



CITY COUNCIL
Tuesday, September 21, 2021, 7:30 PM
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309
937-833-2135
www.brookvilleohio.com

<https://brookvilleoh.webex.com/brookvilleoh/j.php?MTID=mfdb18d0b26b08068d285d96f5f194156>

Meeting number: 132 908 4202 Password: peZKBWmJ982

Join by phone: +1-415-655-0001 US Toll Access code: 132 908 4202

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 17, 2021 Regular Meeting Minutes
- b. Approval of the September 7, 2021 Special Meeting Minutes
- c. Approval of the September 7, 2021 Regular Meeting Minutes

IV. Brookville Marching Band Fundraiser

V. Reports of Municipal Officers

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

VI. Old Business

VII. New Business

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



- a. First reading of proposed Ordinance No. 2021-14 "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART LOT 2174 OF THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF (HS) HIGHWAY SERVICE DISTRICT TO THE NEW CLASSIFICATION OF (I-2) GENERAL INDUSTRIAL DISTRICT."
- b. First reading of proposed Resolution No. 21-27 "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR."
- c. First reading of proposed Resolution No. 21-28 "A RESOLUTION AMENDING THE 2021 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE, AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW."
- d. Final Plat - Meadows of Brookville, Section 8
- e. Minor Subdivision (Lot Split) - 227 & 233 Crosswell Avenue

VIII. Reports of Boards and Commissions

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

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 17, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on August 17, 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, Requarth, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Police Chief Jerome, Fire Chief Fletcher, and Clerk Duncan were present.

Roll Call by Clerk Duncan.

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

Clerk Duncan commented that it was brought to her attention that the August 3, 2021 Council Meeting Minutes show that Members Wilder and Crane were present when they were not.

Motion by Zimmerlin, second by Fowler to approve the Regular Meeting Minutes of August 3, 2021 with the correction that Members Wilder and Crane were absent. Crane abstain, Fowler yea, Zimmerlin yea, Schreier yea, Wilder abstain, Requarth abstain, and Letner yea. Motion carried with four yeas, and three abstentions.

Motion by Zimmerlin, second by Wilder to approve the Special Meeting Minutes of August 10, 2021. All yeas, motion carried.

Manager Keaton announced last Thursday, the United States Census Bureau released the redistricting data. According to the April 1, 2020 Census, the population for the City of Brookville is 5,989 an increase of 105 people since the April 1, 2010 Census. Thank you to everyone that completed and submitted their 2020 Census last spring.

Manager Keaton presented updates on current projects. The pre-construction meeting for the Walnut Waterline Replacement Project is scheduled for August 24. Last Thursday we held an Open House for the 17 property owners along the Hay Avenue Roadway Improvements, Phase 1 Project that is between Wolf Creek and Mulberry Streets. 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.

Manager Keaton reported that Pak-Rite held their hiring event last week. Seventy-three applicants attended their hiring event, and they are making offers to 55 of those 73 applicants.

Manager Keaton reported that 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.

Manager Keaton reported The Ohio Department of Development launched the Water and Wastewater Infrastructure Grant on July 30, 2021. This grant will provide nearly \$250 million to help Ohio communities make necessary investments in water and wastewater infrastructure. Applications must be for planning/design, or construction. They cannot be both. There is no match required but providing a match will increase the score and likelihood of funding. 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.

Manager Keaton reported that she has put together five separate construction grant applications that she would like to submit. 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. This project should be completed before we repave E. Westbrook Rd. 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.

Member Schreier commented they didn't give you enough time to get those in.

Manager Keaton reported that a lot of these grants were lined up earlier this year. Manager Keaton stated she had reached out to Choice One Engineering trying to plan for the next few years of OPWC applications. Manager Keaton stated that we are fortunate that we had our Engineers Estimate, which will be submitted along with the applications.

Manager Keaton requested a motion from Council that authorizes the City Manager to submit the House Bill 168 grant applications with matching funds as presented.

Member Zimmerlin asked if the cost to tear up the roadway is included in the estimates?

Manager Keaton replied that they usually cut a two to three-foot width for the installation of water lines and the price to asphalt the cut is included in the cost of the estimate.

Motion by Fowler, second by Zimmerlin to authorize the submission of the House Bill 168 grant applications as presented. All yeas, motion carried.

Manager Keaton reported the open Planning Commission seat has been advertised for several weeks in various papers and on our website. The Clerk of Council has received two letters of interest. Would Council like to schedule an interview session with both candidates?

Mayor Letner asked for comments from Council Members. Council Members expressed that we should interview the candidates. They would like to get those scheduled prior to the next Council Meeting.

Manager Keaton stated she will get interviews scheduled.

Manager Keaton reported Staff met with representatives of MetroNet this morning. MetroNet submitted their application to AES to connect to their poles. That is normally a six-month process to obtain their approval. In the meantime, underground work is scheduled to begin in October 2021, and they hope to be substantially completed with the installation of their fiber in Brookville in eight to nine months.

Member Fowler asked Manager Keaton if she had any luck with getting the awning repaired or replaced at the Brookside Plaza?

Manager Keaton replied that we are still working with them on a weekly basis. A lot of the delay is in getting the material and the high prices of material, but things are starting to come down.

Finance Director Brandt stated she had no report this evening.

Fire Chief Fletcher apologized for missing the last Council meeting due to a fire call. Chief Fletcher reported the Fire Department has been busy over the last six to seven weeks, and as a result the mechanic has been staying busy with repairs on his fleet and his capital needs are going to be more evident for the Fire Department as his fleet ages. They continue to have more repairs and minor issues to address.

Chief Fletcher reported that we had a successful blood drive on August 16, 2021. Chief Fletcher thanked Mayor Letner and everyone else that came out and donated blood. They did not provide an exact total, but the information he received from the Community Blood Center was that they were impressed with the turnout from the Brookville community for a first-time event and they would like to come back annually. The Community Blood Center would like to have a blood drive at our facility on a regular basis and we're certainly open to that.

Police Chief Jerome reported that the Opening Day Soccer parade is at 9:00 am. Opening day festivities are at the soccer complex following the parade. We ask that the community slow down as school starts tomorrow. We will be there for the first few days as well as the SRO. Chief Jerome reported the Police department did not receive the minimum applicants for the first Citizen Police Academy. We are going to regroup, and he liked the idea that once school got started to add something for the students.

Chief Jerome reported that he is looking for a lateral entry Police Officer. The Police Department recently had two resignations. We were fortunate enough to fill one of those positions already. Chief Jerome expressed that there will be a retirement coming up in October so the Police Department will be looking for another lateral entry Police Officer.

Member Zimmerlin asked who has departed.

Chief Jerome replied Captain Jacobs went to the City of Union as a Lieutenant, and Taylor Arthur resigned to find other employment. The Police Department hired Justin Hudson, from the City of Dayton Police Department. Officer Hudson starts this Friday.

