

BROOKVILLE MUNICIPAL COUNCIL
REGULAR MEETING
September 21, 1999

The Regular Meeting of the Brookville Municipal Council was called to order by Mayor Dafler at 7:30 P.M. on September 21, 1999 in the Municipal Council Room. Members Duncan, Garber, Imler, Seagraves, Shellabarger, and Trimble; Manager Wright and Law Director Stephan were present.

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

Motion by Seagraves, seconded by Imler to accept the September 7, 1999 Regular Meeting Minutes as presented. All yeas, motion carried.

Citizens Comments: Hank Clemons, Chairperson for RADAR, (Residents Against Development Arlington Road) presented Council a folder containing signatures against the development of Walkers Turf Farm. Darrell Reel, a representative of the committee, also presented a booklet containing information that he said may be of interest to the Brookville Representatives. Along with the booklet they also presented a booklet containing actual crime reports from Huber Heights, in the vicinity of Executive Blvd.

Manager Wright presented a summary from the Brookville Police Department on the Cops & Kids Fishing Derby that was held on September 18. It was stated that it was "Probably the most successful to date." Manager Wright thanked Clay Township and Perry Township Police Departments and the Montgomery County Sheriff's Office for their help in making this so successful.

Manager Wright gave a report on the hearing that was held today at the County Building, for the property located at 501 W. Westbrook Road. The Health Department gave the owner two options. He could either tear down the building, or bring the building up-to-code. The owner rejected both options. The Health Department is now taking this to the Montgomery County Board of Health where a decision will be made in 3-4 months. Member Garber inquired if we could find out what the selling price is of the property, and if it would be beneficial for the Village to purchase.

Manager Wright gave an update on the Westbrook Park Soccer Complex and the Salem Street Project with the following action taken.

Motion by Seagraves, seconded by Garber to authorize and approve Change Order #1 on the Salem Street Project in the amount of \$4,237.81 which is for additional paving, alley repair, storm pipe and manholes, as recommended by Manager Wright. All yeas, motion carried.

Law Director Stephan had no report, but requested an Executive Session concerning real estate negotiations.

Councilman Garber asked questions of Law Director Stephan regarding the possible amendment to the HS Zoning District, if the Village could request bonding on underground storage tanks at the proposed Walker Turf Farm, the possibilities of a law suit against the Village of Brookville by the Developer of Walker Turf Farm. It was also requested that Law Director Stephan look into the legalities of allowing alcohol to be sold in our parks, per the Park Board Minutes. Law Director Stephan advised that these questions would be taken under advisement.

Acting Clerk Keaton gave her report with the following action taken.

Motion by Seagraves, seconded by Imler to read proposed Resolution No. 99-17. 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. 99-17 entitled "RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

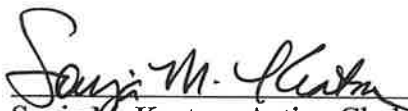
Mayor Dafler stated that he received a "Thank You" card from the Ted Landis family for the Village's contribution to his retirement reception. Mayor Dafler advised Council that he received an invitation from the Brookville Fire Department for Council to ride in their Fire Prevention Parade on October 9, 1999, and that he had a truck that they could ride in.

Councilman Shellabarger mentioned to those in attendance that they were very professional tonight and he appreciated that.

Motion by Imler, seconded by Seagraves to go into Executive Session as requested by Law Director Stephan concerning real estate negotiations. All yeas, motion carried.

Mayor Dafler called Council back into Regular Session.

Motion by Trimble, seconded by Duncan to adjourn. All yeas, motion carried.


Sonja M. Keaton, Acting Clerk


Thomas L. Dafler, Mayor