

BROOKVILLE CITY COUNCIL  
REGULAR MEETING  
July 20, 2004

The Regular Meeting of the Brookville City Council was called to order by Acting Mayor Garber at 7:30 p.m. on July 20, 2004 in the City Council Chambers. The pledge of allegiance was recited. Members Duncan, Hanos, Reel, Sanders; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Police Chief Preston and Director of Finance/Clerk Keaton were present. Mayor Seagraves, Member Ullery and Fire Chief Nickel were absent.

Motion by Duncan, second by Sanders to accept the Agenda with additions. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the July 6, 2004 Regular Meeting Minutes as presented. All yeas, motion carried.

Allan Moe, with HLS Surveyors and Engineers, presented a request for approval of a Final Plat for Golden Gate Estates, Section Three, consisting of 13 lots along Golden Maple Avenue. Section Three is the final section of single family residential homes in R-1B zoning for the Golden Gate Estates Subdivision, and is located between Calmer Ernst Blvd. and Golden Beech Drive. Mr. Moe commented this Section was brought before Council approximately one year ago and was approved. The owner of the property fell into some difficulties and was not able to proceed. HLS Surveyors and Engineers is the developer now on this particular project. The covenants and restrictions are the same as in previous sections. City Engineer Schroeder has reviewed the plans, and stated there are a few minor issues that need to be addressed. Discussion followed.

Motion by Duncan, second by Reel to approve the Final Plat for Golden Gate Estates, Section Three, as presented and approved by the Planning Commission, contingent on City Manager Wright's and City Engineer Schroeder's final review and approval of the Construction Plans and a Performance Surety shall be posted to meet the requirements of the Brookville Design Criteria and Subdivision Regulations. All yeas, motion carried.

Tim Schram, with Miami Consultants Limited, presented a request for approval of a Final Plat for Brookwoode Commercial Development, Section One, consisting of approximately 9.558 total acres with two Highway Service commercial building lots totaling approximately 8.159 acres located at the southwest corner of Arlington and West Upper Lewisburg Salem Roads and extending and dedicating approximately 1000' of new roadway, which will extend Meadow Glen Avenue. Meadow Glen Avenue will eventually connect West Upper Lewisburg Salem Road with West Westbrook Road. Roadway improvements will be made along West Upper Lewisburg Salem Road from Arlington Road to the Interstate 70 overpass. Meadow Glen Avenue will have a 70' right-of-way at the West Upper Lewisburg Road entrance then it will taper down to a standard 60' right-of-way. The 70' right-of-way will accommodate a pedestrian walkway to be installed along the frontage of Lot #2230 along West Upper Lewisburg Salem Road with a 10' green space between the back of curb and the walk itself. There will be a centralized detention system for the Highway Service acreage. Mr. Schram stated the developer has requested the right-of-way, along West Upper Lewisburg Salem Road, near Arlington Road, to be vacated and the triangular shaped ground at the corner of Arlington and West Upper Lewisburg Salem Roads, which is owned by the City of Brookville, to be conveyed to the developer. The detention system will be a wet pond with signage and water features that will be included with the project and will be maintained by a Commercial Association. Mr. Schram requested that the installation of sidewalks be waived along West Upper Lewisburg Salem Road west of the proposed Meadow Glen Avenue and the west side of Meadow Glen Avenue until that area is developed. A sidewalk will be installed along the frontage of Lot #2230 and will continue east along West Upper Lewisburg Salem Road and it will wind around the corner on Arlington Road to tie into an existing sidewalk. A sanitary sewer minor interceptor will run along the southern portion of the proposed development, which will eventually continue onto the south, which will abandon the lift station currently located on Meadow Glen Avenue, in the Sterling Meadows Subdivision. Discussion followed.

Motion by Duncan, second by Garber to approve the Final Plat for Brookwoode Commercial Development, Section One, as presented and approved by the Planning Commission, contingent on City Manager's and City Engineer Schroeder's final review and approval of the Construction Plans and a Performance Surety shall be posted to meet the requirements of the Brookville Design Criteria and Subdivision Regulations and that the Reserve Area and proposed detention area are maintained by a Commercial Association and not the City of Brookville. All yeas, motion carried.

Manager Wright reported the City cleaned out the concrete basins behind the homes on Western Avenue next to Westbrook Park. Manager Wright stated the area will be fogged every two to four weeks throughout the summer. The City is currently reviewing the situation for improvements.

Manager Wright presented updates on the various projects throughout the City. Manager Wright stated there should be no construction problems along Arlington Road during the Community Picnic. The Carris Reels project is near completion, along with the Salem Street Project, the Gaines/Maple/Sycamore Storm Project and the 2004 Sidewalk Replacement Program.

Manager Wright thanked the Brookville Chamber of Commerce for their donation toward the restoration of the tennis courts at Westbrook Park.

