



CITY COUNCIL  
Tuesday, August 17, 2021, 7:30 PM  
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309  
937-833-2135  
[www.brookvilleohio.com](http://www.brookvilleohio.com)

<https://brookvilleoh.webex.com/brookvilleoh/j.php?MTID=mf3086bc57fe1b3b928329fe29af0c19e>

Meeting number: 132 934 5356 Password: 2ghNTCuBy22

Join by phone: +1-415-655-0001 US Toll Access code: 132 934 5356

## **Agenda**

### **I. Opening of Regular Council Meeting**

- a. Call to Order
- b. Pledge of Allegiance
- c. Roll Call

### **II. Adoption of Agenda**

### **III. Approval of Minutes**

- a. Approval of August 3, 2021 Regular Meeting Minutes
- b. Approval of August 10, 2021 Special Meeting Minutes

### **IV. Reports of Municipal Officers**

- a. City Manager
- b. Finance Director
- c. Fire Chief
- d. Police Chief
- e. Law Director
- f. Mayor Chuck Letner

### **V. Executive Session**

- a. Per ORC 121.22 (G)(8) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.

Mayor Chuck Letner • Vice Mayor James Zimmerlin  
Council Members: Stephen Crane • JD Fowler • Jeff Requarth • Curt Schreier • Kim Wilder

**VI. Old Business**

- a. Third reading of proposed Resolution No. 21-22 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED."
- b. Third reading of proposed Resolution No. 21-23 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED."
- c. Third reading of proposed Ordinance No. 2021-10 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, SECTION 937.04 (b), FIXING THE USER FEES TO ALL STORMWATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO."
- d. Third reading of proposed Ordinance No. 2021-11 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.20 (a), FIXING THE USER FEES TO ALL WATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO."
- e. Second reading of proposed Ordinance No. 2021-12 entitled "AN ORDINANCE ADOPTING SECTION 351.16 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO PROHIBIT PARKING DURING SNOW EMERGENCIES."
- f. Second reading of proposed Ordinance No. 2021-13 entitled "AN ORDINANCE ADOPTING SECTION 505.21 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO PROVIDE REGULATIONS ON FERAL CATS."

**VII. New Business**

- a. Final Plat - Hunters Run, Section 2

**VIII. Reports of Boards and Commissions**

- a. JD Fowler - Park Board Liaison
- b. Curt Schreier - Planning Commission Liaison

**IX. Public Comments (5 minutes per speaker)**

**X. Motion for Adjournment**



Please note: Council welcomes the comments and input of the public during Council Meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council Meeting or Public Hearing.

Any citizen who wishes to address Council should state their name, address and then their comments. Speakers should not approach Council Members without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to other individuals to prevent any potential confusion or disruption.

Brookville City Council  
Regular Meeting  
August 3, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on August 3, 2021. The meeting was held in the City Council Chambers and virtually using the Cisco Webex application. The Pledge of Allegiance was recited. Members Crane, Fowler, Schreier, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Police Chief Jerome and Clerk Duncan were present. Fire Chief Fletcher was absent.

Roll Call by Clerk Duncan.

Mayor Letner advised the Agenda should be amended to add the recognition of Mick Waltz as the Citizen of the Month.

Motion by Fowler, second by Zimmerlin to approve the Agenda with an amendment. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to approve the Regular Meeting Minutes of July 20, 2021. All yeas, motion carried.

Mayor Letner announced the Citizen of the Month for the month of August is Mick Waltz. Mayor Letner read a proclamation recognizing him as a valuable asset to the community. Mayor Letner called Mick Waltz the velvet fog of Brookville, stating if people do not know his face, they definitely know his voice, as he has volunteered his time to emcee the Brookville Community Picnic and other local events.

Mick Waltz thanked Mayor Letner for recognizing him and stated it is his pleasure to do what he does for the hard-working people of Brookville.

Manager Keaton announced she is excited and pleased to announce Pak-Rite Industries, Inc. is the new tenant in the building at 1 Collective Way, formerly the Payless building. Pak-Rite will be holding a job fair onsite on August 11 and August 12. Pak-Rite has 250+ open positions that need filled. Manager Keaton thanked Zoning Officer Jim Snedeker for working diligently on this project over the last 2.5 months. Manager Keaton also thanked Montgomery County, Jobs Ohio and the Dayton Development Coalition for their role in bringing this project to fruition in Brookville.

Manager Keaton reported the installation of the new roof at 401 Albert Road is complete. There are a few pieces of trim that still need to be installed, but overall the project looks good.

Manager Keaton reported Resolution No. 21-13, which puts the street levy back on the November ballot, has been filed with the Montgomery County Board of Elections.

Manager Keaton reported she submitted a grant with the SRT (Small Rural Tribal) Body Worn Camera Program on July 23. The cost for 14 body-worn cameras and equipment totaled \$13,359.00 and we requested \$6,679.50 in grant funding. The grant would not cover the annual data storage cost of \$3,920.00 associated with wearing those body-worn cameras. Manager Keaton advised the results of the grant application will be announced in September.

Manager Keaton reported the Walnut Street Waterline Replacement Project bids were opened yesterday. We received six responsive bids and three non-responsive bids. Manager Keaton announced the bid packets have been reviewed and recommended that Council accept the lowest and responsive bid of \$196,000 from Finrock Construction Company, Incorporated. This bid is below the engineer's estimate of \$240,204, which included the small portion of Salem Street that was added to the project. This bid is just below the amount we applied for and were approved for from the Ohio Public Works Commission.

Manager Keaton advised she reached out to the Ohio Public Works Commission and requested an extension on completion of this project due to the current delay and high cost of materials. The

approved completion date is extended to May 13, 2022. Manager Keaton advised she will have more of a timeline for the project after a pre-construction meeting with Finrock Construction.

Manager Keaton provided a breakdown of two projects she will be submitting grant applications for later this month through the Ohio Public Works Commission:

#### Hay Avenue Roadway Improvements, Phase II

- The Total Project Cost is \$754,740, which includes a 10% contingency, engineering, and advertising. We are submitting this application as a 25% grant (\$188,685) and a 75% loan (\$566,055) over a 29-year period at zero percent interest. Here is a breakdown of the estimated annual debt payment by Fund if this project receives approval.
  - Street Fund - \$518,808 - \$17,890 annually
  - Storm Fund - \$ 96,456 - \$ 3,326 annually
  - Water Fund - \$139,476 - \$ 4,810 annually

#### Jefferson Street Waterline Replacement

- The Total Project Cost is \$193,000, which includes a 10% contingency, engineering, and advertising. We are submitting this application as a 25% grant (\$48,250) and a 75% loan (\$144,750) over a 30-year period at zero percent interest. Here is a breakdown of the estimated annual debt payment for the Water Fund if this project receives approval.
- Water Fund - \$144,750 - \$4,825 annually

Member Schreier asked if the 10% contingency with the fluctuation in building costs is fairly accurate or is it starting to drop?

Manager Keaton replied it is starting to come down. Manager Keaton stated she was shocked by the range of the bids submitted. We were fortunate to get such a low bid.

Mayor Letner commented that Manager Keaton and Law Director Stephan also deserve thanks for their outstanding work to bring Pak-Rite to the City of Brookville.

Motion by Zimmerlin, second by Fowler to accept the lowest responsive bid of \$196,000 from Finrock Construction Company, Incorporated for the Walnut Street Waterline Replacement Project. All yeas, motion carried.

Finance Director Brandt reported we received just over \$300,000 from our first round of ARPA funds. There are a lot of restrictions on how that money can be spent, and she is working with Manager Keaton on where to allocate these funds.

Finance Director Brandt presented the July 31, 2021 Fund Balance Report.

Motion by Schreier, second by Fowler to accept the July 31, 2021 Fund Balance as presented. All yeas, motion carried.

Mayor Letner advised Fire Chief Fletcher is not present as he is currently on a fire call in Clay Township.

Police Chief Jerome reported calls are still up and the Police Department will continue to be busy with the start of school in 16 days.

Police Chief Jerome reported the Citizens Police Academy deadline has been extended until next Friday in order to generate more interest and allow participants to sign up.

Police Chief Jerome announced Ghostly Night Out is scheduled for the end of October and they are starting to promote the event.

Police Chief Jerome reported the Brookville Community Network is holding a school supply drive on August 14 at Studio 201 on Market Street from 9:00 a.m. until 11:00 a.m. He encouraged

everyone to participate. Brookville Grille and a private citizen Bonnie Bertelson have already donated two tables full of supplies to kick off the event.

Member Zimmerlin asked if Police Chief Jerome has considered offering the Citizens Academy to high school age students who might be interested in a future in law enforcement?

Police Chief Jerome replied that is a good idea and he will look into it.

Police Chief Jerome reported the Police Department is going to sponsor a Thanksgiving Lunch on the second Saturday in November to be held at the school.

Law Director Stephan reported Ordinance No. 2021-04 is on the Agenda for the third and final reading. Approval of Ordinance 2021-04 will rezone Part Lot 1743 (Parcel C05 00109 0020), being approximately 18.072 acres at 10400 Upper Lewisburg Salem Road from its present classification of R-1B (PD) Urban Residential Development Overlay District to the new classification of (PR) Planned Residential District. Law Director Stephan reported also on the Agenda is approval of the Preliminary Development Plan for the proposed single family housing project to be developed within the Planned Residential District established by Ordinance No. 2021-04. The plan will establish 59 lots for single family homes. The lot width is 55 feet. The side yard setbacks are 7.5 feet for a total of 15 feet between structures as required in 1151.10(f) of the Code of Ordinances. The plan meets the open space requirement of 25% as required in 1151.10(j). The density for the proposed project is 3.26 units per acre, which is below the maximum of six (6) dwelling units per acre permitted in 1151.10(d)(1). The streets in the subdivision will meet the requirements of the City of Brookville Subdivision Code. The project proposes a thirty (30) foot setback around the perimeter of the development which was approved by Planning Commission as permitted under 1151.10(i). Planning Commission also recommended landscaping be required in the setback area along Albert Road. The proposed plan is consistent with the Comprehensive Land Use Plan of the City of Brookville which provides for single family housing in this area. Planning Commission did vote unanimously at its June 17, 2021 meeting to recommend approval of this Preliminary Development Plan. Law Director Stephan stated in the event that City Council does approve Ordinance No. 2021-04 and approves the Preliminary Development Plan, the developer will then be required to submit a Final Development Plan that substantially conforms to the Preliminary Development Plan for final approval by Planning Commission and City Council.

