

BROOKVILLE MUNICIPAL COUNCIL
REGULAR MEETING
AUGUST 6, 1991

The regular meeting of the Brookville Municipal Council was called to order by Mayor Duncan at 7:30 P.M. on August 6, 1991 in the Municipal Council Chambers. Members Ausra, Dafler, Garber, Imler, McCauley and Seagraves; 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 Seagraves to approve the July 16, 1991 regular meeting minutes as presented. All yeas, motion carried.

Citizen Comments: Robert Behnken presented plans for sub-division in GB and R-3 area. Clerk Roeser stated Planning Commission approved the concept as presented and recommended approval by Council. Discussion followed.

Motion by Imler, seconded by Seagraves to approve the proposal of Behnken's Sub-division as presented contingent on first being approved by the Manager and Engineer of final survey; plans; and specs for the improvement needed including water, sanitary sewer, sidewalk and drainage plans for the lots and record plans. All yeas, motion carried.

Manager Wright gave his report with the following action taken:

Motion by Seagraves, seconded by Imler to approve the plans and specification for Albert Road, Phase II and authorize advertising for bids on the project. All yeas, motion carried.

Motion by Garber, seconded by Seagraves to approve the plans and specification for Parker Drive and authorize advertising for bids on the project. All yeas, motion carried.

Motion by Seagraves, seconded by Imler to accept the low and best bid of Slurry Seal of Southern Ohio at \$1.34 $\frac{1}{2}$ per square yard for 1991 Slurry Seal Project. All yeas, motion carried.

Motion by Imler, seconded by Ausra to reject all bids for street resurfacing program for being over 10% above estimate and poor reference on quality of work and authorize readvertising for bids. All yeas, motion carried.

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

Motion by Ausra, seconded by Imler to accept the July 31, 1991 Fund Balance as presented. All yeas, motion carried.

Mayor Duncan gave his report with the following action taken:

Motion by Ausra, seconded by Imler to read proposed Resolution No. 91-29. Garber abstained Ausra, Dafler, Duncan, Imler, McCauley and Seagraves, yeas, motion carried with 6 yeas and 1 abstained.

Motion by Ausra, seconded by Duncan to amend proposed Resolution No. 91-29 to relate to 1991 Dayton Power & Light Co. rate increase only. Garber abstained; Ausra, Dafler, Duncan, Imler, McCauley and Seagraves, yeas, motion carried with 6 yeas and 1 abstained.

Motion by Imler, seconded by Dafler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 91-29 as amended and entitled "A RESOLUTION TO CONTINUE MEMBERSHIP IN THE "LOCAL GOVERNMENT UTILITY COALITION" AND INTERVENTION ALONG WITH SAID COALITION, RELATING TO THE 1991 DAYTON POWER & LIGHT CO. RATE INCREASE WHICH MAY BE PRESENTED BEFORE THE ADMINISTRATIVE AGENCY OR OF COMPETENT JURISDICTION OF EITHER THE STATE OF OHIO OR THE UNITED STATES FEDERAL GOVERNMENT AND DECLARING AN EMERGENCY". Garber abstained; Ausra, Dafler, Duncan, Imler, McCauley and Seagraves yeas, motion carried with 6 yeas and 1 abstained.

Motion by Ausra, seconded by Imler to give \$200.00 to Montgomery County Prosecutor Office to oppose the Dayton Power & Light Co.'s rate increase of 23.4%. Garber abstained; Ausra, Dafler, Duncan, Imler, McCauley and Seagraves yeas, motion carried with 6 yeas and 1 abstained.

Motion by Imler, seconded by Seagraves to read proposed Ordinance No. 1991-07. All yeas, motion carried.

Motion by Imler, seconded by Dafler to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 1991-07 entitled "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION, REPAIR, AND REPLACEMENT OF SIDEWALKS AND CURBS IN THE MUNICIPALITY OF BROOKVILLE, OHIO AND DECLARING AN EMERGENCY". All yeas, motion carried.

Motion by Seagraves, seconded by Dafler to read proposed Resolution No. 91-27. All yeas, motion carried.

Motion by Imler, seconded by Dafler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 91-27 entitled "A RE-SOLUTION DECLARING THE NECESSITY CONSTRUCTING, PLACING AND REPAIRING CERTAIN SIDEWALKS AND CURBS IN THE MUNICIPALITY OF BROOKVILLE, OHIO, REQUIRING ABUTTING PROPERTY OWNERS TO CONSTRUCT, REPAIR AND REPLACE THE SAME AND DECLARING IT AN EMERGENCY". Imler abstained; Ausra, Dafler, Duncan, Garber, McCauley and Seagraves yeas, motion carried with 6 yeas and 1 abstained.

Motion by Seagraves, seconded by Dafler to read proposed Ordinance No. 1991-08. All yeas, motion carried.

Motion by Seagraves, seconded by Imler to accept the first reading of proposed Ordinance No. 1991-08. Garber nay; Ausra, Dafler, Duncan, Imler, McCauley and Seagraves yeas, motion carried with 6 yeas and 1 nay.

Motion by Seagraves, seconded by Dafler to read proposed Ordinance No. 1991-09. All yeas, motion carried.

Motion by Seagraves, seconded by Dafler to accept the first reading of proposed Ordinance No. 1991-09. All yeas, motion carried.

Mayor Duncan set the Public Hearing on proposed Ordinance No. 1991-08 and Ordinance No. 1991-09 for September 3, 1991 at 8:00 P.M.

Motion by Imler, seconded by Dafler to read proposed Resolution No. 91-28. All yeas, motion carried.

Motion by Imler, seconded by Seagraves to accept the first reading, dispense with the second and third reading and adopt Resolution No. 91-28 entitled "A RESOLUTION PROVIDING FOR THE ISSUANCE OF \$350,000 OF NOTES BY THE VILLAGE OF BROOKVILLE, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF CONSTRUCTING SEWER SYSTEM IMPROVEMENTS, AND DECLARING AN EMERGENCY". All yeas, motion carried.

Motion by Imler, seconded by Ausra to approve the request of the Soccer Assoc. and Pee Wee Football for parades on August 24, 1991 starting at 9:00 A.M. from V.F.W. to Golden Gate Park. All yeas, motion carried.

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