Law Director Stephan had a few comments on the Hunter's Run Final Subdivision, Section 2. Law Director Stephan stated the Subdivision Record Plan was approved by Planning Commission by unanimous vote at the August 12 Meeting. The Hunter's Run, Section II Subdivision Final Plat, has 47 lots for single family housing, zoning for the property is R-1B, the subdivision plan meets all the zoning requirements for R-1B and there are no variances being approved. The plan does modify the original 2005 Preliminary Plat. Law Director Stephan states the original plan provided for three phases with a total of 131 lots. The new plan will reduce the total number of lots in Hunter's Run to 92. This subdivision plat contains a 7.09-acre park lot, you can see that on page two of the subdivision plan. Staff recommended to Planning Commission that this lot be divided into two lots. One lot, which would be approximately two acres will contain the storm water detention area for this project; it will be owned and maintained by the Homeowner's Association. The other lot will be approximately five acres that would be owned by the City, maintained as a green space, and may in the future be developed by the City for park and recreation purposes, for example walking trails. Another feature of this project is this subdivision will be connected to Market St. via a walkway around the north end of the detention area on Market Street. Law Director Stephan requested Council would approve Hunter's Run, Section 2 Final Record Plan with a modification that the 7.098 park lot would be subdivided into two lots and subject to final review and approval of the Construction Plans by the City Manager and the City Engineer and that all proper permits would be completed, and a Performance Surety or Escrow Agreement be provided to the City as required by the Subdivision Regulations of the City of Brookville.

Mayor Letner stated that they will ask for that vote under new business.

Mayor Letner reported that he wanted to thank Fire Chief Fletcher and Natalie Schoening for the blood drive; it was brought together quickly and worked out well. Mayor Letner expressed that he was big on blood drives as far as donations.

Mayor Letner reported that with school starting, hopefully this time next year, we are celebrating out Safe Routes to School Project which is due to take place in 2022. Mayor Letner commented that he is looking forward to it.

Mayor Letner requested an Executive Session 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 for economic development assistance.

Motion by Zimmerlin, second by Fowler to go into Executive Session 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 for economic development assistance. All yeas, motion carried.

Mayor Letner called Council back into Regular Session.

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

Motion by Zimmerlin, second by Crane to accept the third reading and adopt 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." All yeas, motion carried.

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

Motion by Requarth, second by Fowler to accept the third reading and adopt 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." All yeas, motion carried.

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

Motion by Fowler, second by Schreier to accept the third reading and adopt Ordinance No. 2021-10 entitled "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." All yeas, motion carried.

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

Motion by Fowler, second by Wilder to accept the third reading and adopt 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." All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2021-12. Zimmerlin yea, Fowler yea, Schreier yea, Wilder yea, Crane yea, Requarth nay, Letner yea. Motion carried with six yeas, one nay.

Motion by Zimmerlin, second by Wilder to accept the 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." All yeas, motion carried.

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

Motion by Crane, second by Schreier to accept the 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." All yeas, motion carried.

Under New Business, Mayor Letner stated we have the Final Plat for Hunter's Run, Section II that needs our approval.

Motion by Schreier, second by Zimmerlin to accept the Final Plat for Hunter's Run, Section 2 with a modification that the 7.098 park lot be subdivided into two lots, and subject to final review and approval of the Construction Plans by the City Manager and the City Engineer and that all proper permits would be completed, and a Performance Surety or Escrow Agreement be provided as required in the Subdivision Regulations of the City of Brookville. All yeas, motion carried,

Member Fowler reported Park Board had discussions on the Christmas in the Park event.

Member Schreier reported Planning Commissions had a meeting last Thursday and they voted on the Final Plat for Hunter's Run, Section II.

Mayor Letner stated this brings us to Public Comments. Mayor Letner asked the public to state their name and address if they wish to speak. This is being recorded and they will be given five minutes to speak.

Bill Ward, 8023 Upper Lewisburg Salem Rd, Brookville, Ohio, 45309, stated that he was sorry that he had not attended many meetings, but he would like to say that it's nice to see people care about Brookville. He believes that everyone sitting on the City Council cares about Brookville, right? He thanked the Council Members for their service. The second thing, thank you for saying the Pledge of Allegiance, that's impressive. My other question to you is we were discussing the expansion on Upper Lewisburg Salem Rd, in that discussion you had mentioned that you had a conversation with the school board, the superintendent, or someone about the additional families and homes. Mr. Ward asked if there were meeting notes to that discussion that we could see, or you could share with us? I think the groups concern is that with 59 homes, average 2.3 children per home, is approximately 120 additional children in the school system. So, I'm sure having that discussion with the school superintendent because you're adding basically 10 percent to your school systems, roughly. That's a pretty big number. He thinks that this group and the school superintendent should have had a discussion and that conversation took place. So, he would like to see the meeting minutes from that discussion if possible and then it would help clarify or help us understand that we're taking that into consideration with some of the expansions that are being discussed here in Brookville. So, if he adds in Hunter's Run you in theory think, 18%, 19% gain in the school system and that's scary. The majority of the people that we've talked to anyway thinks that's a big concern. You can alleviate that concern by just sharing some of that information with us. If the school system is capable of handling the 18% to 19% expansion with its current class size, then that's a great thing. I don't think everyone feels comfortable with that. So, he thinks communicating maybe some of that stuff to Brookville would help us all feel comfortable. So, if you have those meeting notes, or because of the notice lady on the end, who seems to take very copious notes by the way. If you could share those with us, that would be very helpful. Thank you. His second question, he doesn't want to burn up his 5 minutes, thank you. His second question, in Brookville as you expand, and you have the TIF for the expansion of Upper Lewisburg Salem, which is listed in your MOU, has that ever happened in Brookville before, that you would finance that way and any other building project in Brookville?

Mayor Letner replied to the question, he thinks the answer is no, but that's the wave of the future. Not every other community, but the majority of the communities are going this route.

Mr. Ward responded really? He explained that he is not in the building industry and he's certainly not in your business by the way, but it seems unusual that we went this route. You tell me it's the wave of the future and he believes Mayor Letner. Mr. Ward asked in Hunter's Run expansion, are you following the same principles in having a TIF with that builder as well?

Law Director Stephan replied, as of right now there are no plans to have a TIF for Hunter's Run.

Mr. Ward said, so, he guesses it seems unusual to him when he does the math, very rough numbers, he apologized, to give away \$300,000 in tax benefits to Brookville to have a TIF when it's never been done before, and having the builder finance themselves, seems to make the most sense. Then it's no cost to the city or the community and you increase the tax base accordingly.

Mayor Letner thanked Bill Ward for his comments.

Jo Wilder, of 64 Urban Lane in Brookville, Ohio, 45309, stated that she was given a flyer as well and on two separate occasions she had two gentlemen come and talk with her at length and some of the concerns that they had is the addressed here in the Manager's report. It was brought to her attention, and she does not know if this is true or false, but she would like it addressed not only for her, but everybody concerned in Brookville that there would be flooding, pipes bursting, they would be without water and they're going to have to put in a new water treatment plant to the tune of \$3.5 possibly \$5 million dollars. Do you know if that was addressed with all these new subdivisions?

Mayor Letner replied that our Wastewater Treatment Plant treats about 720,000 - 730,000 gallons a day. That sounds like a lot, and it is for a city this size. But the plant is designed to accommodate 1.2 million gallons a day. So, the rule of thumb is, 100 gallons per person per day. So, I put down three people per household, might be four, might be two. Even if you had a 100 homes at that 300, that's 300 people, correct? Which in essence is 30,000. So, we're going to be about 755,000 - 760,000 gallons per day. We're still not even two thirds of the way, we're 66% even at that number. So, no were not at that point.

Ms. Wilder stated that she had to address some issues because of the flyer. So, maybe if we could get some information to that effect out there for people, it would stop the scare tactic.

Mayor Letner replied, the thing is Jo, we're not using scare tactics.

Ms. Wilder responded with she knows. She lives in a very small subdivision.

