Employment Agreement between the City of Brookville and Gary L. Burkholder and authorizing the Acting City Manager to execute the Employment Agreement for the City.

Motion by Apgar, second by Kirklin to approve the Employment Agreement between the City of Brookville and Gary L. Burkholder and authorizing the Acting City Manager to execute the Employment Agreement for the City of Brookville. All yeas, motion carried.

Acting Manager/Law Director Stephan congratulated Mr. Burkholder and stated he is looking forward to seeing him on July 1, 2015.

Mayor Seagraves commented that Assistant Manager/Finance Director Keaton and Fire Chief Fletcher were vital in the selection process and thanked them for their assistance.

Fire Chief Fletcher stated he only spent a brief time with Mr. Burkholder but it was very positive and he is very encouraged. Fire Chief Fletcher stated in the end the search did exactly what it was supposed to do which is to find someone who is going to be a good fit for the community.

Assistant Manager/Finance Director Keaton echoed Fire Chief Fletcher's comments and congratulated Mr. Burkholder, welcoming him aboard.

Member Cantrell thanked Acting Manager/Law Director Stephan for taking care of the BMX sign.

Assistant Manager/Finance Director Keaton stated she is pleased to announce that Ace Torwel, Inc. will be opening a new manufacturing and distributing facility at 630 Albert Road, the former Benchmark building. Assistant Manager/Finance Director Keaton stated as Council may recall, this was our Project Albert ED/GE Grant Application earlier this year. The Ace Group was awarded a \$25,000 ED/GE Grant and they also received a \$300,000 Jobs Ohio Revitalization Grant. Both grants will be used toward the revitalization of the building. Assistant Manager/Finance Director Keaton reported the Ace Group currently manufactures and distributes quality, low-cost replacement parts and new components for the asphalt industry in Willmar, Minnesota. In 2013, the Ace Group acquired a salt and sand spreader business in Bellingham, Massachusetts. Their plan is to manufacture and distribute salt and sand spreaders in Brookville, which will allow them to deliver products within a 10-state radius of the Brookville plant.

Assistant Manager/Finance Director Keaton requested Council approval to accept our Commercial Property, Automobile and Liability Insurance coverage through The Ohio Plan, which renews on July 1 for a one year period. The renewal premium came in at \$57,864, which is a \$9,271 decrease from last year. Assistant Manager/Finance Director Keaton reported our renewal also includes Cyber Data Breach and Privacy Liability coverage.

Mayor Seagraves recognized Assistant Manager/Finance Director Keaton for her diligent work to get the best possible insurance rates, both risk and health insurance rates, for the City of Brookville.

Motion by Garber, second by Kirklin to renew our Commercial Property, Automobile and Liability Insurance coverage through The Ohio Plan at rate of \$57,864, effective July 1, 2015, for a one year period. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported Anthem is allowing us to renew our current dual health insurance plans with slight modifications. We are able to renew one more year under a standard health insurance plan. Assistant Manager/Finance Director Keaton advised she reviewed several health insurance options and requested Council accept Option 1, which has minor modifications to the HSA and PPO plans that ultimately result in a 4.79% decrease. Assistant Manager/Finance Director Keaton stated dental insurance came in with a 6% rate increase and two-year rate guarantee, which is paid 100 % by the employer. This rate is good for this renewal and our 2016 renewal. Assistant Manager/Finance Director Keaton recommended that Council renew our Anthem Lumenos 6.0 HAS Option E1 health insurance plan with the Rx-9 prescription plan and the Anthem Blue Access 6.0 Option D56 health insurance plan with the Rx-8 prescription plan, which allows the City to continue to offer dual health insurance plans, with the employee contributing 13% and the employer contributing 87% of the monthly rate. The City will contribute \$1,500 for each single employee and \$3,000 for an employee and dependent contract under the Lumenos HSA plan; and to accept the Dental Care Plus proposal for dental insurance at a monthly rate of \$30.32 per single employee, \$60.60 per employee and one dependent and \$93.15 per employee and two or more dependents; and to continue our Life and AD&D insurance through United HealthCare with the dental and life insurance paid 100 % by the employer and to offer Avesis Vision Care Plus as a voluntary vision plan through the Cafeteria 125 plan.

