

BROOKVILLE MUNICIPAL COUNCIL
REGULAR MEETING
MAY 3, 1994

The regular meeting of the Brookville Municipal Council was called to order by Mayor Duncan at 7:30 P.M. on May 3, 1994 in the Municipal Council Chambers. Members Dafler, Garber, Imler, Seagraves, Shellabarger and Trimble; Manager Wright and Law Director Stephan were present.

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

Motion by Seagraves, seconded by Dafler to approve the April 19, 1994 regular meeting minutes as presented. All yeas, motion carried.

Citizen Comments: No action taken.

Manager Wright gave his report with the following action taken:

Motion by Duncan, seconded by Seagraves to accept the bid of \$8895.00 from L & H Tank for the water tower demolition as the lowest and best, and as recommended by Manager Wright, contingent on his final approval and upon contract signing meeting. All yeas, motion carried.

Manager Wright asked for an executive session at the end of the meeting, concerning a franchise agreement.

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

Motion by Imler, seconded by Duncan to accept the April 30, 1994 Fund Balance as presented. All yeas, motion carried.

Motion by Garber, seconded by Trimble to grant a 6 inch easement as requested by Mar-Chele Inc. for property located at 18 Market St (Pt. Lot No. 73) for building an encroachment on the alley in the rear, contingent on the easement being deleted if building should be destroyed beyond repair and upon all cost being assumed by the property owner and final approval of easement prepared by the Law Director. All yeas, motion carried.

Mayor Duncan gave his report with the following action taken:

Motion by Garber, seconded by Shellabarger to renew "Ohio Government Today" for the 1994-95 school year, upon approval of the school, and not to exceed thirty (30) subscriptions. All yeas, motion carried.

Council Meeting for Youth-In-Government was set for May 24, 1994.

Motion by Imler, seconded by Seagraves to read proposed Ordinance Nos. 1994-04 thru 1994-08. All yeas, motion carried.

Motion by Trimble, seconded by Shellabarger to accept the third reading and adopt Ordinance No. 1994-04 entitled "AN ORDINANCE AMENDING SECTION 76.06 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO"; 1994-05 entitled "AN ORDINANCE REPEALING AND RESCINDING SECTION 36.01 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO"; 1994-06 entitled "AN ORDINANCE REPEALING AND RESCINDING CHAPTER 110 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO"; 1994-07 entitled "AN ORDINANCE ESTABLISHING A CODE OF SPECIAL ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO"; and 1994-08 entitled "AN ORDINANCE REPEALING AND

RESCINDING SECTIONS 35.01 THROUGH 35.45 ET. SEQ. OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO". All yeas, motion carried.

Motion by Seagraves, seconded by Shellabarger to adopt the new Brookville Personnel Manual effective on passage. All yeas, motion carried.

Motion by Imler, seconded by Trimble to read proposed Ordinance No. 1994-02 and 1994-03. All yeas, motion carried.

Motion by Imler, seconded by Garber to amend Ordinance No. 1994-02 as recommended by the Planning Commission as follows: That tree houses be left out of accessory use 819.01 H; that stables be eliminated as an accessory use 819.01 L; change 24 hour to 48 hour parking of recreational vehicles 902.01 C-1; and change 819.02 C to "Housing or Keeping of (1) Farm or Agricultural animal, whether the animal is housed as a pet or agricultural purpose, (4) any birds or animals that endanger the health, safety or welfare of the public of the Municipality of Brookville. All yeas, motion carried.

Motion by Imler, seconded by Trimble to accept the second reading of proposed Ordinance No. 1994-02 as amended and No. 1994-03. Dafler nay, balance yea. Motion carried with 6 yeas and 1 nay.

Motion by Shellabarger, seconded by Trimble to read proposed Resolution No. 94-12. All yeas, motion carried.


Motion by Imler, seconded by Trimble to accept the first reading of proposed Resolution No. 94-12. All yeas, motion carried.

Motion by Garber, seconded by Imler to block off S. Hill Street as requested for the Band Concert on May 19, 1994, from 5:00 P.M. until dark. All yeas, motion carried.

Motion by Duncan, seconded by Imler to go into executive session as recommended by Manager Wright on a franchise contract with a legal problem. All yeas, motion carried.

Mayor Duncan called Council back into regular session, and upon adjournment Council is to meet with the school board on a work session.

Motion by Shellabarger, seconded by Garber to adjourn. All yeas, motion carried.


E. Eugene Roeser, Clerk


Michael A. Duncan, Mayor