Mayor Letner replied, we are very forthcoming and we're telling it as it is. We're not trying to scare anybody, we're trying to make, as he's said before, Brookville a Proud and Progressive Community, and in the last Census we've gained 105 people. That's better than some communities, but its very minute.

Ms. Wilder said, she just think's there's underlying issues that they're not really wanting to address the people and if they would be honest. They're worried about riff raff, or what's going to happen, and she's heard so much, and she's just up to here with it.

Member Zimmerlin replied, the best thing you can do is not listen to Facebook, not listening to word of mouth. There's a person down at the end of this desk, and he hope's anyone can hear that is to contact Manager Keaton. She'll tell you how it is, its public record. So, whatever it is, she'll give it to you. You can agree with it or disagree with it but that would be my biggest recommendation to anyone.

Ms. Wilder responded, thank you.

Josh Florkey, of 202 S Wolf Creek St in Brookville, Ohio, 45309, stated he wants to acknowledge that he had a conversation with a Council Member last night. He won't name who that was unless they want to be known. He respect's their time and appreciates that individual. For the time they spent with him he had several questions that we're addressed, and he does have Wolf Creek that runs right behind his house. He has experienced the flooding because of the creek that runs behind his house, in his basement. He pays flood taxes. It won't benefit him until the water reaches his first floor of his home. His question is in the developments. Who dictates the detention or retention ponds and the outlets for those ponds into our existing storm water system?

Mayor Letner asked, as far as the engineering part?

Mr. Florkey stated the engineering into our existing storm water management system. Most of it all goes to Wolf Creek, correct? Most of the watershed is on Wolf Creek. Mr. Florkey wants to know who is managing or engineering, making sure that the developments and the detention or retention ponds that are going into these developments are being restricted, going into what is our stormwater, that we already know is an issue. What is the plan for that? Who is making sure those retention, detention isn't having an ill effect for everybody?

Mayor Letner replied that we have a detention pond on Market Street, which is one that comes from the fire house area and then the other one will be at Hunter's Run. It's about 18 feet deep.

Manager Keaton stated, anywhere from 8-14 feet.

Mayor Letner goes on to say that each development has a detention pond.

Mr. Florkey said, a detention pond that is engineered for that development, correct? To be able to manage the water runoff from that development. What he is asking, is the exit and the rate of flow out of that detention/retention ponds?

Manager Keaton replied, most of those are retention ponds where they're actually holding water, and they will drain slowly.

Mr. Florkey stated that he was just asking because of the future, he doesn't know if it will be a detention pond rather than retention pond. Mr. Florkey goes on to say, they all do the same thing. They restrict flow into the stormwaters so who is managing?

Manager Keaton responded the City manages it. All our subdivisions are looked at individually by our City Engineer.

Fire Chief Fletcher stated that when they built the firehouse he sat in on the meetings with the engineers when they calculated how the water would be retained and released in a controlled manner to Wolf Creek to be carried away. It is his understanding, that engineering happens on any project and the City Engineer checks that work and verifies that the private engineer has calculated that correctly, so it's in control from the time it's collected to the time its released, that is an engineer process.

Mr. Florkey asked if there was documentation on what the restriction is currently on, like a percentage of out?

Manager Keaton replied that she would have to get that for Mr. Florkey. Currently on the Hunter's Run Final Plat that was approved this evening, the stormwater calculations are in a document about 2" thick for just that one subdivision.

Mr. Florkey replied, but it is being thought up on the exit of that water and the control.

Member Fowler asked, when was the last time it flooded, just out of curiosity?

Mr. Florkey said, it's been a while, we haven't had storms. Four years ago? It was worse before the tornado. But what is the retention or detention ponds minimum that it's supposed to be designed for, 100 years, right? Why would we not consider everything else? The exit to be 100 years if the detention/retention pond that's being designed to that?

Manager Keaton replied, we will investigate that equation.

Mayor Letner says, to answer your question Josh, what we put in as far as the City, we're good, but where else does that continue onto, through the townships. We have no control over that. If there's a disturbance downstream, dams stuff up that's out of our control. Mayor Letner goes on to thank Josh.

Mark Hayworth, of 10352 Upper Lewisburg Salem Rd in Brookville, Ohio, 45309, expressed concerns with the scare tactics and not listening to Facebook and other social media. Mr. Hayworth goes on to say, over the weekend Member Zimmerlin posted a video of himself. That was social media, so should we not listen to that? Mr. Hayworth said, in that video, Zimmerlin stated that all these developments may lower your taxes and he was dumbfounded over that statement given by Member Zimmerlin via Facebook video. Mr. Hayworth asked, how is that going to lower taxes? We're going to have to maintain more streets, more EMS, more demand for law enforcement and the City is already struggling to get Officers here per Chief Jerome. Who's going to absorb the cost of the school expansion, because what I'm hearing from teachers is that the elementary is already at full capacity and our high school is getting close. So, the only answer is to expand, where does that money come from?

Mayor Letner responded Mark, the School Board had a meeting last night and we can pull up those minutes and hear some answers to your questions. Mayor Letner stated he won't speak for the superintendent, but he did say that they had a meeting last night and those minutes should be available. Mayor Letner encourages Mr. Hayworth to listen to that.

Mr. Hayworth asked, what's the answer on that? Did you tell everybody?

Mayor Letner replied, no. The minutes will speak for themselves. He is not going to speak for Mr. Hopkins or the School Board. Mr. Hopkins spoke last night and laid it all out to his board and I'll let you look at it or listen to it.

Mr. Hayworth responded with, Mr. Zimmerlin, how's this going to lower taxes?

Member Zimmerlin replied, he wanted to comment in his video he referred to the City's website and the meeting minutes and material for people to reference and to contact Manager Keaton. So, as a public elected official of the City, Member Zimmerlin feels like he has a responsibility to make comments, whether you agree with him or not, that's up to you. He wants people to have the facts that the City is putting out there with material for people to understand.

Law Director Stephan stated he understands Mr. Hayworth's point that there are expenses associated with developments, streets, additional public safety responses that all need to be maintained. In terms of how it drives down taxes in the community, when we have new investment, we're creating new value. For example, on the Albert Road property, the taxes that are being currently paid in is \$622.36. The property is being farmed, it's under CAUV and that's how much taxes are being paid in right now. If we build 59 houses there, we're going to create new value. For example, if we assume housing value of \$150,000 and a 35% taxable value of \$52,500, the taxes generated from the building improvement per lot it would be \$3,992 per year or \$235,000 per year for 59 lots. The increase in valuation will reduce the effective rate of property taxation in the City of Brookville. Certain voted levies are designed to generate a certain amount of money. When the new value is added to the City of Brookville, the effective rate of taxation will be reduced so that these voted levies will generate only the voted amount. The result of the increase in valuation is that all property owners in Brookville benefit from the reduced effective rate of taxation. Law Director Stephan goes on to say, in all fairness to you, Mr. Hayworth's point is we do have to provide services to those in the area, and that is correct. Law Director Stephan stated there is a trade-off, and the trade-off is we are generating new value, and the new value brings tax dollars into the community, and it does push down the effective rate for everybody.

Mr. Hayworth said that \$235,000.00 seems minuscule in comparison to the millions of dollars it will take to expand the school.