Motion by Apgar, second by Cantrell to renew our Anthem Lumenos 6.0 HSA Option E1 health insurance plan with the Rx-9 prescription plan and the Anthem Blue Access 6.0 Option D56 health insurance plan with the Rx-8 prescription plan which allows the City to continue to offer dual health insurance plans, with the employee contributing 13% and the employer contributing 87% of the monthly rate. The City will contribute \$1,500 for each single employee and \$3,000 for an employee and dependent contract under the Lumenos HSA plan; and to accept the Dental Care Plus proposal for dental insurance at a monthly rate of \$30.32 per single employee, \$60.60 per employee and one dependent and \$93.15 per employee and two or more dependents; and to continue our Life and AD&D insurance through United HealthCare with the dental and life insurance paid 100 % by the employer and to offer Avesis Vision Care Plus as a voluntary vision plan through the Cafeteria 125 plan. All yeas, motion carried.

Assistant Manager/Finance Director Keaton reported it is time to negotiate our next Street Lighting Contract as our existing contract expires on December 31, 2015. Assistant Manager/Finance Director Keaton stated the last contract was very beneficial to those that joined the regional coalition of cities and participated with the joint contract, saving the City of Brookville \$60,500. Assistant Manager/Finance Director Keaton advised if Council wishes to continue to be a part of the regional coalition of cities negotiating a joint contract, Council needs to adopt proposed Resolution No. 15-06.

Motion by Cantrell, second by Kirklin to read proposed Resolution No. 15-06. All yeas, motion carried.

Motion by Duncan, second by Kirklin to accept the first reading, dispense with the second and third reading and adopt Resolution No. 15-06 entitled "A RESOLUTION EXPRESSING THE CITY'S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING, AND DECLARING IT AN EMERGENCY. Cantrell yea, Garber abstain, Letner yea, Kirklin yea, Apgar yea, Duncan yea and Seagraves yea. Motion carried with six yeas and one abstention.

Member Garber asked if the coalition will try to negotiate for LED street lighting, which he feels is a better light and is much cheaper than incandescent lighting?

Assistant Manager/Finance Director Keaton replied she will see if they can include this in their negotiations.

Assistant Manager/Finance Director Keaton reported the Wastewater Treatment Plant Project is proceeding on schedule and our operators are currently being trained on the new equipment. Assistant Manager/Finance Director Keaton reported we are considering holding an Open House at the Wastewater Treatment Plant on September 15, 2015. She will provide additional information when that date is set.

Assistant Manager/Finance Director Keaton reported a Return Sludge Pump is down and will cost approximately \$3,500 to repair.

Assistant Manager/Finance Director Keaton reported the Summer Edition of our City Newsletter will be mailed out later this week. If you do not receive a newsletter, please contact the City Office and we will make sure you get a copy.

Assistant Manager/Finance Director Keaton reported Council should have a copy of the monthly street light outages/repairs from Miami Valley Lighting.

Member Garber inquired whether Assistant Manager/Finance Director Keaton is still looking at the Open Gov program?

Assistant Manager/Finance Director Keaton replied she is still looking into the program.

Mayor Seagraves stated he is happy to report the City received approval of CDBG grant funds for Phase II of our handicapped sidewalk replacement program through the due diligence of Assistant Manager/Finance Director Keaton and former City Manager John Wright.

Fire Chief Fletcher reported we just entered into a three-year agreement with Hyper-Reach for a mass notification system and gave an overview of the system. Fire Chief Fletcher stated there is less impact on staff to operate and maintain this system than he anticipated and it is extremely user friendly. Fire Chief Fletcher stated we will add a link to all of our social media sights to give residents the opportunity to sign up. Hyper-Reach has purchased all available published data in the white pages; however, the majority of the public relies on cellular phones now. This has eliminated the published data available in the white pages. Fire Chief Fletcher advised we will have an ongoing effort by all the departments to give every opportunity for residents to sign up at local public events. Fire Chief Fletcher advised the more information we get from the public the more effective it will be, such as information on residents with special assistance needs, such as oxygen or who are bedridden. Residents can sign up with as many email addresses or phone numbers as they want for their particular address.

Member Garber commented that the sign-up looks simple and observed that the special needs information and multiple phone number capability for the same address are both good things. Member Garber stated the system could notify residents who are downwind of a hazardous material spill, remind them not to park on the street during a snow event, or notify the public of an elderly person that may have wandered off.