Law Director Stephan reported City Council also has before them a Memorandum of Understanding (MOU) between the City of Brookville and DDC Management, which sets forth certain affirmative actions the City will take to assist with the development of the project. The MOU outlines the proposed structure of tax increment financing to assist with the cost of the project. The MOU also discusses proposed sanitary sewer easement that the City would acquire to provide access to this site for sanitary sewer. Law Director Stephan noted that the sanitary sewer easement has been signed by Beverly McGregor and filed with Montgomery County. The MOU sets a course forward and staff and DDC Management would be working along the terms of the MOU and bringing TIF legislation back to City Council in September. Law Director Stephan requested City Council approve the MOU to approve the direction that City staff and DDC Management are headed with respect to the items listed in the MOU and specifically the TIF legislation.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2021-04. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to accept the third reading of Ordinance No. 2021-04 entitled "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART LOT 1743 OF THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF R-1B (PD) URBAN RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE NEW CLASSIFICATION OF (PR) PLANNED RESIDENTIAL DISTRICT." All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to approve the Preliminary Development Plan of Part Lot 1743 (County Auditor Parcel No. C05 00109 0020) located at 10400 Upper Lewisburg Salem Road. All yeas, motion carried.

Motion Schreier, second by Zimmerlin to authorize the City Manager to enter into a Memorandum of Understanding (MOU) with DDC Management. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2021-12 would prohibit parking on public streets during snow emergencies, which he prepared at the direction of the City Manager. The proposed Ordinance provides that no person shall park any vehicle on any street or roadway during a snow emergency. A snow emergency shall exist when three or more inches of snow have fallen in the City of Brookville or in a section thereof. The snow emergency shall continue until snow plowing operations in the City are complete. The City Manager shall announce the commencement of the snow emergency, and the termination of the snow emergency. However, the dissemination of this announcement of a snow emergency shall not relieve owners or operators of motor vehicles of the duty to ascertain the existence of weather conditions requiring the removal of parked vehicles from the streets or roadways of the City. The proposed Ordinance would permit any vehicle parked in violation of this section to be towed, and the offender would be guilty of a minor misdemeanor. If the offender previously has been convicted of a violation of this section within one year of a new violation of this section, the offender shall be guilty of a misdemeanor of the fourth degree.

Member Zimmerlin asked if a resident has multiple cars with a one-car driveway, how will we handle the situation?

Mayor Letner replied they can park in their lawns. This will ensure the safe passage of our snow removal equipment and that we have a place to put our snow.

Member Schreier asked if the three inches of snow is per event?

Mayor Letner replied that is correct.

Member Schreier asked if there is a notification process that cars must be moved off the street?

Police Chief Jerome replied he has heard from neighboring communities the learning curve is quick regarding no parking on street during snow events. People find places to park. They can park in the municipal lots off Market, or on Sycamore.

Law Director Stephan stated proposed Ordinance No. 2021-13 is an Ordinance to provide regulations on feral cats. The City Manager asked this Ordinance be prepared as there are some citizens feeding feral cats. The proposed Ordinance defines feral cats as cats that are wild, stray or not owned. A domestic cat turned wild shall be considered feral. The proposed Ordinance states it is unlawful for any person to continue to feed a feral cat. It shall be prim a facie evidence of a violation of this section if a person shall knowingly or recklessly leave food or any other type of feed outdoors after daylight hours; or leave food or any other type of feed outdoors unattended not in the presence of the owner's domestic cat; or allow feral cats running at large to feed on one's own property. Any person feeding feral cats may be required to cooperate with any humane program sponsored by the City or operating under the City's auspices, that traps feral cats for the purpose of spaying/neutering the cats and immunizing the cats from rabies, "tipping" the cat's ear and then returning the cat to its environment in the general vicinity in which it was trapped. Law Director Stephan advised whoever violates this section would be guilty of a minor misdemeanor.

Member Zimmerlin commented he has a cat that he lets outside for a few hours daily and asked how you distinguish between a domestic cat and a feral cat?

Police Chief Jerome stated it is easy for the Police to see where people are feeding cats. He commented there is an apartment complex in town where they feed cats and the stench is overwhelming because the cats defecate in the flower beds. People are also pouring out food on the sidewalks at the plaza for feral cats. Police Chief Jerome stated while these people think they

are doing a good thing, they are actually creating a hazard. The proposed Ordinance will help the Police deal with this issue.

Manager Keaton stated leaving food out for the cats also attracts skunks, which is a problem in our community.

Member Schreier asked if this type of ordinance has been effective in other communities?

Manager Keaton replied she has not discussed the issue with other communities.

Law Director Stephan stated many communities in the area have a feral cat ordinance.

Member Zimmerlin stated this ordinance is to punish those who are feeding feral cats and is not directed at pet owners.

Police Chief Jerome commented that prior to passing an ordinance mandating that pet owners clean up after their dogs, our soccer park was filled with dog feces. The ordinance made a difference and gave officers a means to control it.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2021-12. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the first reading of proposed Ordinance No. 2021-12. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to read proposed Ordinance No. 2021-13. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the first reading of proposed Ordinance No. 2021-13. All yeas, motion carried.

Mayor Letner thanked the Chamber of Commerce, city staff, volunteers and vendors for helping to make the Community Picnic a success. Mayor Letner also thanked Crocs for sponsoring the fireworks show and thanked all those who attended.

Mayor Letner thanked Mick Waltz for emceeding the Community Picnic and for being his Citizen of the Month.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 21-22. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to accept the second reading of proposed Resolution No. 21-22. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 21-23. All yeas, motion carried.

Motion by Schreier, second by Zimmerlin to accept the second reading of proposed Resolution No. 21-23. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to read proposed Ordinance No. 2021-10. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to accept the second reading of proposed Ordinance No. 2021-10. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to read proposed Ordinance No. 2021-11. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to accept the second reading of proposed Ordinance No. 2021-11. All yeas, motion carried.

Member Fowler, Park Liaison, stated the Community Picnic went off without a hitch and had a record number of attendees.

Member Schreier, Planning Commission Liaison, had no report.

Kenneth Davis, of 837 Salem Street, stated he has a lot of property against this new development, and he is worried about people running through his property and tearing things up. He has a lot of gopher holes and does not want any broken legs. Mr. Davis stated they need to put a fence up along there if they are going to build homes like that. Mr. Davis also commented there are a lot of speeders going down Salem Street. It is like a drag strip on the weekend, with people going at least 60 mph. Mr. Davis stated there needs to be something done about it.

Mayor Letner replied we are looking at that area and at Columbia Street. We may place additional signage to remind people to slow down.

Mr. Davis stated there are little kids out there. He had a nephew killed that way.

Member Zimmerlin asked if we could put the mobile speed sign up on Salem Street?

Police Chief Jerome replied it has been tough to get the sign out due to staffing, but he will get it out there.

Manager Keaton read a text from Fire Chief Fletcher that stated there was a significant fire tonight that is now under control. He will have a monthly report to Council at some point tomorrow. There were no injuries, but a couple of cats were rescued and sent to an animal hospital. Fire Chief Fletcher stated as usual, the boys and girls made an excellent stop on this fire, and he is a proud Fire Chief.

Mayor Letner recognized that the Fire Chief and his crew are a great group, and he is proud of them.

Motion by Zimmerlin, second by Fowler to adjourn. All yeas, motion carried.

---

Kimberly Duncan, Clerk

---

Charles Letner, Mayor

Brookville City Council  
Special Meeting  
August 10, 2021

The Special Meeting of the Brookville City Council was called to order by Mayor Letner at 6:30 p.m. on August 10, 2021. The meeting was held in the City Council Chambers and virtually using the Cisco Webex application. The Pledge of Allegiance was recited. Members Crane, Fowler, Requarth, Schreier, Wilder and Zimmerlin; Manager Keaton, Law Director Stephan and Clerk Duncan were present.

Law Director Stephan administered the Oath of Office to newly appointed City Council Member Jeffery Requarth.

Roll Call by Clerk Duncan.

Motion by Zimmerlin, second by Fowler to approve the Agenda as presented. All yeas, motion carried.

Law Director Stephan reported this Council Meeting is to consider proposed Resolution No. 21-25, which will accept the terms of the One Ohio Subdivision Settlement. Law Director Stephan stated he attended a meeting a few weeks ago in Columbus where this settlement was discussed. The State of Ohio and various local governments have commenced litigation against McKesson Corporation, Cardinal Health, Inc. and AmerisourceBergen Corporation for their role as distributors in the opioid pharmaceutical supply chain. The One Ohio Subdivision Settlement is designed to resolve these pending claims throughout the State of Ohio and to provide an effective means of distributing any potential settlement funds. The percentage of Ohio cities and counties who agree to this settlement will affect how much money the State of Ohio and its subdivisions will receive. About 45% of the funds are in the form of incentive payments, which provide incentives for higher levels of participation, with the goal of getting funds to communities as fast as possible. If 95% participation is reached, the abatement funds could be flowing to the State of Ohio and its subdivisions as early as this year. The distributors will pay an estimated \$804,000,000 to the State of Ohio and its subdivisions. In terms of direct payments to the City of Brookville, it is estimated the City would receive approximately \$30,548 if 70% participation is reached in Ohio and \$43,641 if 100% participation is reached. More importantly, there is a distribution to a regional foundation that will be centered in Miami Valley, which will support programs to address opioid addiction and the problems associated with that for local subdivisions. At a 70% participation level, they will be receiving more than \$22,000,000, and if we get to 100% participation may be receiving more than \$31,000,000. Law Director Stephan stated the settlement also requires the distributors to make significant changes in how they conduct their business; for example, reporting suspicious orders. Finally, the proposed Resolution is an emergency measure because local governments are required to respond by August 13, 2021. There is a case in Ohio that is set for trial in September and therefore they are trying to get this settlement completed this month. Law Director Stephan stated that he and the City Manager, along with the rest of the Staff, support passing this proposed Resolution that will bring some money to the community. More importantly, for the State of Ohio, they will have a significant amount of money to address this crisis.