Law Director Stephan replied that we are having those discussions with the School District. Law Director Stephan expressed that we need to have moderate growth, let's look at the historical perspective in Brookville. Between 1995 and 2008 we had eight subdivisions going on at the same time with over 800 lots. We developed through that process. Right now, we have Meadows of Brookville, Hunter's Run was approved tonight and possibly this Albert Road project. Law Director Stephan stated that's three subdivisions and a couple hundred lots. Again, we need to

control growth, but at the same time, from an historical perspective, we are nowhere close to where we have been in the past in terms of the number of subdivisions and number of lots being built.

Mr. Hayworth asked, why can't we afford to pave our own streets and maintain our streets with all these new subdivisions that you spoke of in the past?

Member Zimmerlin replied, we lost our top five employers, which is all income tax, we're just now recovering with Pak-Rite and GM who's not even fully operational yet. That's why we are having issues.

Mr. Hayworth response, that's what we want, these new businesses coming in, generating new dollars to maintain our City. Mr. Hayworth goes on to say that he appreciates Member Zimmerlin's input on that.

Member Zimmerlin ask Mr. Hayworth if he's spoken to any school board members or the superintendent?

Mr. Hayworth replied, he'd rather not comment on that.

Member Requarth had a comment, we have DMAX coming in, how many people are they going to employ?

Mayor Letner replied, 118-119.

Member Requarth, asked, Pak-Rite?

Member Zimmerlin replied, 55.

Member Requarth asked, how many did they expect to employ?

Mayor Letner responded, 250 for the start.

Member Requarth replied that he is just hoping these companies can survive and find the workforce because if we don't have a viable workforce the people living in the community want to work in the community. He stated that's why he lives here and works in the community. With growth in business and manufacturing you must provide the amenities for those people. Member Requarth goes on to say, people may or may not want to drive from other cities to work in Brookville. With the gas prices and everything. People appreciate a shorter commute to work. It's important that we not only have growth in industry or business, but also in housing. So that's my point.

Mike Hughes, of 278 Johnsville Brookville Rd in Brookville, Ohio, 45309, stated he is the last house in the city limits. He's heard a lot of people talk about the water issues. New development brings new water issues. He states that he is the largest residential landowner in the City of Brookville, with having 15 residential acres. He's contacted the city for nearly three years trying to receive help with the water that's flooding on him from Brookville Pymont and Johnsville Brookville flooding his yard and home. The City has been unable to manage that, nor has the county. It's just been dropped. He goes on to state that he does not have confidence that the City can manage the waterflow out of these new developments. His second comment was that in the new development they want to build 59 homes, you not only need retention areas and acceptable waterflow, but you also need green space. Any surrounding community putting in a size plat this size requires a green space and a parking area, which he did not see in the plans for this development. In the area where that's at they should not be built on less than a quarter of an acre. He also heard folks talking about the taxes, yes new employers do generate a great deal of taxes with their employee's tax base that brings to the community. A benefit, but along with that, also, new housing generates a burden to the City which many people have spoken of. That's EMS, Fire, city utilities, etc. Mr. Hughes then told Mayor Letner that he is aware of the water issues as it comes from behind his house onto his property.

Mayor Letner replied, not necessarily Mike, he thinks he has a problem with the property south of Mr. Hughes. He stated to Mr. Hughes that he knows he's talked to the county but it's more of the Soil and Water with the County. As far as your comment about the green space, they do meet the 25% of the green space required and that's in the prints.

Mr. Hughes replied, as the largest residential property owner in the City of Brookville, and being out here on Johnsville Brookville, the benefits that we receive from the City are few and far between. We have no sidewalks, we have no sewer, we have no storm sewer. The only benefit we have from the City is that he has a water line out front that he doesn't use because he is on well and septic and the City employs a trash company that picks up our trash, which randomly gets done. So, tell me how you are going to manage this development of 59 homes and the burden that it's going to put on our City?

Mayor Letner thanked Mike for his comments.

Jessica Wells, of 21 Heckathorn Rd in Brookville, Ohio, 45309, she wants to thank the Fire Department, Police and the Paramedics for their quick response and reassurance for her daughter that had a medical emergency. She goes on to state that she is looking at the school board meeting minutes that are published online, the most recent meeting minutes available are from June 21, 2021. She knows that the City Council cannot do anything about that, but the Mayor suggested that the citizens read those minutes, but they are not available online. She wants to know with the expansion of Brookville with the potential of 151 homes so quickly, can our schools absorb that amount so quickly and if not, what are the taxes, levy increases going to look like? She went on to say that she and many others feel like their questions are not being answered. We are not being heard when we bring up concerns to you in the Planning Commission and City Council, just moves ahead and does what they think is best, whether it represents the people who've elected or not. Furthermore, she addresses that the citizens should call the City Manager with questions. Ms. Wells said she's called the City Council numbers and left voicemails, she's sent emails in the past. She goes on to say that no one has responded to call, voicemail, or even comments on Facebook being turned off. She looks forward to spending time with Manager Keaton and getting some answers.

Mayor Letner replied and asked Ms. Wells if she has tried to contact him and what form?

Ms. Wells responded with yes, she has, via City email address that is listed on the City's web page.

Mayor Letner replied, if she did, he never got the email and he apologized for that because he checks his email numerous times every day. He stated that he is available through email, but he does not have Facebook. He's here to listen anytime she needs and that his phone numbers are posted.

Ms. Wells stated that she has left Mayor Letner voicemails, and I have sent you emails and emailed every member of the City Council, and she received no response. The only one who calls me back is Kim Duncan and occasionally Rod Stephan.

Mayor Letner replied, he would have to disagree with Ms. Wells because as far as the City, he has never received a voicemail from Ms. Wells and as far as his personal numbers, he has never received a voicemail from Ms. Wells.

Ms. Wells stated that she has never tried to contact the Mayor on his personal number, she doesn't think that's her place, but she has left voicemails asking for a response concerning her neighborhood of Meadows of Brookville. She told the Mayor he could see her phone records if he would like to.

Mayor Letner stated that he has his own phone records. He went on to say its him against her and that he was not going to argue with her about it.

Mayor Letner expressed that everyone up here is open for discussion whether it by email, telephone or basically in person. He stated how about doing that.

Ms. Wells stated that there's a worldwide pandemic going on and this is the closest she could get.

Mayor Letner thanked Ms. Wells for her time.

Member Requarth wanted to correct the school board meeting minutes, he explained that the minutes get approved and then get put on the website for the public to see. At the meeting last night, the July meeting minutes got approved so August meeting minutes will be approved next meetings in September and so forth.

Mayor Letner replied that he understood that, and he is not going to discuss what was said between him and the superintendent. It is not in his control over the meeting minutes for the school board.