Fire Chief Fletcher stated there is the capability to build child accounts for individual groups such as CERT notifications, or for just the Police or Service Department. Messages can also be sent out to residents in a certain radius. This can be done with the mobile data devices within our fire and police equipment.

Member Kirklin asked what type of log-ins and passwords are required to activate the messaging system?

Fire Chief Fletcher replied our mobile devices and the messaging system have layered safeguards to prevent unauthorized messages to be sent.

Member Cantrell asked if there is any cost to residents?

Fire Chief Fletcher replied there is no cost to residents and commented the City got a really good price on a three-year contract with unlimited use.

Member Cantrell asked if residents have to opt out if they move out of the area?

Fire Chief Fletcher replied residents will have to remove themselves from the system if they move or no longer wish to receive messages. The Fire Department can also do this for them upon request.

Member Cantrell inquired if the information is parceled out to other providers?

Fire Chief Fletcher replied this information is protected and will not be used for any other purpose other than emergency notification by the City of Brookville.

Fire Chief Fletcher reported there was a recent threat of violence when one of our businesses suffered a bomb threat. Fire Chief Fletcher advised the incident was handled very well with the Police and Fire Departments working closely to evacuate the building and handle the incident.

Acting Manager/Law Director Stephan advised last year Council approved an Ordinance which adopted land reutilization procedures of Ohio Revised Code Chapter 5722 and approved a Memorandum of Understanding with the Montgomery County Land Reutilization Corporation (MCLRC), or what is commonly known as the Montgomery County Land Bank. Earlier this year, City Staff requested that MCLRC commence expedited tax foreclosure proceedings on two vacant properties in the City of Brookville. One of these properties has now been transferred to the Land Bank and the next step in the process is to transfer the property to the City of Brookville. The property is a vacant lot the City has been maintaining and mowing located at 321 N. Wolf Creek Street. Acting Manager/Law Director Stephan requested a motion to approve the transfer of the parcel at 321 N. Wolf Creek Street to the City of Brookville and to authorize payment to the Montgomery County Land Reutilization Corporation for the sum of \$2,000 for costs incurred in completing the foreclosure proceeding.

Member Duncan asked if we were restricted from selling the property?

Acting Manager/Law Director Stephan replied we can hold on to the property or we can sell it. City Staff will review the property and come back to Council with some options.

Motion by Cantrell, second by Kirklin to allow the transfer of the property located at 321 N. Wolf Creek Street from the Montgomery County Land Reutilization Corporation to City of Brookville and payment of the sum of \$2,000 to Montgomery County Land Reutilization Corporation for costs incurred in completing the foreclosure proceeding. All yeas, motion carried.

Member Kirklin inquired about the second property that is currently in this process?

Acting Manager/Law Director Stephan replied he is hoping in the next two to four weeks we will be passing the same motion on that property.

Mayor Seagraves announced both he and Member Duncan will be absent for the July 7, 2015 Council Meeting and inquired if the remaining Members will be in attendance.

The consensus is the remaining Members will attend and the July 7, 2015 meeting will be held as scheduled .

Member Cantrell wished Mayor Seagraves a Happy Fourth of July and a Happy Birthday on July 7, as he will be out of town on both of those dates.

Mayor Seagraves thanked her and wished everyone a safe and Happy Fourth of July. Member Seagraves stated July is a busy month and reminded everyone of the Community Picnic coming at the end of July.

Mayor Seagraves announced Planning Commission will meet on Thursday, June 18, 2015 at 7:30 p.m.

Mayor Seagraves requested an Executive Session on a Personnel Matter.

There was no Old Business.

In New Business, Member Garber provided some information from DP&L on planting the correct types of trees around power lines. Member Garber reported DP&L is also offering grants of up to \$5,000 for lighting and electric needs. Member Garber reported DP&L is also offering \$80,000 in cash prizes to businesses and municipalities for energy efficiency improvements in the Bring Your Green Challenge beginning in the month of August.

Member Garber commented our name was not on the Site Certification list and inquired where we are in the process?

Assistant Manager/Finance Director Keaton replied we had to withdraw because the Montgomery County Fair Board has a new Agreement with Joe Walker on the land that was qualified to be in the Site Certification process.

Motion by Apgar, second by Cantrell to go into Executive Session on a Personnel Matter as requested by Mayor Seagraves. All yeas, motion carried.

Mayor Seagraves called Council back into Regular Session.

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

---

Sonja M. Keaton, Clerk

---

David E. Seagraves, Mayor