Member Requarth inquired whether there are any strings on how we spend the money?

Law Director Stephan replied the funds are probably going to need to be directed towards opioid treatment, or our emergency response to that. Those details are not available yet, but there will be some restrictions on the use of this money.

Motion by Requarth, second by Zimmerlin to read proposed Resolution No. 21-25. All yeas, motion carried.

Motion by Requarth, second by Zimmerlin to accept the first reading and adopt Resolution No. 21-25 entitled "A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021

NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to adjourn. All yeas, motion carried.

---

Kimberly Duncan, Clerk

---

Charles Letner, Mayor



To: Mayor & Council  
From: Sonja M. Keaton, City Manager  
RE: Manager's Report  
Date: 8/16/2021

On August 12, 2021, the United States Census Bureau released the redistricting data for the 2020 Census. According to the April 1, 2020 Census, the population for the City of Brookville is 5,989 an increase of 105 people from the April 1, 2010 Census.

Pak-Rite held their hiring event last week. Seventy-three applicants visited, and they are making offers to 55 of those applicants.

House Bill 168, signed into law on June 29, 2021, required the Ohio Department of Development (ODOD) to establish the Water and Sewer Quality Program from the State Appropriation of the American Rescue Plan Act.

The Water and Wastewater Infrastructure Grant, launched on July 30, 2021, will provide nearly \$250 million to help Ohio communities make necessary investments in water and wastewater infrastructure. Eligible applicants include public entities within a political subdivision that have the authority to own and operate public water and sewer systems may apply. There are two types of eligible projects, design, or construction. Utilizing matching funds is strongly encouraged. Projects that demonstrate matching funds will receive additional points toward the project score. There is no deadline. Once funds are gone, they're gone. HB 168 requires each county engineer to submit a prioritized list of projects to ODOD by August 27, 2021, as prioritized projects receive additional scoring. HB 168 applications need to be submitted to Montgomery County Engineers by 4:30 p.m. on August 18 to be considered for prioritization. Projects not included on the County Engineer's prioritized list of projects can still apply for funds. If a project is funded, we should know within 45 business days.

List of projects to be submitted:

- Wolf Creek Street Waterline Replacement – Replacing the 4" and 6" waterline with an 8" waterline from Western Avenue to Arlington Road. Engineers Estimate \$1,027,065; Matching Funds \$20,000 ARPA funds.
- Westbrook & Albert Road Drainage Improvement – Project includes the installation of a yard drain and 287' of storm sewer pipe. Engineers Estimate \$39,702; Matching Funds \$1,000 ARPA funds.
- Wall Street Waterline Replacement – Replacing the 4" waterline with an 8" waterline from Vine Street to Hay Avenue. Engineers Estimate \$211,541; Matching Funds \$5,000 Water Fund.
- Hay Avenue Roadway Improvements, Phase II – Replacing the 4" waterline with an 8" waterline and replacing the storm sewer between Mulberry Street and the bikeway. Engineers Estimate \$198,575; Matching Funds \$49,644 OPWC Grant.
- Jefferson Street Waterline Replacement – Replacing the 4" waterline with an 8" waterline from Hay Avenue to Market Street. Engineers Estimate \$175,600; Matching Funds \$43,900 OPWC Grant.

Updates on current projects:

- The pre-construction meeting for the Walnut Waterline Replacement Project is scheduled for August 24.
- We held an Open House for the property owners affected by the Hay Avenue Roadway Improvements, Phase I Project. We had four property owners attend. Project packets that were prepared for each property owner will be mailed out to those that did not attend.
- We are currently advertising for bids for the Hay Avenue Roadway Improvements, Phase I Project. The bid opening is scheduled for September 9, 2021.

The Service Department completed a hydrant repair on W. Westbrook Road, a stormwater repair on Wall Street, a sanitary manhole repair on Ankara, and a curb box replacement on Antwerp Avenue. They also installed the new used oil tank, sprayed for weeds, made a roof repair on the Caretaker Cabin, and began restriping faded crosswalks and stop bars in the city.



*City of*  
**BROOKVILLE**  
**POLICE**



*Chief Douglas Jerome*

[djerome@brookvilleohio.com](mailto:djerome@brookvilleohio.com)

**Council Meeting Agenda**  
**August 17, 2021**

**Reportable Incidents**

1/1/2020 – 8/13/2020 = 393

1/1/2021 – 8/13/2021 = 465

**Citations**

1/1/2020 – 7/30/2020 = 216

1/1/2021 – 7/30/2021 = 569

**Traffic Stops**

**August 2020- 178**

**August 2021 to date - 29**

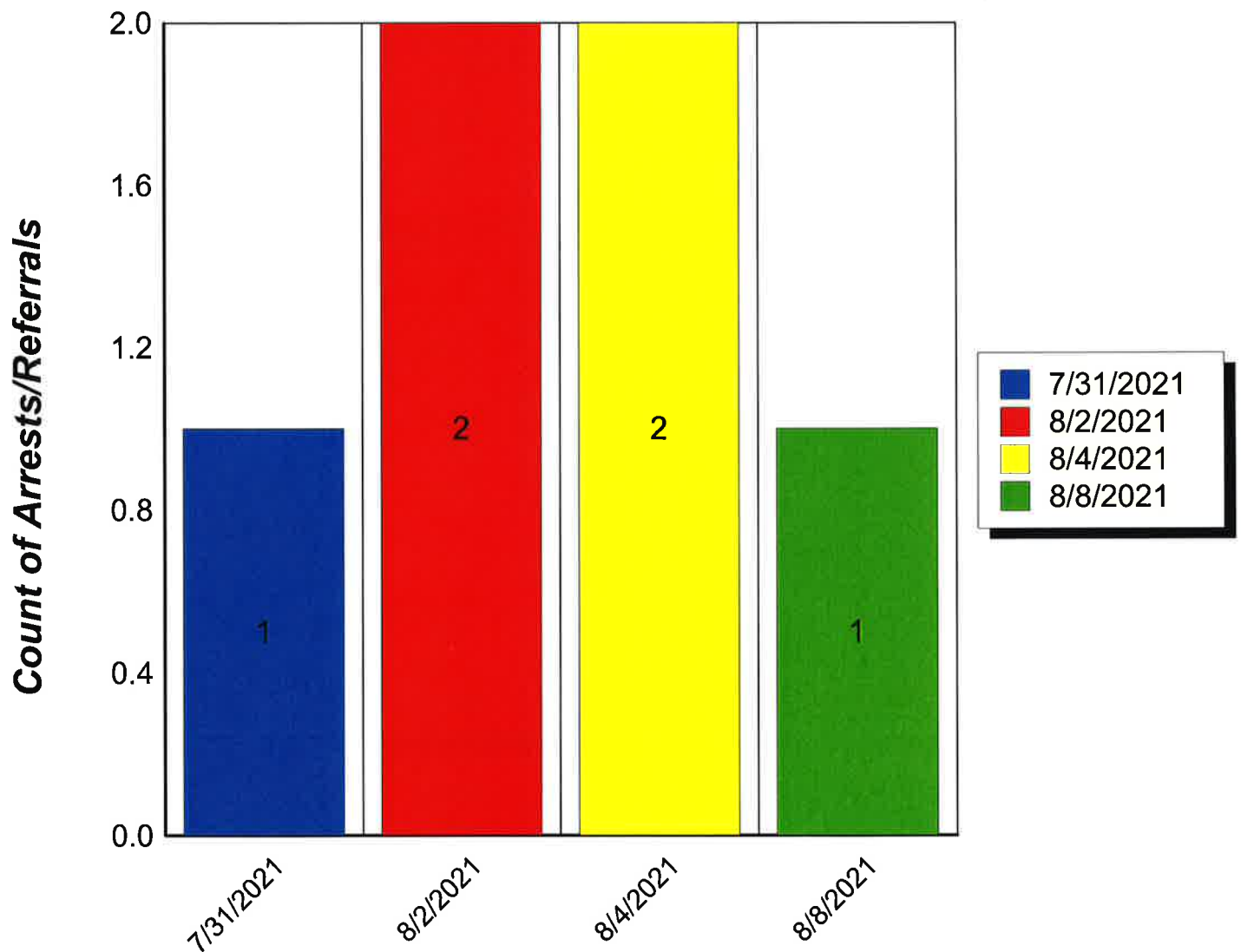


Brookville Police Department

**Arrest Log by Date**

Arrest Date	Total Arrests
July 31, 2021	1
August 02, 2021	2
August 04, 2021	2
August 08, 2021	1
<b>Total Selected = 6</b>	

## Arrest Log by Date



Brookville Police Department

**Incident Arrest Blotter**

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
07/31/2021	03:18 AM	BRADLEY M. KRZARICI	2409 FENWICK CT, DAYTON, OH 45431 451119: DUI - ALCOHOL OR DRUGS	2021-00445
08/02/2021		JASON W. HARTLEY	109 S. HOBSON AVE., MUNCIE, IN 47303 292514: Drug paraphernalia	2021-00447
		ANTHONY M. KIRTZ	1127 RIBBLE ST, MUNCIE, IN 47302 35: WARRANT ARREST	2021-00447
08/04/2021		AARON PAUL MOORE,	830 E CECIL STREET, SPRINGFIELD, OH 45503 35: WARRANT ARREST	2021-00450
		DEVIN S. CLAYTON	200 FIELDSTONE DR APT 8, TROTWOOD, OH 45426 292511C3: Drug abuse - marijuana	2021-00451
08/08/2021		CHRISTA D. FORTNEY	372 LEISURE DR APT 6, BROOKVILLE, OH 45309 291925A: Domestic violence - knowingly cause physical harm	2021-00457
<b>Total Selected = 6</b>				

