

BROOKVILLE MUNICIPAL COUNCIL
REGULAR MEETING
March 6, 2001

The Regular Meeting of the Brookville Municipal Council was called to order by Mayor Dafler at 7:30 P.M. on March 6, 2001 in the Municipal Council Room. Members Duncan, Garber, Imler, Seagraves, and Trimble; Manager Wright, Assistant Manager Sewert and Law Director Stephan were present. Member Shellabarger was absent.

Motion by Seagraves, seconded by Imler to accept the Agenda as presented. All yeas, motion carried.

Motion by Imler, seconded by Duncan to accept the February 20, 2001 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Dafler and Police Chief Andrew Papanek presented the "Officer of the Year 2000" plaque to School Resource Officer Doug Jerome, for his outstanding contributions and commitment to the School Resource Officer Program.

Carl Snedeker, of 827 Shaney Lane, voiced his concern of the condition of Shaney Lane due to construction debris being left behind. The contractor has been contacted on several occasions, and will be reminded again to keep the street cleaned.

Mike Dull, of Clay Township, stated he had missed the last Council meeting, and asked Manager Wright for an explanation on the Municipality becoming a Certified Building Department.

Manager Wright reported that the Public Meeting with the residents of Clay Street, on the Clay Street Reconstruction Project, went well. Manager Wright introduced Mr. Brian Barhorst, of Choice One Engineering, who gave a brief presentation of the Clay Street Reconstruction Project. Manager Wright reported that the Project will start in mid-April, and should take approximately four months to complete. Discussion followed.

Motion by Duncan, seconded by Imler to approve the Final Plans for the Clay Street Reconstruction Project as recommended by Manager Wright. All yeas, motion carried.

Manager Wright reported that one bid was received for a new 25-yard High Compaction Rear Load Refuse Truck. Discussion followed.

Motion by Duncan, seconded by Imler to accept the bid from Best Equipment Company Inc. for a 25-Yard Leach Rear Load Packer Demo Unit at a price of \$114,190 as recommended by Manager Wright, All yeas, motion carried.

Mayor Dafler recessed the Regular Meeting of Council at 8:00 P.M. for the Public Hearing, which is a combined meeting with Council and Planning Commission, on proposed Ordinance No. 2001-01, to consider amending Section 1161.05(c) Political Signs and Section 1161.14(b)(5) Special Use controls of the Code of Ordinances of the Municipality of Brookville.

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

Clerk Keaton advised the Public Hearing was advertised in the Brookville Star on February 21 and February 28. The Municipal Office did not receive any calls pertaining to the Public Hearing notice. Clerk Keaton reported the copies of Ordinance No. 2001-01 that Council received and had the first reading on February 6, 2001, contained a typographical error in Section 1. Section 1 should read Section 1161.05(c) Political Signs. Last December, Planning Commission decided to review the current Sign Ordinance in respect to the maximum allowable square footage in the Highway Service zoning district, due to a request for a 294 sq. ft. per side sign for the new Holiday Inn Express. At the January Planning Commission meeting, it was reported that Wendy's, Waffle House, McDonalds and the BP gas station signs are larger than our current ordinance allows. Zoning Officer Lengerich reported that some of the surrounding communities along the Interstate, which he surveyed, allowed approximately 200 sq. ft. per side signs. An additional item that arose at the January Planning Commission meeting was the current wording of Section 1161.14(b)(5) paragraph C, which restricts highway oriented uses to Service Stations, Motels

and Restaurants. Assistant Manager Sewert showed the way the current Ordinance reads, and the proposed changes to Section 1161.14(b)(5) of the Code of Ordinance on the overhead. Another item of concern to the Planning Commission, is the current Ordinance on identification signs within 1000' from the centerline of an interstate highway system. The Municipality had Eric Thomas, of Fanning/Howey, lay out the 1000' and 2000' centerline of I-70 on the Walker property. Assistant Manager Sewert showed the 1000' and 2000' centerline of I-70 on the Walker property on the overhead. Currently the 1000' centerline encompasses approximately half of the Highway Service zoning district within the Walker development. The remaining item on proposed Ordinance No. 2001-01, Political Signs, was addressed by Law Director Stephan with an overhead displaying the current language and proposed new language. The proposed change is to extend the period for Political Signs from 30 days to 45 days, and to eliminate the language "prior to an election." This is in response to an Ohio Supreme Court case from the year 2000 involving the City of Painsville, where their current Ordinance was found to be unconstitutional. These proposed changes are designed to place the Municipality in compliance with that decision. Clerk Keaton advised that the proposed Ordinance will go before the Planning Commission on March 15 for their recommendation and vote.

Mayor Dafler requested that those in attendance that felt that they would speak at the Public Hearing, be sworn in, and that they stand and raise their right hand.

Several citizens went to the podium to voice their questions and opposition to the proposed amendments to the sign ordinance. Member Garber voiced his concerns of amending the 1000' centerline of I-70.

Mayor Dafler called Council back into Regular Session.

Manager Wright continued his report.

Manager Wright reported Martin Marietta submitted a proposal to purchase the lot that the Municipality currently owns in Clay Township in the area off of Welsh Road. Discussion followed.

Motion by Imler, seconded by Seagraves to accept the offer of \$1,500.00 from Martin Marietta, to purchase real estate known as Parcel Number C06-005-02-0020, situated in Clay Township in the area off of Welsh Road as recommended by Manager Wright. All yeas, motion carried.

Manager Wright announced the Municipality of Brookville will have a web site, and presented Finance Director/Clerk Keaton to give a report on the web site.

Finance Director/Clerk Keaton reported the Municipal's web site address will be www.brookvilleohio.com. The site will be on-line by the end of March. The web site was designed by Abraham Lincoln of Brookville. Mr. Lincoln will be the Webmaster, and all additions and changes to the site will be implemented by Mr. Lincoln. Discussion followed with no action taken.

Manager Wright presented the Organizational Chart that was requested at a previous meeting.

Manager Wright indicated that he is in the process of scheduling a meeting with all of the jurisdictions that would be involved with EMS billing for their input.

Law Director Stephan had no report.

Finance Director/Clerk Keaton gave her report with the following action taken.

Motion by Imler, seconded by Seagraves to accept the February 28, 2001 Fund Balance as presented. All yeas, motion carried.

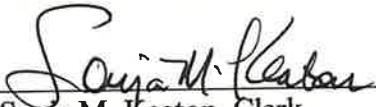
Discussion was held on the memo and packet that was prepared by Finance Director/Clerk Keaton for the Mayor and Council on the information that Member Duncan had requested in a previous meeting. Included in the packet was information pertaining to the Property Tax Values for Clay and Perry Township and how they relate to the Fire Levies.

Mayor Dafler had no report.

Motion by Duncan, seconded by Imler to read proposed Resolution No. 01-01. All yeas, motion carried.

Motion by Imler, seconded by Duncan to accept the first reading, dispense with the second and third reading and adopt Resolution No. 01-01 entitled "A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING, REPLACING OR REPAIRING CERTAIN SIDEWALKS, CURBS AND GUTTERS IN THE MUNICIPALITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Imler, seconded by Seagraves to adjourn. All yeas, motion carried.


Sonja M. Keaton, Clerk
Thomas L. Dafler, Mayor