Clerk Duncan stated she has an email to read from Beth Reed of 899 Upper Lewisburg Salem Rd, Brookville, Ohio, 45309, Ms. Reed said she was sorry she could not attend the meeting. she wanted to start off by thanking the City Council Members that have put yourselves out there and addressed this development with the community. We needed to hear from you about this a long time ago and now that more of the community is aware that this has been approved, she appreciates the Council Members getting out there. On the City of Brookville's website, it states "While Montgomery County experienced limited growth during the 80s and 90s, Brookville's population continued to grow due to our access to I-70, the availability of inexpensive land and the reasonable cost of housing. These factors remain part of our growth equation today." <https://www.brookvilleohio.com/176/Population>. A Planning Commission member stated on Facebook "Growth is hard but we haven't had growth in many years." This is contradicting to what is posted on the city's website that she just read. According to Data USA, "Between 2018 and 2019 the population of Brookville, OH grew from 5,813 to 5,919, a 1.82% increase." It also reports that "From 2018 to 2019, employment in Brookville, OH grew at a rate of 2.29%, from 2,490 employees to 2,550 employees." <https://datausa.io/profile/geo/brookville-oh>. She also keeps hearing Council Members compare this development to others like Urban Lane, Antwerp, Villa, March, Terrace Park. #1. According to the lot size chart of Urban Lane, there are 22 houses on that street, including the 2 corner lots. #2. Backs of houses are not facing the streets in these older developments like they will on Albert and Market. #3. Houses on Antwerp, Villa and March were built in the 60's it looks like, quite different than the quality of homes being built now. These existing developments that you speak of are what brings the charm to Brookville that we have now. She's not understanding how you can compare these developments; this is not comparing apples to apples. Another comment that was made by a Council Member is that "The lot sizes vary between approximately .17 to .22 acres in size." Why did you use the word "approximately" when starting with .17? We all know what the ranges are. They start at .15. According to the approved development layout, there are 13 homes on .15 and .16 acres, 22% of the total homes being built. Regarding our schools, there was a comment on Facebook and a verbal comment made to myself and my husband from another City Council Member that stated, "The enrollment rates have stayed substantially the same since 1970, they can absorb new students." There is a website called "Public School Review". Here is the link: <https://www.publicschoolreview.com/brookville-high-school-profile> Under the "School Overview" section, it states "Brookville High School's student population of 443 students has grown by 13% over five school years." These statements appear to conflict. I guess it depends on our interpretation of how "substantially" is defined. Also, this same website provides the following statistics for student to teacher ratio:

Brookville High school = "The student to teacher ratio of 21:1 is higher than the Ohio state level of 18:1."

Brookville Middle school = The student to teacher ratio of 22:1 is higher than the Ohio state level of 18:1."

Brookville Elementary school = The student to teacher ratio of 22:1 is higher than the Ohio state level of 18:1."

she has an email into the school to confirm these statistics on recent school system growth in the last five years and how this affects current school capacity. She has no doubt that our school system will be able to absorb more kids. Parents just need to know what the plans would be to make this happen. It is our job to stand up for our kids and there are a lot of valid concerns out there by parents on this impact to the schools, both positively and negatively. According to the City of Brookville's website, "While our Brookville Commercial Campus offers over 240 acres of shovel-ready property, our housing character promotes our small-town charm." Our housing character is

changing so once we know what it will promote after all of these developments go up, please be sure to update the website because she's not sure it will be accurate to state it "promotes our small-town charm" any longer. She is not opposed to growth in Brookville. In the last few years, Brookville has recently added some pretty awesome businesses in her opinion (i.e., What's the Scoop, Krafty Mamas, Blue Finery, Sugar Shoppe, Music's Automotive...to name a few that pop into my mind quickly, she's sorry for those she did not mention, we love you too), not to mention all of the wonderful businesses that have been here for years and continue to service our community. She thinks we can say we are growing. We all know the houses are going up on Westbrook, so we are adding rooftops all over town. This has been her message on all public hearings, considering all that is happening around town (not just this development), the dynamics of Brookville is changing, and a lot of people came to Brookville because of what it is now. She continues to ask you to please be thoughtful of this, listen to your community members and speak up when you are making these decisions that affect the overall well-being of Brookville. She goes on to say, thank you for your time.

Law Director Stephan made a comment to Jessica Wells about Hunter's Run. He wants to make it clear that there will be no phase 3. This phase 2 uses all the available land for Hunter's Run and 47 lots are being created but the phase 3 original plan will not be created.

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

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

Brookville City Council
Special Meeting
September 7, 2021

The Special Meeting of the Brookville City Council was called to order by Mayor Letner at 6:30 p.m. on September 7, 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 Acting Clerk Brandt were present.

Roll Call by Acting Clerk Brandt.

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

Mayor Letner requested an Executive Session per ORC. 121.22(G)(2) to consider the appointment of a public official for the Brookville Planning Commission.

Motion by Zimmerlin, second by Schreier to go into Executive Session. All yeas, motion carried.

Mayor Letner called Council back into Regular Session.

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

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

Brookville City Council
Regular Meeting
September 7, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on September 7, 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, Requarth, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, and Fire Chief Fletcher. Police Chief Jerome was absent.

Roll Call by Acting Clerk Brandt.

Member Zimmerlin commented the Agenda should be amended to add the appointment of a Planning Commission Member.

Motion by Zimmerlin, second by Crane to approve the Agenda with an amendment to add the appointment of a Planning Commission Member. All yeas, motion carried.

Mayor Letner advised there is no approval of Minutes on the Agenda this evening due to the Leave of Absence of our Clerk of Council.

Mayor Letner announced the Citizen of the Month for the month of September is Mr. Wayne Wolfe. Mayor Letner stated to say that Wayne is the man, no one doesn't know Wayne. He's been stable here in town for 47 years. Wayne is instrumental and spearheaded the blood drive campaign in our community, from moving locations to finding a forever home for the blood drive in the Leiber Center. Mayor Letner read the Proclamation aloud. Mayor Letner congratulated Mr. Wolfe.

Manager Keaton announced since our Clerk of Council is out on medical leave, we have several items that need to be signed by the Clerk of Council, so she is requesting Council appoint Michelle Brandt as Acting Clerk until our Clerk of Council returns from leave.

Motion by Schreier, second by Wilder to appoint Michelle Brandt as Acting Clerk. All yeas, motion carried.

Manager Keaton presented an update on the RETREET program; the tree planting effort that was scheduled for September 25 in Brookville for those residents impacted by the 2019 Memorial Day tornado, will be delayed until Spring 2022 due to the rise in COVID cases both locally and nationally. Sometime during the week of October 4, a few tornado-impacted homes in Brookville will receive new trees and yard signs that will encourage neighbors to request trees be planted at their homes during future planting events. In addition, RETREET is also spearheading tree debris removal and maintenance efforts for families who need assistance, especially in anticipation of replanting new trees. This information is posted on our website.

Manager Keaton reported five applications were submitted to the Ohio Department of Development for the HB 168 Water and Sewer Program that she reported on last month. These same applications were also submitted to Montgomery County Engineers for their consideration in ranking projects. On August 27, she received an email from the Montgomery County Engineers Office that they prioritized projects, and Brookville was fortunate to have one of our five projects, the Wall Street Waterline Replacement Project, receive a priority level 8 out of 10 projects. Hopefully, we will receive information soon if any of our projects are funded.

Manager Keaton reported the awning at the Brookside Plaza has been repaired.

Member Requarth replied to Keaton, what's our share if our projects get funded?

Manager Keaton replied, on the Wall Street Project? Our matching is \$5,000 out of our Water Fund. Manager Keaton replied she provided a breakdown of the five projects and what our match would be either out of the Water Fund or the ARPA Fund.

Finance Director Brandt presented the August Fund Balance for Council review and approval.

Member Fowler inquired, when was the last time we received a check from Provimi?

Finance Director Brandt responded that we are still receiving money from them.
Member Fowler asked when their lease is up?

Manager Keaton responded the lease on the building is up in October.

Motion by Requarth, second by Fowler to approve the August 31, 2021 Fund Balance as presented. All yeas, motion carried.

Member Zimmerlin replied with a question on income tax, with a lot of folks working from home due to Covid, what impact will that have on us, potentially? Withholdings, where people can request refunds and things like that?

Manager Keaton replied that she would reach out to the City of Vandalia to see if they began looking into this.

Member Zimmerlin replied, has the emergency order expired?