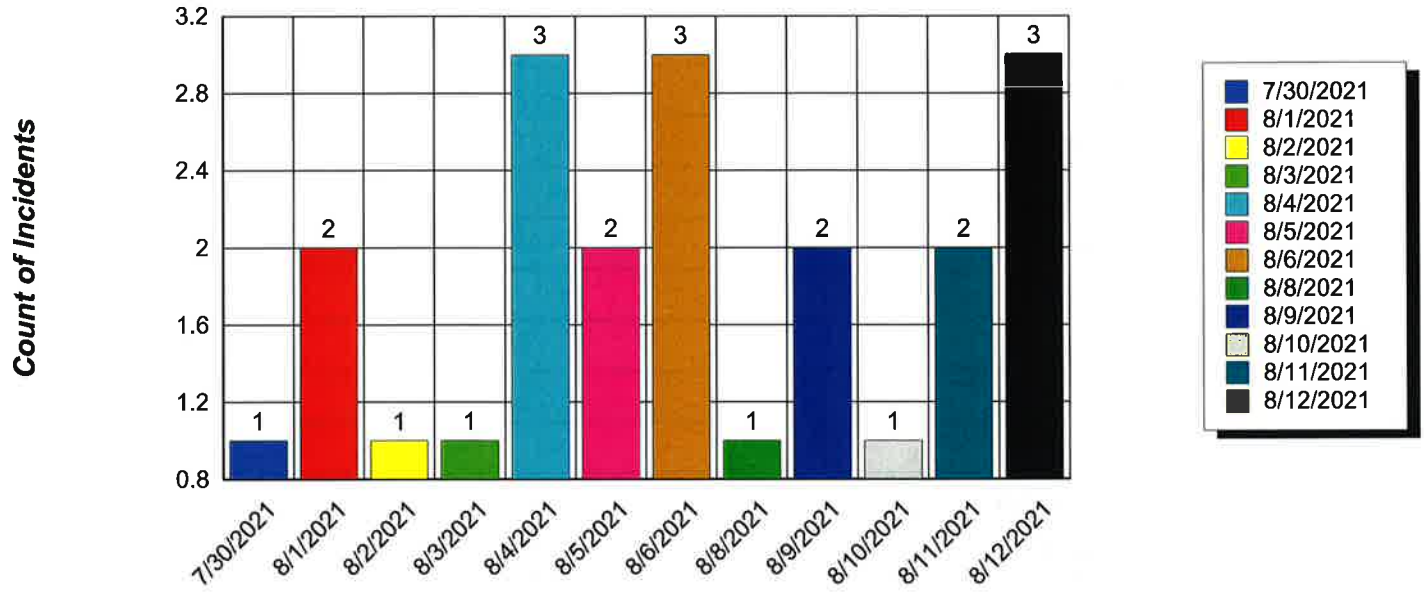


Brookville Police Department

## Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
07/30/2021	Friday	1
08/01/2021	Sunday	2
08/02/2021	Monday	1
08/03/2021	Tuesday	1
08/04/2021	Wednesday	3
08/05/2021	Thursday	2
08/06/2021	Friday	3
08/08/2021	Sunday	1
08/09/2021	Monday	2
08/10/2021	Tuesday	1
08/11/2021	Wednesday	2
08/12/2021	Thursday	3
<b>Total Selected = 22</b>		

## Incident Log by Date Reported



Brookville Police Department

## Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
-------------	----------------	-------------	---------------	--------------	--------

### July 30, 2021

2021-00444	295 W UPPER LEWISBURG SALEM ROAD BROOKVILLE PD	SIGNAL 06B - THEFT	07/30/2021	08/08/2021	INACTIVE
------------	--	--------------------	------------	------------	----------

Offenses	UCR	Offense Description
1	06	291302 - Theft

Total Incidents Reported for Date: 1

### August 01, 2021

2021-00445	SALEM ST @ MAIN ST BROOKVILLE PD	SIGNAL 21 - OVI	08/01/2021	07/31/2021	ARREST
------------	-------------------------------------	-----------------	------------	------------	--------

Offenses	UCR	Offense Description
2	02	451119 - DUI - ALCOHOL OR DRUGS
	N/A	450321 - FAILURE TO DISPLAY REGISTRATION

2021-00446	5 OSAGE DRIVE BROOKVILLE PD	SIGNAL 26I - CRIMINAL TRESPASS	08/01/2021	08/01/2021	EXCEPTIONALLY CLEARED
------------	--------------------------------	--------------------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	02	291121 - Criminal trespass

Total Incidents Reported for Date: 2

### August 02, 2021

2021-00447	510 ARLINGTON BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	08/03/2021	08/02/2021	ARREST
------------	--------------------------------	------------------------	------------	------------	--------

Offenses	UCR	Offense Description
6	N/A	451305 - NO TAIL LIGHTS; REAR PLATE LIGHT
	02	292514 - Drug paraphernalia
	N/A	35 - WARRANT ARREST
	01	292511 - Drug abuse - obtain, possess, use controlled subst
	01	292113 - Falsification
	02	292131 - Obstructing official business

Total Incidents Reported for Date: 1

### August 03, 2021

2021-00448	131 ANTWERP BROOKVILLE PD	SIGNAL 26O DOG BITE	08/03/2021	08/03/2021	EXCEPTIONALLY CLEARED
------------	------------------------------	---------------------	------------	------------	-----------------------

Brookville Police Department

## Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
-------------	----------------	-------------	---------------	--------------	--------

### August 03, 2021

Offenses	UCR	Offense Description
1	02	260 - ALL OTHER CRIMINAL OFFENSES

Total Incidents Reported for Date: 1

### August 04, 2021

2021-00449	379 ALBERT ROAD BROOKVILLE PD	SIGNAL 260 - BOMB THREAT	08/04/2021		
------------	----------------------------------	--------------------------	------------	--	--

Offenses	UCR	Offense Description
1	02	260 - ALL OTHER CRIMINAL OFFENSES

2021-00450	120 N FOUNTAIN SPRINGFIELD, OHIO BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	08/04/2021	08/04/2021	ARREST
------------	--	----------------------------	------------	------------	--------

Offenses	UCR	Offense Description
1	N/A	35 - WARRANT ARREST

2021-00451	50 N. ORCHARD ST BROOKVILLE PD	SIGNAL 18 - DRUG POSSESSION	08/04/2021	08/04/2021	ARREST
------------	-----------------------------------	-----------------------------	------------	------------	--------

Offenses	UCR	Offense Description
2	01	292511C3 - Drug abuse - marijuana
	N/A	451011 - DRIVING UNDER SUSPENSION

Total Incidents Reported for Date: 3

### August 05, 2021

2021-00452	26 NORTH ORCHARD STREET BROOKVILLE PD	SIGNAL 17 - SEX OFFENSE	08/05/2021		OPEN CASE
------------	--	-------------------------	------------	--	-----------

Offenses	UCR	Offense Description
1	01	290705 - Gross sexual imposition

2021-00453	COLUMBIA BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	08/05/2021	08/05/2021	EXCEPTIONALLY CLEARED
------------	---------------------------	-----------------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 2

### August 06, 2021

Brookville Police Department

## Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
<b>August 06, 2021</b>					
2021-00454	ALBERT @ CARR BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	08/06/2021	08/06/2021	EXCEPTIONALLY CLEARED
	<b>Offenses</b>	UCR Offense Description			
	3	N/A 451121 - SPEEDING			
		N/A 451012 - DRIVING WITHOUT VALID LICENSE			
		N/A 4510.111 - CHILD SUPPORT SUSPENSION			
2021-00455	425 CARR BROOKVILLE PD	SIGNAL 06B - PETTY THEFT	07/25/2021		OPEN CASE
	<b>Offenses</b>	UCR Offense Description			
	1	06 291302 - Theft			
2021-00456	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 06B - THEFT	08/06/2021		OPEN CASE
	<b>Offenses</b>	UCR Offense Description			
	1	06 291302 - Theft			
<i>Total Incidents Reported for Date: 3</i>					
<b>August 08, 2021</b>					
2021-00457	372 LEISURE DR UNIT #6 BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	08/08/2021	08/08/2021	ARREST
	<b>Offenses</b>	UCR Offense Description			
	1	02 291925A - Domestic violence - knowingly cause physical harm			
<i>Total Incidents Reported for Date: 1</i>					
<b>August 09, 2021</b>					
2021-00458	ARLINGTON @ 70 BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	08/09/2021	08/09/2021	EXCEPTIONALLY CLEARED
	<b>Offenses</b>	UCR Offense Description			
	2	N/A 451012 - DRIVING WITHOUT VALID LICENSE			
		N/A 451016 - FRA SUSPENSION			
2021-00459	ALBERT RD @ MARILYN WAY BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	08/09/2021	08/09/2021	EXCEPTIONALLY CLEARED

Brookville Police Department

## Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
-------------	----------------	-------------	---------------	--------------	--------

### August 09, 2021

Offenses	UCR	Offense Description
3	N/A	451121 - SPEEDING
	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	451016 - FRA SUSPENSION

Total Incidents Reported for Date: 2

### August 10, 2021

2021-00460	403 MARKET STREET UNIT 1 BROOKVILLE PD	SIGNAL 05 - BURGLARY	08/10/2021		OPEN CASE
------------	---	----------------------	------------	--	-----------

Offenses	UCR	Offense Description
1	05	291112A2 - Burglary - purpose to commit misdemeanor not theft

Total Incidents Reported for Date: 1

### August 11, 2021

2021-00462	933 CALMER ERNST BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	08/10/2021	08/11/2021	EXCEPTIONALLY CLEARED
------------	-----------------------------------	---------------------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2021-00461	525 SALEM STREET BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	08/11/2021	08/11/2021	EXCEPTIONALLY CLEARED
------------	-----------------------------------	---------------------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 2

### August 12, 2021

2021-00463	225 W ULSALEM BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/01/2020	08/12/2021	EXCEPTIONALLY CLEARED
------------	--------------------------------	---------------------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2021-00464	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 06A - GRAND THEFT	08/12/2021		OPEN CASE
------------	--------------------------------------	--------------------------	------------	--	-----------

Offenses	UCR	Offense Description
1	06	291302A1 - Theft - without consent

Brookville Police Department

## Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
-------------	----------------	-------------	---------------	--------------	--------

### August 12, 2021

2021-00465	3 BLUE PRIDE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	08/12/2021		OPEN CASE
------------	-------------------------------	---------------------------------	------------	--	-----------

Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 3

---

Total Selected = 22

---



No.

