

BROOKVILLE MUNICIPAL COUNCIL
REGULAR MEETING
February 7, 1995

The regular meeting of the Brookville Municipal Council was called to order by Mayor Duncan at 7:30 P.M. on February 7, 1995 in the Municipal Council Chambers. Members Dafler, Imler, Shellabarger, and Trimble; Manager Wright and Law Director Stephan were present. Members Seagraves and Garber arrived later.

Motion by Imler, seconded by Dafler to accept the Agenda with the additions. All yeas, motion carried.

Motion by Imler, seconded by Dafler to accept the January 17, 1995 regular meeting minutes as presented. All yeas, motion carried.

Citizens Comments: Dick Baker requested approval for the Optimist Picnic Run, July 29, 1995. Discussion followed.

Member Seagraves arrived.

Motion by Imler, seconded by Shellabarger to approve the Optimist Picnic Run as requested for July 29, 1995. All yeas, motion carried.

Robert Bausman reported on the dog ordinance in Dayton and asked Council to approve a similar ordinance. Discussion followed and consensus is that Law Director Stephan and Police Chief Papanek go over the ordinance and possibly meet with Mr. Bausman and report back to Council.

Member Garber arrived.

Malcolm Sherwat presented preliminary plans for Arlington Woods Development. Discussion followed. Dottie Watkins reported that the preliminary plans were approved by the Planning Commission as presented.

Motion by Imler, seconded by Seagraves to approve the preliminary plans for Arlington Woods Development as presented and recommended by the Planning Commission. All yeas, motion carried.

Dottie Watkins, on behalf of the Historical Society requested a grant for some of their operating expenses. Discussion followed.

Motion by Imler, seconded by Garber to grant the Historical Society \$2800.00, under the same contract as last year. All yeas, motion carried.

Manager Wright gave his report with the following action taken.

Motion by Garber, seconded by Seagraves to accept the bid of Steinke Tractor Sales, which was the only bid received, and within estimate, for a 555 D Ford backhoe at a price of \$38418.00 and except the option of trade-in on the old backhoe of \$17509.00. All yeas, motion carried.

Motion by Shellabarger, seconded by Garber to authorize changing the application for the SI-2 grant request to a loan request as recommended by Manager Wright and Finance Director Roeser, due to the grant not being funded at district level. All yeas, motion carried.

Motion by Imler, seconded by Garber to authorize entering a contract with Smitty's Salvage for curbside recycling for 1995 under the same contract as 1994. All yeas, motion carried.

Motion by Duncan, seconded by Garber to read proposed Resolution No. 95-11. All yeas, motion carried.

Motion by Imler seconded by Trimble to accept the first reading, dispense with the second and third reading and adopt Resolution No. 95-11, entitled "A RESOLUTION PROVIDING FOR THE EXECUTION OF A FIRST AMENDMENT TO WASTE DELIVERY AND DISPOSAL AGREEMENT WITH THE COUNTY OF MONTGOMERY, OHIO AND DECLARING IT AN EMERGENCY". All yeas, motion carried.

Motion by Seagraves, seconded by Garber to read proposed Resolution No. 95-09 and Resolution No. 95-10. All yeas, motion carried.

Motion by Imler, seconded by Seagraves to adopt the first reading, dispense with the second and third reading and adopt Resolution No. 95-09 entitled "A RESOLUTION APPROVING THE PARTICIPATION OF THE VILLAGE OF NEW LEBANON AS A MEMBER OF THE ED/GE PROGRAM, EFFECTIVE 1995 THROUGH THE YEAR 2001 AND DECLARING IT AN EMERGENCY" and Resolution No. 95-10 entitled "A RESOLUTION APPROVING THE PARTICIPATION OF THE CITY OF UNION AS A MEMBER OF THE ED/GE PROGRAM, EFFECTIVE 1995 THROUGH THE YEAR 2001 AND DECLARING IT AN EMERGENCY". Dafler, nay; Duncan, Imler, Shellabarger, Trimble, Seagraves and Garber, yeas. One nay; six yeas, motion carried.

Motion by Trimble, seconded by Shellabarger to authorize a lease contract with Wallace Communications to operate the Radio Tower for rental as proposed, contingent on Mayor Duncan's and Law Director Stephan's approval of condition. All yeas, motion carried.

Finance Director Roeser gave his report with the following action taken.

Motion by Imler, seconded by Garber to accept the January 31, 1995 Fund Balance as presented. All yeas, motion carried.

Motion by Imler, seconded by Seagraves to read proposed Ordinance No. 1995-03. All yeas, motion carried.

Motion by Imler, seconded by Shellabarger to accept the first reading and dispense with the second and third reading and adopt Ordinance No. 1995-03 entitled "AN ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 50.579 ACRES, MORE OR LESS, IN CLAY TOWNSHIP TO THE MUNICIPALITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY". Dafler, nay; Duncan, Imler, Shellabarger, Trimble, Seagraves and Garber, yeas. One nay; six yeas, motion carried.

Mayor Duncan gave his report with no action taken.

Motion by Imler, seconded by Seagraves to read proposed Resolutions Nos. 95-03 through 95-08. All yeas, motion carried.

Motion by Imler, seconded by Trimble to accept the first reading, dispense with the second and third readings and adopt Resolution No. 95-03 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE MUNICIPAL MANAGER AND DECLARING IT AN EMERGENCY", Resolution No. 95-04 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF FINANCE AND DECLARING IT AN EMERGENCY", Resolution No. 95-05 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF FIREMEN AND DECLARING IT AN EMERGENCY", Resolution No. 95-06 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF POLICE AND DECLARING IT AN EMERGENCY", Resolution No. 95-07 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE CLERK OF COUNCIL AND DECLARING IT AN EMERGENCY", and Resolution No. 95-08 entitled "A RESOLUTION FIXING THE COMPENSATION OF THE DIRECTOR OF LAW AND DECLARING IT AN EMERGENCY". All yeas, motion carried.

Motion by Imler, seconded by Dafler to go into executive session on negotiations as requested by Manager Wright. All yeas, motion carried.

Mayor Duncan called Council back into regular session.

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


E. Eugene Roeser, Clerk


Michael A. Duncan, Mayor