

BROOKVILLE CITY COUNCIL
REGULAR MEETING
October 21, 2003

The Regular Meeting of the Brookville City Council was called to order by Mayor Imler at 7:30 p.m. on October 21, 2003 in the City Council Chambers. The pledge of allegiance was recited. Members Garber, Sanders, Seagraves, Trimble and Ullery; Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, Police Chief Preston and Deputy Clerk Brunner were present. Manager Wright arrived later. Member Duncan and Clerk Keaton were absent.

Motion by Seagraves, second by Garber to accept the Agenda as presented. All yeas, motion carried.

Motion by Seagraves, second by Garber to accept the October 7, 2003 Regular Meeting Minutes as presented. All yeas, motion carried.

O. B. Skidmore was present and asked permission to have the 4th Annual Veteran's Day Parade. The parade will be on November 8, with line-up at 2 p.m. on Carr Drive, and the parade will start at 3 p.m. The parade will be shortened this year and will end at Booze Chevrolet. The actual parade route will be turned into Chief Preston tomorrow. Mr. Skidmore invited Council members to ride in the parade in a City vehicle, and announced that there will be a fish fry at the VFW, open to the public, following the parade.

Mayor Imler questioned the short parade route. She commented that the residents at Brookhaven enjoy the parade. Mr. Skidmore answered that they also enjoy going by Brookhaven but have decided that the route must be shortened.

Member Garber mentioned that throwing candy on the parade route is not allowed.

Motion by Seagraves, second by Garber to approve the 4th Annual Veteran's Day Parade as presented. All yeas, motion carried.

Mr. Wayne Ward of Calmer Ernst Blvd. thanked the City for the nice new sidewalks at Golden Gate Park. He enjoys using them.

Chief Nickel gave his report. Chief Nickel reported that everyone was told at the Fire Prevention Parade not to throw candy, but some did anyway.

Chief Nickel thanked Manager Wright, Assistant Manager Sewert, Council, City Staff, and Police Department and gave special thanks to Bob & Sally Batz for everyone's involvement with the Parade and events of the day. Chief Nickel will attend a meeting on Friday with the Chamber and City to prepare for next year's parade. The Chamber would like to expand into evening activities next year. Nickel reported that 300 chickens were prepared and sold out by 12:30.

Member Sanders asked if there was any feed back from downtown business owners and Chief Nickel reported that they were all very pleased. Next year it is decided that they will fill up Market Street first before the Fire Department parking lot with garage sales and vendors.

Assistant Manager Sewert reported that Council should make a decision if they support the Montgomery County EMA Draft Mitigation Plan.

Motion by Seagraves, second by Ullery to approve the Montgomery County Draft EMA Mitigation Plan. All yeas, motion carried.

Manager Sewert shared an invite with Council & Planning Commission from Benchmark Homes. The ribbon cutting will be at their model home located in Meadows of Brookville at noon on Friday, October 24. Mayor Imler stated she would not be able to attend.

Police Chief Preston reported that there were 287 total calls from October 7 through October 20, with an average response time of 2.19 minutes. Police Chief Preston also reported that they have cleared the attempted robbery at True Value, which cleared two

crimes, as this was the same person that broke into Rob's Restaurant. Preston stated that there were five businesses broken into on the weekend of October 12.

Member Seagraves commended Chief Preston on the great job they do with the Women's Self -Defense Training. Chief Preston commented that this is the 6th year for the classes.

Law Director Stephan had no report except to ask for an Executive Session on negotiations on a Real Estate matter.

Deputy Clerk Brunner had no report.

Manager Wright arrived.

Mayor Imler gave thanks to all for a great Fire Prevention Parade. She also read a Proclamation proclaiming the week of November 10th, 2003 as "Military Appreciation Week" and urged everyone to attend the Veteran's Day Parade on November 8, 2003.

Member Seagraves reminded everyone of the Chamber Dinner on Thursday, November 13. Council gave a reservation count to Deputy Clerk Brunner to turn into the Chamber. The City will pay the fee for each Council Member and Administrative Staff to attend.

Member Garber had questions in relation to the Planning Commission Minutes. He questioned the requirement for off-street parking at Brookville Oil & Lube; Assistant Manager Sewert answered that there are no restrictions now.

Member Garber also questioned if Planning Commission had any recommendations on lot sizes. Dottie Watkins reported that Planning Commission is still working on this.

Motion by Seagraves, second by Garber to read Resolution No. 03-21. All yeas, motion carried.