**RESOLUTION NO. 21-22**

*Passed*

Yr.

**A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.**

**WHEREAS**, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

**WHEREAS**, the City of Brookville is planning to make capital improvements to the Hay Avenue Reconstruction, Phase II Project; and

**WHEREAS**, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission (OPWC) programs.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT:**

**SECTION I:** The City Manager is hereby authorized to apply to the OPWC for funds as described above.

**SECTION II:** The City Manager is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

**SECTION III:** This Resolution shall take effect and be in force thirty (30) days after passage as provided by the Charter of the City of Brookville.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

ATTEST:

\_\_\_\_\_  
Kimberly Duncan, Clerk

\_\_\_\_\_  
Charles Letner, Mayor

**CERTIFICATE**

The undersigned, Clerk of the City of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Resolution No. 21-22, passed by the Council of said City on the \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Kimberly Duncan, Clerk

**CERTIFICATE OF POSTING**

The undersigned, Clerk of the City of Brookville, Ohio hereby certifies that the foregoing Resolution No. 21-22 was posted at the City Building, U.S. Post Office, and the Brookville Branch of the Montgomery County Library, Brookville, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_ 2021 to the \_\_\_\_\_ day of \_\_\_\_\_ 2021, both days inclusive.

\_\_\_\_\_  
Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-23

Passed

Yr.

**A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.**

**WHEREAS**, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

**WHEREAS**, the City of Brookville is planning to make capital improvements to the Jefferson Street Waterline Replacement Project; and

**WHEREAS**, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission (OPWC) programs.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT:**

**SECTION I:** The City Manager is hereby authorized to apply to the OPWC for funds as described above.

**SECTION II:** The City Manager is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

**SECTION III:** This Resolution shall take effect and be in force thirty (30) days after passage as provided by the Charter of the City of Brookville.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

ATTEST:

\_\_\_\_\_  
Kimberly Duncan, Clerk

\_\_\_\_\_  
Charles Letner, Mayor

**CERTIFICATE**

The undersigned, Clerk of the City of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Resolution No. 21-23, passed by the Council of said City on the \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Kimberly Duncan, Clerk

**CERTIFICATE OF POSTING**

The undersigned, Clerk of the City of Brookville, Ohio hereby certifies that the foregoing Resolution No. 21-23 was posted at the City Building, U.S. Post Office, and the Brookville Branch of the Montgomery County Library, Brookville, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_ 2021 to the \_\_\_\_\_ day of \_\_\_\_\_ 2021, both days inclusive.

\_\_\_\_\_  
Kimberly Duncan, Clerk

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-10 Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 937.04 (b), FIXING THE USER FEES TO ALL STORMWATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT:**

**SECTION I:** Section 937.04(b) of the Code of Ordinances is hereby amended to read as follows:

The user fee for the classes of structures shall be as follows:

- |  |                   |
|--|-------------------|
| (1) Class A-Residential Structure                | \$ 4.50 per month |
| (2) Class B-Mixed Use Structure                  | \$ 7.50 per month |
| (3) Class C-Commercial Structure                 | \$ 7.50 per month |
| (4) Class D-Industrial Structure                 | \$10.50 per month |
| (5) Class E-Governmental or Non-Profit Structure | \$ 4.50 per month |

These user fees shall be in effect with the December 2021 quarterly billing.

**SECTION II:** This Ordinance shall revoke and rescind all Ordinances, and parts of Ordinances and Resolutions, and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earliest period allowed by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Kimberly Duncan, Clerk

\_\_\_\_\_  
Charles Letner, Mayor

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-10, passed by the Council of the City of Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Kimberly Duncan, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-10 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_ 2021 to the \_\_\_\_\_ day of \_\_\_\_\_ 2021, both days inclusive.

\_\_\_\_\_  
Kimberly Duncan, Clerk



# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-11 Passed \_\_\_\_\_, 20\_\_\_\_

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-11, passed by the Council of the City of Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Kimberly Duncan, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-11 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_ 2021 to the \_\_\_\_\_ day of \_\_\_\_\_ 2021, both days inclusive.

\_\_\_\_\_  
Kimberly Duncan, Clerk

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-12 Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE ADOPTING SECTION 351.16 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO PROHIBIT PARKING DURING SNOW EMERGENCIES.**

**WHEREAS**, parking on public streets during snow emergencies makes snow removal more difficult and hazardous for city employees; and

**WHEREAS**, City Council desires to adopt this ordinance to restrict parking on public streets during snow emergencies within the City of Brookville;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:**

**SECTION I:** The City Council hereby adopts the following Section 351.16 to address parking on public streets during snow emergencies within the City of Brookville:

**351.16 PARKING DURING SNOW EMERGENCIES**

(a) No person shall park any vehicle on any street or roadway during a snow emergency. A snow emergency shall exist when three or more inches of snow have fallen in the City of Brookville or in a section thereof. The snow emergency shall continue until snow plowing operations in the City are complete. The City Manager shall announce the commencement of the snow emergency, and the termination of the snow emergency. However, the dissemination of this announcement of a snow emergency shall not relieve owners or operators of motor vehicles of the duty to ascertain the existence of weather conditions requiring the removal of parked vehicles from the streets or roadways of the City.

(b) Any police officer may immediately order into storage any vehicle parked in violation of this section. The owner or any lienholder of a vehicle ordered into storage may claim the vehicle upon presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle, and payment of all expenses, charges and fines incurred as a result of the removal and storage of the vehicle.

(c) Whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of a violation of this section within one year of a new violation of this section, the offender shall be guilty of a misdemeanor of the fourth degree.

**SECTION II:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION III:** This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

ATTEST:

\_\_\_\_\_  
Kimberly Duncan, Clerk

\_\_\_\_\_  
Charles Letner, Mayor

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-12 Passed \_\_\_\_\_, 20\_\_\_\_

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-12, passed by the Council of the City of Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Kimberly Duncan, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-12 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_ 2021, to the \_\_\_\_\_ day of \_\_\_\_\_ 2021, both days inclusive.

\_\_\_\_\_  
Kimberly Duncan, Clerk

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-13 Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE ADOPTING SECTION 505.21 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO PROVIDE REGULATIONS ON FERAL CATS.**

**WHEREAS**, feral cats are cats that are wild, stray or not owned; and

**WHEREAS**, the feeding of feral cats creates a nuisance within the City of Brookville; and

**WHEREAS**, City Council desires to adopt this ordinance to prohibit the feeding of feral cats within the City of Brookville;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:**

**SECTION I:** The City Council hereby adopts the following Section 505.21 to address feral cats within the City of Brookville:

**505.21 Feral Cats**

(a) For the purpose of this section, any cat that is wild, stray or not owned shall be considered feral. A domestic cat turned wild shall be considered feral.

(b) It shall be unlawful for any person to continue to feed a feral cat.

(c) It shall be prima facie evidence of a violation of this section if a person shall knowingly or recklessly:

(1) Leave food or any other type of feed outdoors after daylight hours; or

(2) Leave food or any other type of feed outdoors unattended not in the presence of the owner's domestic cat.

(3) Allow feral cats running at large to feed on one's own property.

(d) Any person feeding feral cats may be required to cooperate with any humane program sponsored by the City or operating under the City's auspices, that traps feral cats for the purpose of spaying/neutering the cats and immunizing the cats from rabies, "tipping" the cat's ear and then returning the cat to its environment in the general vicinity in which it was trapped.

(e) Whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of a violation of this section within one year of a new violation of this section, the offender shall be guilty of a misdemeanor of the fourth degree.

**SECTION II:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-13 Passed \_\_\_\_\_, 20\_\_\_\_

**SECTION III:** This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Kimberly Duncan, Clerk

\_\_\_\_\_  
Charles Letner, Mayor

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-13, passed by the Council of the City of Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Kimberly Duncan, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-13 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_ 2021, to the \_\_\_\_\_ day of \_\_\_\_\_ 2021, both days inclusive.

\_\_\_\_\_  
Kimberly Duncan, Clerk

**REFERENCES**

LEM TURNER'S ADDITION PLAT BOOK F PAGE 48  
 BAKER ETAL. SUBDIVISION PLAT BOOK F PAGE 67  
 MACY SUBDIVISION SECTION ONE PLAT BOOK 88 PAGE 43  
 HUNTERS RUN-SECTION ONE PLAT BOOK 204 PAGE 10  
 MCGREGOR SUBDIVISION PLAT BOOK 214 PAGE 16  
 HUNTERS RUN-SECTION 1-A PLAT BOOK 226 PAGE 19  
 MCGREGOR SUBDIVISION SECTION TWO PLAT BOOK 229 PAGE 67  
 LAND SURVEY 2014-0183  
 LAND SURVEY 2009-0143  
 LAND SURVEY 2003-0350  
 KEYSTONE LAND DEVELOPMENT INC. IN DEED 14-056312

**NOTES**

- 1) ALL FRONT LOT LINES ARE SUBJECT TO A 10' UTILITY EASEMENT UNLESS OTHERWISE NOTED. ALL INTERIOR LOT LINES ARE SUBJECT TO A 5' UTILITY EASEMENT ALONG EACH SIDE UNLESS OTHERWISE SHOWN.
- 2) ALL LOTS ARE SUBJECT TO A 25' FRONT SETBACK, 35' REAR SETBACK, AND 10' SIDE SETBACK.
- 3) NO WELLS FOR DOMESTIC USE SHALL BE DRILLED IN THIS SUBDIVISION.
- 4) ALL PARK LOTS ARE DEDICATED AS UTILITY AND DRAINAGE EASEMENT.

