

BROOKVILLE MUNICIPAL COUNCIL
REGULAR MEETING
FEBRUARY 4, 1992

The regular meeting of the Brookville Municipal Council was called to order by Mayor Duncan at 7:30 P.M. on February 4, 1992 in the Municipal Council Chambers. Members Ausra, Dafler, Garber, Imler, Seagraves and Trimble; Manager Wright and Law Director Zuhl were present.

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

Motion by Imler, seconded by Dafler to approve the January 21, 1992 regular meeting minutes as presented. All yeas, motion carried.

Citizens Comments: Mrs. Buckley commented concerning the talking while someone was speaking or giving a presentation.

Manager Wright gave his report with the following action taken:

Annexation hearing will be on May 5, 1992.

Motion by Imler, seconded by Seagraves to authorize accepting the low bid of \$28,672.01 from Treaty Co. for the water line materials for the ten inch line extension on Upper Lewisburg-Salem Road east from the bridge to existing Corporation line. All yeas, motion carried.

Mayor Duncan gave his report with the following action taken:

Monday night, February 10, 1992, at 6:30 P.M. was scheduled to interview people for the Zoning Board of Appeals positions.

Motion by Imler, seconded by Seagraves to read proposed Ordinance No. 1992-02. All yeas, motion carried.

Motion by Ausra, seconded by Imler to amend proposed Ordinance No. 1992-02 to include the emergency clause. All yeas, motion carried.

Motion by Imler, seconded by Seagraves to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 1992-02 entitled "AN ORDINANCE PROHIBITING THE OPERATION OF A MOTOR VEHICLE IN THE CORPORATE LIMITS OF THE MUNICIPALITY OF BROOKVILLE, OHIO WITHOUT REASONABLE CONTROL AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Dafler, seconded by Garber to have the Council Chambers a "Non Smoking Area" at all times. All yeas, motion carried.

At 8:00 P.M. Council recessed for a Public Hearing on Ordinance No. 1992-01 for H.S. zoning.

Public Hearing: Mike MacKnee, an attorney representing a township resident, Gary Horstman, gave a presentation on why the area should not be zoned H.S. in his opinion. Bill Wissinger with Brookville Rental presented plans and gave a presentation of what he intended to do with the property by locating his business on it if H.S. zoning was approved. There were no comments received concerning the property including any by phone or mail before the

meeting. Planning Commission left to meet on the zoning.

Mayor Duncan called Council back into session upon the Planning Commission's return.

Planning Commission's Secretary Roeser read the Planning Commission's recommendation which was to recommend that Council accept and adopt Ordinance No. 1992-01 establishing H.S. zoning for the newly annexed area. It was further discussed and agreed basis on plans and map submitted that it appears likely that a variance would not be required for the setback on the property.

Motion by Ausra, seconded by Imler to read proposed Ordinance No. 1992-01. All yeas, motion carried.

Motion by Imler, seconded by Ausra to accept the third reading and adopt Ordinance No. 1992-01 entitled "AN ORDINANCE ZONING CERTAIN LOTS OF THE REVISED CONSECUTIVE NUMBER OF LOTS OF THE MUNICIPALITY OF BROOKVILLE, OHIO TO A NEW CLASSIFICATION OF "HS". Garber nay; Ausra, Dafler, Duncan, Imler, Seagraves and Trimble yeas, motion carried with 6 yeas and 1 nay.

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

E. Eugene Roeser
E. Eugene Roeser, Clerk

Michael A. Duncan
Michael A. Duncan, Mayor