Motion by Garber, second by Seagraves to accept the third reading and adopt Resolution No. 03-21 entitled "A RESOLUTION IN SUPPORT OF MONT. COUNTY'S HUMAN SERVICES ISSUE ON THE BALLOT NOVEMBER 4, 2003, FOR THE PURPOSE OF HEALTH AND HUMAN OR SOCIAL SERVICES PURSUANT TO O.R.C. SECTION 5705.191". All yeas, motion carried.

Member Garber referred back to the Planning Commission Minutes about Mr. Bausman's request to split his property if Lehman Estates is interested. Law Director Stephan said it is impossible to give approval without plans, there was no formal approval. Planning Commission suggested that Mr. Bausman return when he has formal plans.

Vice Mayor Seagraves commended the Corvette Club for donating \$1000 to the new sidewalks at Golden Gate Park. Manager Wright added that the Corvette Club is responsible for all handicap accessible walks to shelters at Golden Gate Park.

Member Garber asked if the Community Theatre is continuing with their financial agreement. Member Seagraves replied that the Community Theatre usually pays \$1000 after each production, and that they have a balance of approximately \$44,000-\$45,000, and probably started with a balance around \$59,000.

Manager Wright reported that the fountain, tables and benches are in at Gateway Park. The flagpoles should be in this week and in place. Member Trimble commented that he has heard many positive comments. All Council Members commented on how nice the park is.

Member Ullery commented that he has seen a lot of activity on Westbrook Road at the Water Booster Pump Station. Manager Wright reported that the County is draining the water tower for inspection, and we play a part in that to make sure our water levels remain stable.

Member Ullery asked if we have heard anything from Montgomery County Engineers in reference to the water situation at the proposed new development in Perry Township. Manager Wright stated that he has not heard anything.

Member Ullery asked about the new pole on Westbrook Road, Chief Nickel said he thinks they are related to the new tornado sirens.

Mayor Imler announced that the Public Meeting would begin.

Law Director Stephan went over the current Ordinance No. 377 and the proposed changes.

Some children who enjoy skateboarding asked for clarification. Law Director Stephan replied.

Member Seagraves asked about penalties. Law Director Stephan explained what the current and proposed penalties would be.

Rhonda Risner Hanos commented that the proposed changes seem harsh since there are no play area streets, and feels that play area streets should be added in the ordinance in case it is decided to add play area streets. She commented that she hasn't seen the skateboarders creating a problem. She also commented that she doesn't see the business owners here at this meeting to comment.

Member Ullery commented that he would also like to see parents here tonight to support the children in attendance.

Dottie Watkins said that she has seen the children skateboarding on steps from private homes on Market Street. She has also seen them gathered in the bus stop and punching the windows. She has also asked them to move out of the street when driving and they will not move.

One child replied that they cannot stay in the Skate Park forever and that they need new challenges. They also stated that others from New Lebanon come to join them and respond poorly to adults; when the police arrive the others from New Lebanon have left and they take the blame.

Chief Preston reported that they have taken approximately 17 calls that have required a police visit and that does not include other phone calls complaining about skateboarders.

Darrell Reel questioned if "no skateboarding" included parking lots such as McMaken's. Law Director Stephan stated that those are private property.

Council and the children in attendance continued with a question & answer session.

Sue Dull questioned if this included roller skating as well. Law Director Stephan replied that this is something Council must decide.

Sue Dull also commented that she felt the sidewalks might be difficult to skate on and the street would be smoother. She also commented that those in attendance must show leadership and tell their friends to behave.

A young man questioned if this ordinance is passed, can they do a fundraiser to get other things in the Skate Park. Manager Wright responded that they are always welcome to provide funds.

Manager Wright stated that if the Skate Park is a success and taken care of properly that they intend to add something new to the Skate Park each year, but reminded them that they cannot bring in their own things.

Consensus was that the children will do research at the library and return in the Spring to speak with Manager Wright and show him some things they would like to have and placement of them in the Skate Park.

Mayor Imler closed the Public Meeting.

There was no Old Business.

There was no New Business.

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Motion by Seagraves, second by Garber to go into Executive Session on a Real Estate matter as requested by law Director Stephan. All yeas, motion carried.

Mayor Imler called Council back into Regular Session.

Motion by Trimble, second by Garber to adjourn. All yeas, motion carried.

Belinda Brunner
Belinda Brunner, Deputy Clerk

Carole Imler
Carole Imler, Mayor