**OCCUPATION STATEMENT**

UNES OF OCCUPATION (WHERE EXISTING) IN GENERAL AGREE WITH PROPERTY LINES.  
 PROPERTY LINES CALCULATED FROM EXISTING MONUMENTATION AND SURVEYS OF RECORD.

RECORD PLAN  
**HUNTERS RUN-SECTION TWO**  
 BEING A PART OF LOT NUMBER 1735 OF THE CONSECUTIVE LOT NUMBERS OF THE CITY OF BROOKVILLE, AND SECTION 34, TOWN 6 NORTH, RANGE 4 EAST, MONTGOMERY COUNTY, OHIO  
 26,760 ACRES TOTAL  
 3,090 ACRES DEDICATED AS RIGHT OF WAY  
 AUGUST 2021



VICINITY MAP

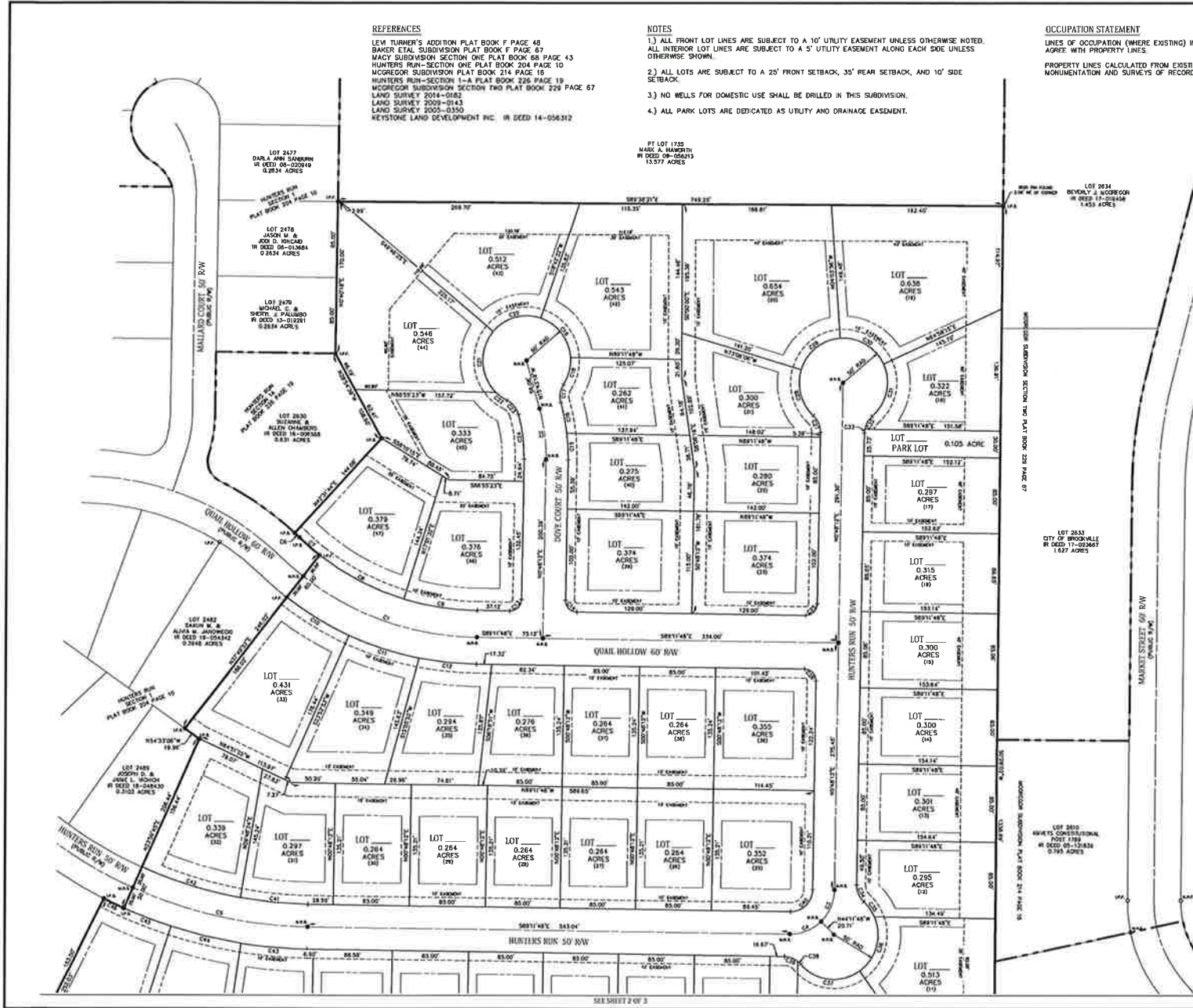
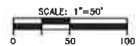
**AREA SUMMARY**

47 BUILDING LOTS	16,475 ACRES
2 DEDICATED PARK LOTS	7,188 ACRES
DEDICATED NEW STREET R/W	3,090 ACRES
<b>TOTAL</b>	<b>26,760 ACRES</b>

**LEGEND**

- ⊕ 5/8" X 30" REBAR WITH CAP SET
- ⊕ 5/8" IRON PIN FOUND
- ⊕ MAG NAIL SET
- ⊕ MAG NAIL FOUND
- ⊕ IRON PIPE FOUND
- PROPOSED UTILITY EASEMENT
- PROPOSED BUILDING SETBACK
- EXISTING SUBDIVISION LINE

THE BEARING OF N00°40'18"E ALONG THE EAST OF LOT 2478 OF HUNTERS RUN SECTION ONE WAS BASED ON NAD 83 CORNERS ADJUSTMENT, OHIO SOUTH ZONE, 0007 VCS CORNERS NETWORK



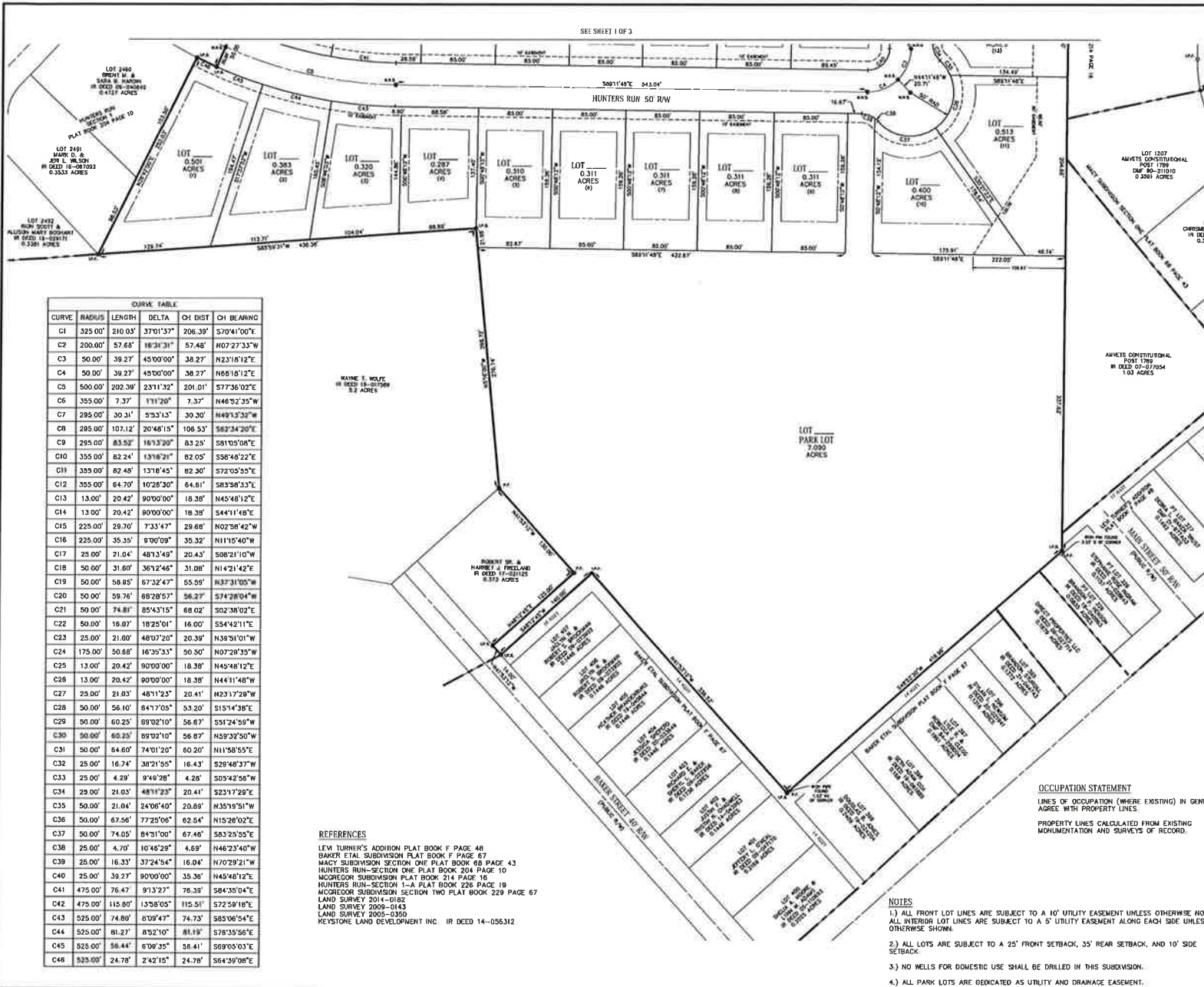
**ChoiceOne**  
Engineering

28474 OH. 816.461.000  
12011 OH. 514.219.8104  
www.choiceoneengineering.com

DATE: 08-04-2021  
 DRAWN BY: MPL  
 JOB NUMBER: M01B02104  
 SHEET NUMBER: 1 OF 3

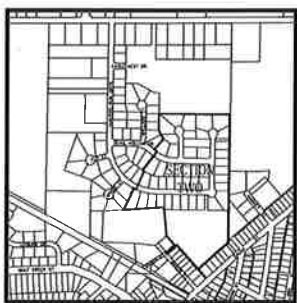
SEE SHEET 1 OF 3

RECORD PLAN  
**HUNTERS RUN-SECTION TWO**  
 BEING A PART OF LOT NUMBER 1735 OF THE CONSECUTIVE LOT  
 NUMBERS OF THE CITY OF BROOKVILLE, AND SECTION 34,  
 TOWN 6 NORTH, RANGE 4 EAST, MONTGOMERY COUNTY, OHIO  
 26.760 ACRES TOTAL  
 3.090 ACRES DEDICATED AS RIGHT OF WAY  
 AUGUST 2021