Manager Keaton responded, the emergency order expired, but employers are still required to withhold income tax as if they were working from the work site until December 31, 2021. Manager Keaton stated that legislators are in deliberations about allowing employers to withhold from employee's place of residence if they are working from home. Manager Keaton stated she will research this and provide an update to Council.

Fire Chief Fletcher reported they have been extremely busy, not expecting it to slow down any time soon. Fire Chief Fletcher stated he pulled two tables out from his five-year capital improvement plan that they've operated under for some time. The two pieces that you see, the one that's bannered in red is what we call a typical year for fire apparatus. There's nothing binding that says we can only run something into 15 years frontline and another 5-10 years reserve. It's up to us as a community how long we run apparatus. With that said, these are the recommendations from our insurance services office on what kind of life expectancy should be looked at for these types of vehicles. Fire Chief Fletcher goes on to say, if you look at the second table, the blue banner, it highlights yellow, blue and red. Those are the three pumping pieces of apparatus we have serving the city. We currently have one piece down for a long-term repair. The apparatus will be down for as long six weeks or longer. We are currently relying on our two older pieces of equipment to serve our needs. The reason he brings this information to Council is because we have delayed replacement due to lack of capital improvement funds for a year and nine months a fire engine. He has said it before several times, the money, the revenue that comes in for the Fire Department, we can save the money necessary to buy new ambulances when we need to, but we lack the amount of capital revenue to replace a fire truck when we need to replace fire trucks. Several years ago, we found a used fire truck when the need was there versus a new one, and we've had good success with that. Right now, we're depending on that used piece as one of the two that's currently protecting the city. We have been saving in anticipation of the ladder truck coming available potentially from the City of Englewood. We still believe that to be the case. We're probably one year out on that ladder truck replacing an engine. Over the last three weeks we have looked in earnest of finding a quality engine that we can add to our fleet. A brand-new fire engine to meet our needs would be about \$650,000. That is several hundred thousand dollars more than we have available. Certainly, more than I would recommend, simply because he believes we can identify a used pumper that will meet our needs for the foreseeable future. The foreseeable future being easily 10 years plus window. I've been working with the Manager and Finance Director to identify exactly what we could comfortably do and not put ourselves in a position where we still don't have capital money held in reserve. Chief Fletcher goes on to say that the only issue is this is not something that we had upfront in our 2021 Budget for you to have approved months ago. What we have identified on the second piece of paper is a used pumper tanker, which again serving the areas we serve of hydronated and non-hydronated, we have a special need for a pumper that can do multiple things. It must carry a whole lot of water just because of the areas we protect that do not have fire hydrants. This pumper here certainly meets those needs and would be one that we would add to our fleet. If you look at the one on the blue banner, Vehicle 302, a 1995 pumper, we had

planned on decommissioning that coming up on two years. We are still running that piece. We would decommission this vehicle upon adding a ladder truck to the fleet. The two things that this would do for us, this would get us the fourth pumping piece that's recommended by ISO, and it would put us in a position to rotate out the oldest pumper when the ladder truck becomes available. Chief Fletcher is asking for an authorization for up to \$170,000 from his Fire Capital Improvement to potentially be utilized on a used fire engine. We still have lots of things that we need to do, and it would include, Blair our Fleet Mechanic and himself traveling to wherever in the eastern United States this vehicle is currently sitting. We will evaluate it just like when we went to Texas and evaluated the engine, we bought several years ago. Chief Fletcher indicated that he and Blair will go through the pumper and make sure it is everything it's advertised to be, and we need it to be. Chief Fletcher stated, what your authorization allows us to do, is give us the flexibility to make an offer that's certainly less than asking price. Also, it puts us in a position where he could get the City Managers authorization for us to put a deposit on the vehicle and hold it, if its something that we want.

Mayor Letner asked what is the maintenance cost on some of his older fleet?

Fire Chief Fletcher replied, he doesn't know the exact number when it comes to maintenance cost, but we have gone through the budget for the fire trucks earlier than we originally anticipated. Chief Fletcher went on to say that normal maintenance like oil changes, tires, etc. can be predicted and budgeted for, but major repairs cannot.

Mayor Letner asked Chief Fletcher for a ballpark figure.

Finance Director Brandt replied, its probably close to \$12,000.

Member Requarth inquired, the fire truck that is in the shop for repair, that's currently our frontline vehicle?

Fire Chief Fletcher replied yes that's our frontline vehicle and it's in the repair shop because it has some damage from when it went into the ditch on Upper Lewisburg Salem Rd. Those repairs are being covered by insurance. He brought that piece up because he's been without it for a significant amount of time and whenever that happens our older apparatus becomes the frontline vehicle which makes us vulnerable, and our fleet stand out. At one point, out of our three pumping pieces, the two newest ones were out of service, and we were depending every day on the 1995 pumper as our only pumping piece in town.

Member Zimmerlin, responded you have two pumpers operating?

Fire Chief Fletcher replied yes, we have two operational, the 2000 and the 1995 pumpers are both in service as we speak.

Member Crane inquired, so on the ladder truck you are talking about from Englewood, do you have a price on that? Are we looking at the 2022 budget?

Fire Chief Fletcher replied, yes this would be a 2022 budget item and there would be a dollar amount we do not exceed. Englewood and especially Manager Smith has been very good and gracious to work out very favorable opportunities for apparatuses.

Member Requarth inquired on the 2000 pumper, ideally you would decommission that in 2025; we really don't have a new pumper truck, or do we?

Fire Chief Fletcher replied, since about 2008, he would say the Fire Department's ability to meet the operational needs with the money that we have and save for the last 12 years, we've been able to save enough money to replace the ambulances when the need is there. It's again the ability to save \$650,000 that is unrealistic, given the money that we have available to us.

Member Requarth responded with, how much money do we have in the Fire Capital Improvement Fund for the Fire Department?

Finance Director Brandt replied, approximately \$277,000.

Member Requarth commented we wouldn't totally liquidate the funds with this purchase.

Member Zimmerlin wanted to know if they authorized this transfer would the Fire Department maintain all four until the aerial? Why would we do that?

Fire Chief Fletcher replied, there's a couple things that our Capital Improvement plan takes into account. If you look where it says, ISO recommended apparatus additions where there's two asterisks at the bottom, ISO has identified that there are two things we lack in our community, and our ISO ratings are based upon what you try to protect and what they recommend you have. Where we leave points on the table is we do not have an aerial device, so we are penalized points on our score for that. We don't have a fourth pumping piece. The ladder truck we are looking at from Englewood is what is known as a Quint, it can do five different things and in a pumper category, it gets to count as a pumper, in the ladder category it gets to count as a ladder truck. With that the ladder truck and three pumpers is four pumping pieces. So, if we add this piece now and the value of just getting rid of Vehicle 302, just so we stay at three pumping pieces is not worth what it will be worth to us, just to hold it and have four pumping pieces. First, from an ISO standpoint and secondly, its still an old fleet, we still have the ability that if he has two pumpers broke down then he still has two available versus the one. That would be the rationale behind holding on to Vehicle 302 until we get a ladder truck.

Member Zimmerlin responded, so if we do have an opportunity for an aerial device and we were ready to move on from Vehicle 302, would that be something we auction off, or would we be looking at one of our neighboring communities like, Verona?

Chief Fletcher replied, for a vehicle of that age, GovDeals would be the most appropriate, not that we wouldn't try to pass on good fortune in a fire engine. Knowing what the neighboring communities have, there would not be a lot of interest in our Vehicle 302.