Manager Wright reported the City will receive an additional \$50,000 for the Community Development Block Grant (CDBG) Downtown Revitalization Project, bringing the total CDBG investment to \$150,000. When projects were recommended for funding during the planning process, a contingency list was prepared in the event that projects were no longer viable or if the county received entitlement funds in excess of what had been estimated. The City of Brookville was third on that contingency list.

Police Chief Preston presented an overview of the Incident List and the Brookville Police Department Time Analysis from July 6, through July 19, 2004. Chief Preston reported there were 416 calls for service in this time period. Chief Preston reported the number of reportable incidents are down 32 reports or 7% and total calls handled are up 1,275 or 33% from this same time last year. The average response time is 1.56 minutes.

Police Chief Preston reported he received a telephone call, from a Brookville High School band parent, requesting permission to allow the band to march from the High School to Mound Street, in the Sterling Meadows subdivision, to a fellow students home on July 28 at 10:30 a.m. Police Chief Preston expressed concern for the safety of the students due to the number of students involved and having to cross Arlington Road. Discussion followed. Member Duncan suggested that the band march from Sterling Meadows, Section Seven, which was recently paved, over to the fellow students home. The consensus of Council is they did not have a problem with the band marching on the streets as long as they marched west of Arlington Road.

Law Director reported proposed Resolution No. 04-16 was drawn up per Council's request to expand the Community Reinvestment Area (CRA) to incorporate the downtown businesses. The proposed CRA Resolution amends Community Reinvestment Area #1 to include the downtown business district known as the Community Center (CC) zoning district and the General Business (GB) districts immediately north and south of the Community Center zoning district. Discussion followed.

Finance Director/Clerk Keaton requested Council approval to waive a hearing before the Montgomery County Budget Commission.

Motion by Reel, second by Duncan to waive a hearing before the Montgomery County Budget Commission for the 2005 Budget and Inside Millage. All yeas, motion carried.

Acting Mayor Garber reported he recently attended the opening of a new airline, Independence Air, at the Dayton International Airport. Independence Air will begin service in Dayton on August 15, 2004. Eight daily nonstop flights will be available to Washington Dulles International Airport. One-way fares begin at \$59.

Chairperson Watkins, of the Brookville Planning Commission, read the Planning Commission's recommendation that Council adopt proposed Ordinance No. 2004-05, which amends Chapter 1129, R-3 Multi-Family Residential District of the Code of Ordinances with an amendment to Section 1129.02(B)(3) to read Congregate housing, to delete Congregate housing in Section 1129.02(B)(8), to renumber Intermediate care homes as Section 1129.02(B)(8), to amend Section 1129.03(C)(2)(a) to read Single-family 1,200 square feet and Section 1129.03(C)(2)(b) to read Two-family 1,000 square feet. All yeas, motion carried.

Chairperson Watkins, of the Brookville Planning Commission, read the Planning Commission's recommendation that Council adopt proposed Ordinance No. 2004-06, which establishes Chapter 1167, Site Development Plans of the Code of Ordinances, with an amendment to the language in Section 1167.08 to read shall, and to amend Section 1167.12 to allow the Planning Commission to waive the requirements of the Site Development Plan Chapter upon the recommendation of the City Manager and to obtain final approval by Council for all waiver requests. All yeas, motion carried.

Chairperson Watkins, of the Brookville Planning Commission, read the Planning Commission's recommendation that Council zone the recently annexed 68.552 acres along East Westbrook Road as Suburban Residential (R-1A).

Motion by Duncan, second by Sanders to read proposed Ordinance No. 2004-05. All yeas, motion carried.

Motion by Sanders, second by Duncan to accept the second reading of proposed Ordinance No. 2004-05. All yeas, motion carried.

Motion by Duncan, second by Sanders to read proposed Ordinance No. 2004-06. All yeas, motion carried.

Motion by Sanders, second by Reel to accept the second reading of proposed Ordinance No. 2004-06. All yeas, motion carried.

Motion by Sanders, second by Duncan to read proposed Ordinance No. 2004-07. All yeas, motion carried.

Motion by Reel, second by Duncan to accept the first reading of proposed Ordinance No. 2004-07. All yeas, motion carried.

Acting Mayor Garber set a Public Hearing for proposed Ordinance No. 2004-07 for August 17, 2004 at 8:00 p.m.

Motion by Reel, second by Sanders to read proposed Resolution No. 04-16. All yeas, motion carried.

Motion by Sanders, second by Reel to accept the first reading of proposed Resolution No. 04-16. All yeas, motion carried.


Motion by Duncan, second by Reel to read proposed Resolution No. 04-17. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading of proposed Resolution No. 04-17. All yeas, motion carried.

In Old Business, Member Duncan commented that at the intersection of Western Avenue and Wolf Creek Street, 40 cars were parked there at 7:30 a.m. Assistant City Manager Sewert stated Zoning and Property Maintenance Officer Summers is working on the situation.

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

  
Sonja M. Keaton, Clerk

  
Bruce Garber, Acting Mayor