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CH DIST	CH BEARING
C1	325.00'	210.03'	370°13'7"	206.39'	S70°41'00"E
C2	200.00'	57.68'	16°31'31"	57.48'	N07°27'33"W
C3	50.00'	39.27'	45°00'00"	38.27'	N23°18'12"E
C4	50.00'	39.27'	45°00'00"	38.27'	N88°18'12"E
C5	500.00'	202.39'	231°13'32"	201.01'	S77°36'02"E
C6	355.00'	7.37'	1°11'20"	7.37'	N46°52'35"W
C7	295.00'	30.31'	5°53'13"	30.30'	N49°13'35"W
C8	285.00'	107.12'	20°48'15"	106.53'	S62°34'20"E
C9	295.00'	83.53'	16°13'20"	83.25'	S81°05'08"E
C10	355.00'	82.24'	13°16'21"	82.05'	S56°48'22"E
C11	355.00'	82.48'	13°16'45"	82.30'	S72°05'55"E
C12	355.00'	84.70'	10°28'30"	84.61'	S83°58'33"E
C13	13.00'	20.42'	90°00'00"	18.38'	N45°48'12"E
C14	13.00'	20.42'	90°00'00"	18.38'	S44°11'48"E
C15	225.00'	29.70'	7°33'47"	29.68'	N02°58'42"W
C16	225.00'	35.35'	9°00'09"	35.32'	N11°15'40"W
C17	25.00'	21.04'	48°13'49"	20.43'	S08°21'10"W
C18	50.00'	31.60'	36°12'46"	31.08'	N14°21'42"E
C19	50.00'	58.95'	67°32'47"	55.59'	N37°31'00"W
C20	50.00'	59.76'	68°28'57"	56.27'	S74°28'04"W
C21	50.00'	74.81'	85°43'15"	68.02'	S02°38'02"E
C22	50.00'	16.07'	18°25'01"	16.00'	S54°42'11"E
C23	25.00'	21.00'	48°07'20"	20.39'	N38°31'01"W
C24	175.00'	50.88'	16°35'33"	50.50'	N07°28'35"W
C25	13.00'	20.42'	90°00'00"	18.38'	N45°48'12"E
C26	13.00'	20.42'	90°00'00"	18.38'	N44°11'48"W
C27	25.00'	21.03'	48°11'23"	20.41'	N23°17'29"W
C28	50.00'	56.10'	64°17'05"	53.20'	S15°14'38"E
C29	50.00'	60.25'	69°02'10"	56.67'	S31°24'59"W
C30	50.00'	60.25'	69°02'10"	56.67'	N58°32'50"W
C31	50.00'	64.60'	74°01'20"	60.20'	N11°58'55"E
C32	25.00'	16.74'	38°21'55"	16.43'	S28°48'37"W
C33	25.00'	4.29'	9°49'58"	4.28'	S05°42'56"W
C34	29.00'	21.03'	48°11'23"	20.41'	S23°17'29"E
C35	50.00'	21.04'	24°06'40"	20.89'	N35°19'51"W
C36	50.00'	67.56'	77°25'06"	62.54'	N15°28'02"E
C37	50.00'	74.05'	84°31'00"	67.46'	S83°25'55"E
C38	25.00'	4.70'	10°46'29"	4.69'	N46°23'40"W
C39	25.00'	16.33'	37°24'54"	16.04'	N70°29'21"W
C40	25.00'	39.27'	90°00'00"	35.36'	N45°48'12"E
C41	475.00'	76.47'	91°32'27"	76.39'	S84°35'04"E
C42	475.00'	115.80'	13°58'05"	115.51'	S72°58'18"E
C43	525.00'	74.80'	8°09'47"	74.75'	S85°06'54"E
C44	525.00'	81.27'	8°52'10"	81.19'	S76°35'56"E
C45	825.00'	56.44'	6°09'35"	56.41'	S69°05'03"E
C46	825.00'	24.78'	2°42'15"	24.78'	S64°39'08"E

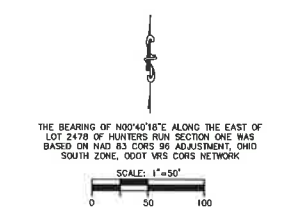
**REFERENCES**  
 LEW TURNER'S ADDITION PLAT BOOK F PAGE 48  
 BAKER ETAL SUBDIVISION PLAT BOOK F PAGE 67  
 MACY SUBDIVISION SECTION ONE PLAT BOOK 65 PAGE 43  
 HUNTERS RUN-SECTION ONE PLAT BOOK 204 PAGE 10  
 MCGREGOR SUBDIVISION PLAT BOOK 214 PAGE 16  
 HUNTERS RUN-SECTION 1-A PLAT BOOK 226 PAGE 19  
 MCGREGOR SUBDIVISION SECTION TWO PLAT BOOK 229 PAGE 67  
 LAND SURVEY 2014-0182  
 LAND SURVEY 2009-0143  
 LAND SURVEY 2005-0350  
 KEYSTONE LAND DEVELOPMENT INC. IR DEED 14-056312



**AREA SUMMARY**

47 BUILDING LOTS	16.475 ACRES
2 DEDICATED PARK LOTS	7.195 ACRES
DEDICATED NEW STREET R/W	3.090 ACRES
<b>TOTAL</b>	<b>26.760 ACRES</b>

- LEGEND**
- ⊕ 5/8" X 30" REBAR WITH CAP SET
  - ⊕ 5/8" IRON PIN FOUND
  - ⊕ MAG NAIL SET
  - ⊕ MAG NAIL FOUND
  - ⊕ IRON PIPE FOUND
  - PROPOSED UTILITY EASEMENT
  - PROPOSED BUILDING SETBACK
  - EXISTING SUBDIVISION LINE



**OCCUPATION STATEMENT**  
 LINES OF OCCUPATION (WHERE EXISTING) IN GENERAL  
 AGREE WITH PROPERTY LINES  
 PROPERTY LINES CALCULATED FROM EXISTING  
 MONUMENTATION AND SURVEYS OF RECORD.

- NOTES**
- 1) ALL FRONT LOT LINES ARE SUBJECT TO A 10' UTILITY EASEMENT UNLESS OTHERWISE NOTED. ALL INTERIOR LOT LINES ARE SUBJECT TO A 5' UTILITY EASEMENT ALONG EACH SIDE UNLESS OTHERWISE SHOWN.
  - 2) ALL LOTS ARE SUBJECT TO A 25' FRONT SETBACK, 35' REAR SETBACK, AND 10' SIDE SETBACK.
  - 3) NO WELLS FOR DOMESTIC USE SHALL BE DRILLED IN THIS SUBDIVISION.
  - 4) ALL PARK LOTS ARE DEDICATED AS UTILITY AND DRAINAGE EASEMENT.

**CHOICE ONE Engineering**  
 PREPARED BY: [Signature]  
 DATE: 08-04-2021  
 DRAWN BY: MPL  
 JOB NUMBER: MOTBRO2104  
 SHEET NUMBER: 2 OF 3

RESTRICTIVE COVENANTS

These covenants and restrictions are for the benefit of the owners and shall run with and bind the land, and each part thereof, and shall be binding upon and inure to the benefit of all parties having any right, title or interest in or to all or any part of the land, and their respective executors, administrators, successors and assigns, until March 1, 2026, at which time said covenants and restrictions shall be automatically extended for successive periods of 10 years unless by vote of a majority of the then lot owners of these lots, it is agreed to change said covenants and restrictions in whole or in part. These restrictions shall be enforceable by injunction and otherwise by the grantor, its successors or assigns. Violation of any one of these covenants or restrictions by judgment or court order shall not in any way affect any other provisions hereof, all of which shall remain in full force and effect.

1. The lots shall be used for residential purposes and for no other purpose except for purposes reserved to subdivider herein and except as herein specifically provided otherwise. It shall be expressly permissible for subdivider to maintain, during the development period, upon those portions of the subdivision as it deems desirable, those facilities it deems reasonably required, convenient or incidental to the construction and use of lots or dwelling units, and improvements thereof including, without limiting the generality of the foregoing, a sales office, storage area, models and parking areas.

2. No residential lot shall hereafter be subdivided into parcels for additional residential purposes.

3. No noxious or offensive activity shall be carried on or upon any lot or dwelling unit nor shall anything be done thereon which may in any way or for any purpose endanger the health or unreasonably disturb the occupant of a dwelling unit or interfere with the full use of a dwelling unit.

4. No trailer, basement, tent, shack, garage, or other outbuilding, erected in this plat shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

5. No structure of a temporary character shall be permitted on any premises except during the active period of construction.

6. No building shall be occupied during construction.

7. Any building to be erected in this subdivision shall be completed within a period of 12 months from the beginning of construction. The premises shall be kept neat and clean, the building well painted and weeds and underbrush shall be kept under control. No unlicensed motor vehicles, machinery, junk, trash or building materials shall be stored on any lot in this subdivision.

8. Building contractors shall be required to employ the use of dumpsters and portable bathrooms or similar debris storage devices during construction or shall promptly remove all debris and excess material during and at the completion of construction.

9. The living area of the main structure constructed as a ranch-style residence shall be 1600 s.f. and that of a two-story residence shall be 1800 s.f.