Member Zimmerlin asked what would GovDeals give us?

Chief Fletcher responded with the last fire engine that we put on GovDeals we received, \$5,500 or \$5,000. The market is flooded with decommissioned fire trucks. From 2008-2013, there were a lot of communities that did not replace their fire apparatus, so starting from 2013 to present day, there has been a lot of turnovers and there's a lot of vehicles that are out on the market. That's why I say the ladder truck from Englewood has been very well maintained and is good but a 1997 ladder truck. There are a lot of trucks for sale with not a huge price tag on them. So, it would not make a whole lot of sense for us to spend a lot of money acquiring a 1997 ladder truck from a neighbor. Chief Fletcher stated, that's why its good for us to do our homework and know exactly what the value of something is. Since Vehicle 302 has been a very well-maintained pumper, he hopes it would bring \$10,000.00 plus on GovDeals.

Member Zimmerlin addressed his last question for Sonja or Michelle, so on financing, is there an ability to finance that, like we did with the ambulance? Member Zimmerlin stated he knows this is used versus new, where we won't have to take the big hit initially?

Manager Keaton replied that is something we can look at; she doesn't feel leasing is an option on a used piece of equipment. Finance Director Brandt can reach out to our current banks that we do business with.

Member Zimmerlin responded just knowing we have some good things coming, but if we we're able to spread that out just a little bit, even like a three or four-year lease.

Member Requarth replied, let's go back to ISO, most people don't know that ISO rating affects fire insurance rates/premiums, especially the industrial sector.

Fire Chief Fletcher replied, yes, your rates are based upon what rating your local Fire Department has earned.

Member Requarth just wanted to point that out, he knows from previous experience. He didn't know if everyone else knew about it. Member Requarth goes on to say that he doesn't think we should finance \$170,000, he knows it sounds like a lot of money but what if we need something on an emergency basis, he thinks we'd be better off financing something like that. He doesn't see paying interest on something that we have the money for.

Member Zimmerlin expressed his interest in maybe looking for something a little newer and that would last us a little longer around the \$180,000-\$190,000 range and we do the financing. He's not sure if there would be more value in doing something like that.

Fire Chief Fletcher replied, you make an excellent point, in our research looking at comparable vehicles that are 2012-2013, the closest one he could find is in the price range of \$350,000, we don't feel like that was the path we needed to go down. There are a hand full of vehicles that are in our price range and check all the boxes that we need to add to the ISO ratings.

Member Schreier inquired on the ISO ratings, would the pumper truck have a better rating or would the aerial device have a better rating, or are they equal in rating.

Chief Fletcher replied, he said he didn't want to say they are equal, but they are in the same categories they are in from the standpoint of when they are scoring us. ISO will come in and look at, what are the pumping pieces that protect this community. They don't care whether it's a fire truck, tanker truck, or a ladder truck. What you have is what you get scored on and then they say now we want to score the aerial devices. Again, they don't care if it's a ladder truck only, whether it's a combination piece that pumps and an aerial device. Some vehicles we earn scores in multiple categories.

Member Crane asked, for ISO is there a certain breaking point where we say, going to another level that the savings just doesn't make sense? He's not sure how it's rated but at some point going to the next level and spending more money to get there may not make financial sense.

Chief Fletcher replied, yes there would be. What happens with your ISO score is your scores are bracketed and so there are class 1,2 or 3 fire departments. If you are an ISO class 1,2 or 3, you get the best insurance rates. The next classification is 4,5, and 6 and the next classification is 7,8, and 9. ISO 1 departments are very few non-fully career ISO departments in the country versus an ISO 9 department is a department that has very little resources, personnel or long travel distances and the only worse number is not having a fire department at all. We are currently an ISO 4 department. We are waiting on our revised numbers from evaluation, and we are not far from an ISO 3. Potentially seeing a significant saving if we were an ISO 3 rated. Chief Fletcher can't speak for insurance carriers because they have a bottom line to protect as well, they do not look for opportunities to give people a break.

Member Crane replied, they are asking \$169,500.00, what would you ask for this unit? What's a fair price?

Chief Fletcher responded if this vehicle truly has 17,000 miles and we can look at it from bumper to bumper, find that it's in the shape that it appears to be from the photos then its worth \$169,500.

Member Zimmerlin asked, would this become our primary and you would move the other one out?

Fire Chief Fletcher responded, what we have right now is depending on where in the community the call is, is the piece that goes out the door first, because the one that goes out the door first to the rural areas is the one that carries the most water. This piece right here can function as both. It would carry the most water of anything we have, and it has the dual role of being able to be that everything. This fleet has spanned a period where the fire department has gone through an evolution. Back when Vehicle 302 was purchased and Vehicle 303, the heavy rescue truck, the Brookville fire department was a predominantly volunteer fire department and would easily put 4,5, or 6 pieces of vehicles on the road for a fire. So, the vehicles could be extremely limited in what they did, you could only have a vehicle that only carried tools, a vehicle that just pumped water and carry a hose. Over time as you evolve from being a volunteer fire department that can

put six vehicles on the road in a timely fashion to being a part staffed department that there are times there's one piece that comes from us because that's what were able to put out the door and on the road. Well that one piece must be equipped to handle whatever the need is. The vehicle must carry water, rescue tools and cribbing that 25 years ago fire engine didn't have to carry. That's why a fire engine is not just a fire engine. This vehicle meets those needs, it doesn't depend on another vehicle to show up for us to be able to do what we need to do. It is a self-sufficient fire engine. Two of our three fire engines are self-sufficient. The 1995 fire truck is from an era that it doesn't have a generator, it doesn't carry a whole lot of water, and it has poor compartmental space. That vehicle met the needs of the fire department at the time it was built in 1995. We're not that fire department anymore.

Member Requarth asked, how many gallons tank is on that 1995 fire truck?

Chief Fletcher replied, 1,000 gallons.

Member Schreier commented so going back to the ISO rating, so the Fire Department currently has two operational pumpers, this would be a third, and to get the other one up and going we would then have four, we would meet the fourth pumper, so that potentially gets us from an ISO class 4 to a class 3?

Fire Chief Fletcher replied, I don't have our revised numbers but please don't let me lead you to believe that we would jump from an ISO 4 to an ISO 3.

Member Schreier responded that's what we want to know, if we buy a pumper truck and a ladder truck, we could potentially spend \$350,000 and not move up a class.

Chief Fletcher replied, there are communities that will utilize and pass a funding levy for the fire department by being able to go and show if you'll approve this levy, it will bring in this much money, but in turn your insurance rates will drop. The problem with that is the fire departments that can do that are the ones that make that jump from a part-time fire department to a full-time fire department. He hasn't broached that conversation with Council because the funding that it would take for us to go and do right now what our part-time guys do full-time is not a realistic number. It does happen in some places, but it would not fit here in his opinion.

Member Requarth questioned, if we would approve to buy this truck and it meets the expectations and later in another year we would acquire the truck from Englewood, we would then decommission the 1995 vehicle?

Chief Fletcher replied, yes that is correct. The plan was to decommission Vehicle 302 two years ago.

Member Zimmerlin responded; we have the funds in our capital budget now?

Finance Director Brandt replied, yes.

Member Wilder asked, is it typical for a 16-year-old fire truck to only have 17,000 miles on it?