10. Design specifications: Fronts must be 75% stone or brick. All driveways shall be constructed of concrete or brick. Composite wood, siding, brick, or stone or a combination thereof siding shall be used. No aluminum or vinyl siding. All roofing material must be medium dark to dark color - gray, brown or black (no white). Roof pitch must be 6/12 or greater.

11. No building, structures or landscaping shall be erected, placed or altered on any lot in this subdivision until the building plans, specifications, plot plan and landscaping plans showing location and grade of such building, structures or landscaping have been approved in writing by the subdivider, or his authorized representative. Soil front are required. Subdivider may require sod or other erosion protection as a condition of approval of any structure.

12. No structure shall be erected on any lot unless it is erected and constructed by a common builder or contractor.

13. No garage may be greater in height or number of stories than the residence for which it is built. Garages must be of sufficient size to accommodate not less than two cars nor more than three cars. All garages must be attached to the main structure.

14. No above ground swimming or wading pools shall be permitted on any lot.

15. Separate poles for basketball hoops will be permitted. No basketball hoop shall be attached to any residence structure.

16. No outside clothes line or other outside clothes drying or airing facilities shall be maintained except in an enclosed service area, not visible to the public.

17. No radio or television signals nor any other form of electro-magnetic radiation shall be permitted to originate from any lot which may unreasonably interfere with the reception of television or radio signals upon any other lot.

18. Ham, amateur or C.B. radio antennas shall not be permitted.

19. Satellite dishes larger than 24" in circumference shall not be permitted on any lot. Permitted dishes shall be installed on a roof.

20. No free-standing antennas will be permitted. No antennas shall be permitted to extend more than 8 feet above the ridge lines of the adjacent roof or the ridge line of the roof upon which it is constructed.

21. No lines, wires, or other devices for the communication or transmission of electric current or power, including telephone and television shall be constructed, placed or maintained anywhere in or upon any lot other than within a building unless the same shall be contained in conduits or cables constructed, placed and maintained underground and concealed in or under buildings. Nothing herein contained, however, shall prevent erection and use of temporary power or telephone services incident to the construction of buildings or to restrict the overhead distribution to the subdivision by a utility company.

22. No building shall be located nearer the front line than the indicated building setback line shown on the record plan. No portion of any building shall be erected closer than 10 feet to either side lot lines.

23. No hedge, shrub or other mass planting shall be permitted to extend nearer to any street than the building setback line shown on the record plot, except that hedges, shrubs or trees may be planted nearer than the building setback line provided that no hedge or shrub shall exceed ten feet in height and the foliage of any tree shall not extend nearer than six feet to the ground. No fence or wall shall be permitted to extend nearer to any street than the minimum building setback line or the front of the building setback line or the front of the building, whichever is furthest from the street.

24. Each owner of a lot agrees for himself, his heirs or successors in interest that he will not in any way interfere with the established drainage pattern over his lot from adjoining or other lots in said subdivision, and he will make adequate provisions for proper drainage in the event it becomes necessary to change the established drainage over his lot. For the purpose hereof, established drainage is defined as the drainage which occurred at the time that the overall grading of said subdivision was completed by the subdivider as established in the construction plans on file with the City of Brookville.

25. Easements affecting lots shown on the record plan are reserved for utility installation, maintenance and surface water drainage. Any improvements made on any easements by the property owner are made at the risk of some.

26. No sign of any kind shall be employed in the public view on any residential lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or signs used by a builder to advertise the property during the construction and sales period.

27. No person shall install any pump, piping, device, apparatus, or other such system for discharging pump effluent into a public right-of-way.

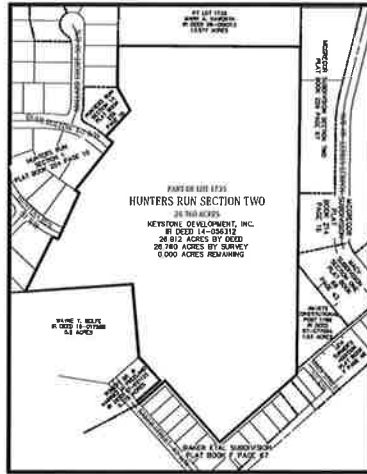
28. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets, not in excess of the total of two, may be kept, provided that they are not kept, bred or maintained for any commercial purposes.

29. Except for delivery, loading and unloading, there shall be no temporary or permanent parking or storage of any travel trailer, recreational vehicle, boat, utility trailer or house trailer upon or adjacent to any lot in this subdivision, except for such parking or storage within the garage of the residence building. This covenant shall also apply to all trucks and tractor-trailers of any type over 1 ton in size.

30. The landscaping plan must be approved by the developer before construction and contain the following: Two (2) trees 2-inch in diameter or greater and 15 bushes minimum.

31. Outbuildings must be approved by the developer before construction and be no larger than 120 s.f. and must be of the materials of the house and be located behind the house.

32. No chain link fencing, wood or vinyl fencing 4' to 6' in height must be installed by a known fencing contractor and approved by the developer before construction.



SUPERIMPOSED AREA NOTE: ALL OF THE LANDS OF THE DEDICATOR ARE DRAWN AS SHOWN HEREON.

DEDICATION

WE, THE UNDERSIGNED, BEING ALL OWNERS OF THE LANDS HEREIN SUBDIVIDED, DO HEREBY ACKNOWLEDGE THE MAKING AND SAVING OF THIS INSTRUMENT TO BE OUR VOLUNTARY ACT AND DEED, DO HEREBY DEDICATE THE STREETS, PARK LOTS AND RESERVE EASEMENTS AS SHOWN TO THE PUBLIC USE FOREVER.

EASEMENTS SHOWN ON THE PLAT, UNLESS OTHERWISE DESIGNATED, ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, OR REMOVAL OF WATER, GAS, ELECTRIC, TELEPHONE, OR OTHER UTILITY LINES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES, AND FOR PROVIDING OF INGRESS AND EGRESS FROM THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER. ALSO, AN EASEMENT TO INSTALL, CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN, REPAIR, SUPPLEMENT, AND REMOVE AT ANY TIME OR TIMES HEREAFTER, UNDERGROUND COMMUNICATIONS SERVICE CABLE FACILITIES, AND/OR ELECTRIC POWER CABLES AND APPURTENANCES IN, UNDER, AND UPON THE UTILITY EASEMENTS SHOWN ON THE PLAT. SAID GRANT INCLUDES THE RIGHT AT ALL TIMES, OF INGRESS TO AND EGRESS FROM SAID STRIP, AND THE RIGHT TO CLEAR AND KEEP CLEARED SAID UTILITY EASEMENT OF ALL SHRUBBERY, TREES, ROOTS, UNDERGROWTH, AND OBSTRUCTIONS, SO AS TO KEEP FACILITIES CLEAR HEREOF.

OWNER: KEYSTONE LAND DEVELOPMENT, INC.

OWNER/MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

TITLE \_\_\_\_\_

SIGNATURE \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_ OF KEYSTONE LAND DEVELOPMENT, INC. AN OHIO CORPORATION, ON BEHALF OF THE CORPORATION.

NOTARY PUBLIC \_\_\_\_\_

OWNER'S STATEMENT

DATE: \_\_\_\_\_, 20\_\_\_\_.

I BEING DULY SWORN, SAY THAT ALL PERSONS AND CORPORATIONS, TO THE BEST OF HIS KNOWLEDGE, INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN ITS EXECUTION.

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

SIGNATURE \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_ OF KEYSTONE LAND DEVELOPMENT, INC. AN OHIO CORPORATION, ON BEHALF OF THE CORPORATION.

NOTARY PUBLIC \_\_\_\_\_

DESCRIPTION

BEING A PART OF LOT NUMBER 1235 OF THE CONSECUTIVE LOT NUMBERS OF THE CITY OF BROOKVILLE, SITUATED IN THE NORTH HALF OF SECTION 34, TOWN 6 NORTH, RANGE 4 EAST, AND OWNED BY KEYSTONE LAND DEVELOPMENT, L.L.C. BY DEED IR DEED 14-05632, CONTAINING A TOTAL OF 26.760 ACRES

APPROVED FOR DESCRIPTION

FILE # 21-\_\_\_\_\_

MONTGOMERY COUNTY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

MONTGOMERY COUNTY PLANNING COMMISSION AT A MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF MONTGOMERY, OHIO, HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRMAN \_\_\_\_\_

CITY OF BROOKVILLE PLANNING COMMISSION

AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF BROOKVILLE, OHIO, HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRMAN \_\_\_\_\_

CITY OF BROOKVILLE COUNCIL

AT A MEETING OF THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, THIS RECORD PLAN WAS APPROVED BY ORDINANCE NO. 0-\_\_\_\_.

MAYOR \_\_\_\_\_

CLERK OF COUNCIL \_\_\_\_\_

MONTGOMERY COUNTY ENGINEER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE MONTGOMERY COUNTY ENGINEER.

MONTGOMERY COUNTY ENGINEER \_\_\_\_\_

CERTIFICATION I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED IN FEBRUARY, 2020. ALL MEASUREMENTS ARE CORRECT AND THE 30" IRON PINS ARE TO BE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE, AFTER CONSTRUCTION OF STREETS AND UTILITIES. CURVE DISTANCES ARE MEASURED ON THE ARC.

Professional seal and information for Wesley D. Goubeau, P.S. #8254. Includes 'PREPARED BY: ChoiceOne Engineering', 'DATE: 08-04-2021', 'DRAWN BY: MPL', 'JOB NUMBER: MO1802104', 'SHEET NUMBER: 3 OF 3', and 'KEYSTONE LAND DEVELOPMENT, INC. 701 NORTH MARKET STREET TROY, OHIO 45375 (937) 339-9944'.

OWNER INFORMATION KEYSTONE LAND DEVELOPMENT, INC. AS RECORDED IN IR DEED 14-05632

DEVELOPER KEYSTONE LAND DEVELOPMENT, INC. 701 NORTH MARKET STREET TROY, OHIO 45375 (937) 339-9944