Chief Fletcher replied, it just depends on the makeup of the fire truck. Ours at the present time are carrying more miles than our brush truck, it's a 2005 and only has 4,000 miles on it. The only place it's been is the farm fields of Perry and Clay Townships and occasionally mutual aid. Seventeen thousand miles is very low mileage for this vehicle. This fire truck came from a volunteer fire department and easily could have been a vehicle that for the first few years ran frontline and then was moved to reserve.

Member Requarth stated that the fire truck also has low hours as well since it only has 1,500 engine hours.

Member Wilder stated that she just did not want it to be sitting in the repair shop all the time.

Chief Fletcher stated it is a Pierce Pumper Tanker, the City has had other Pierce Engines before and they hold their value. There is nothing about this fire engine that scares him from anything he has read about it. We are at the point now where we need to get Council on board and up to speed with fleet and be able to purchase if that is something we want to do.

Member Schreier asked, is the front line back up reserve dates for the fourth pumper realistic numbers 2021-2036? You've got a fifteen-year life span and another nine years this truck will be 41 years old when it's decommissioned?

Chief Fletcher replied, are you talking about the pumper we are trying to purchase?

Member Schreier replied, yes, is that what you have listed as the fourth vehicle on your ISO recommendation paperwork.

Chief Fletcher replied, no. The paperwork is predicting what money is needed over the next number of years that actually took into account purchasing a brand-new vehicle. The vehicle we are trying to purchase, I expect 10 plus years out of it based on the success we have had with the used tanker we purchased seven years ago.

Member Zimmerlin stated, we are looking at around \$16,000 a year essentially with that life span.

Chief Fletcher stated that he wanted to have this talk tonight because he hasn't talked to Council for awhile about the fleet and he knew there would be questions. He stated that Blair Mullins, the Fleet Mechanic, is a huge key as to why the City can get the life out of the fleet that we do. The cost of repairs would also probably be double if we were sending our vehicles to an outside mechanic.

Member Requarth stated the Fire Department gets to run their tires two more years than the school buses.

Chief Fletcher replied that is correct. We have a couple fire engines that are \$450 a tire and there is nothing we can do about it we have to change them every five years. We don't want to take on the liability since fire trucks get in accidents so easily. We don't want to run the risk of blowing a tire and open ourselves up to liability.

Member Fowler asked, do we want to look at lease options?

Chief Fletcher stated, I would ask for you to authorize us enough money to make a deposit. The reason being, we had another pumper that would have been a potential vehicle for us, but it was gone before we could even get to you to discuss.

Member Crane asked, is the deposit refundable?

Chief Fletcher responded, yes.

Mayor Letner asked, how much for the down payment? Five thousand dollars, or ten percent?

Chief Fletcher responded, I would do ten percent.

Motion by Zimmerlan, second by Requarth to authorize the City Manager to make a down payment not to exceed \$17,000 for the 2005 Pierce Pumper. All yeas, motion carried.

Chief Fletcher stated he wanted to thank Bonnie Cordes for including the Fire Department in the flag project like many others in town. The flags will be on display all week for Patriot's Day on Saturday. He encouraged anyone else who has a flag to fly it and not forget what Patriot's Day is all about.

Mayor Letner advised that the Police Chief was absent and that everyone has a copy of his report.

Law Director Stephan advised that Resolution No. 21-26 before Council under New Business is a resolution directing the Board of Elections in Montgomery County to place on the November 2, 2021 ballot a referendum on Ordinance No. 2021-04. Ordinance No. 2021-04 was passed by City Council on August 3, 2021 and amended zoning classification on Part Lot 1743 in the City of Brookville from its present classification of R1-B (PD) Urban Residential Planned Development Overlay district to the new classification of PR Planned Residential district. Under the City of Brookville Charter Section 10.02, there is a procedure for referendum on any Resolution or Ordinance passed by Council except those excluded under Section 4.07 of the Charter, if within 30 days of its passage a petition signed by electors, equal in number to ten percent of the number of votes cast the last proceeding regular municipal election is filed with the Clerk of Council. A petition for referendum on Ordinance No. 2021-04 was filed with the Clerk of Council on August 27, 2021. This petition was referred to the Montgomery County Board of Elections for verification of the signatures. The Clerk of Council under the Charter is required to provide a certificate to Council of the sufficiency of the petition.

Law Director Stephan read into the record the Certificate of the Clerk of Council. Clerk of Council received on August 27, 2021 a petition for referendum on Ordinance 2021-04 under 10.02 of the Charter of the City of Brookville petition for referendum, signed by elector's equal in number to ten percent of the number of votes cast in the last regular municipal election may be filed with the Clerk of Council within 30 days of the passage of an Ordinance requesting the Ordinance be submitted to a vote of the electors. Ordinance 2021-04 was approved by the City Council on August 3, 2021. The petition was filed within 30 days of the passage of Ordinance 2021-04. The petition was referred to the Montgomery County Board of Elections to determine if the petition contained sufficient, valid signatures. The Board of Elections determined that the required number of signatures to place the petition for referendum on the ballot was 117. The Board of Elections verified 464 valid signatures on the petition. The Board also verified that all members on the committee for referendum and all circulators for the petition were registered electors in the City of Brookville as required by the Charter. The Petition also meets all the requirements of the Charter and applicable State of Ohio laws. Therefore, I am certifying to City Council the petition for referendum on Ordinance 2021-04 is sufficient to be placed on the ballot of City Council. Electronically signed by Kimberly Duncan on September 3, 2021 and approved by the Law Director as to the form of the certificate.

Law Director Stephan asked that Council approve proposed Resolution No. 21-26 tonight and dispense with the second and third readings so that we can immediately transfer this to the Board of Elections. We need to have this there immediately to get it on the Ballot in November. He thanked the Board of Elections for their prompt attention to this and acknowledge that they have a representative here to pick up the Resolution, so again thank you for your assistance.

Mayor Letner asked if there were any questions for the Law Director?

Member Zimmerlan asked if there was a process in these cases that we could accept the petition and say that we agree with the old classification, or whatever issue is at hand and then without it going to the ballot resolve the issue?

Law Director Stephan responded that process is in the initiative process under the Charter, but it is not in the referendum process. We could look at this as a charter amendment. In the initiative process citizens are proposing an Ordinance and then Council has a choice to make under that process which is to either accept that Ordinance or propose modifications back to the citizens or to reject. Then if it is totally rejected it goes to the ballot. This is a different process. You've passed an Ordinance. You said this is your decision and the referendum provides a process for citizens that would like to challenge that decision to put it on the ballot. It's a different process.

Member Zimmerlan stated he understands the cost of sending things to the ballot and knows we already have some issues on the ballot, but in an odd year when there is a lot of noise maybe we want to look at the decision we previously made again.

Law Director Stephan stated he thinks it makes a lot of sense in the initiative context and that he would investigate whether any other entity has it in their referendum process.

Member Schreier asked, based on Resolution No. 21-26 they have met all the requirements, there is no other things that would be gaps they could come back with later, they have met all the requirements with the petition?

Law Director Stephan answered, they met all the requirements, they had sufficient signatures, there were some signatures rejected, but they have sufficient signatures. We want to move forward with this because if we don't get it on the ballot in November, we would probably be looking at May and that is a long time.

Motion made by Requarth, second by Fowler to read proposed Resolution No. 21-26. All yeas, motion carried.

Motion by Requarth, second by Fowler to accept the first reading, dispense with the second and third reading and adopt proposed Resolution No. 21-26 entitled "A RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY TO PLACE ON THE NOVEMBER 2, 2021 BALLOT A REFERENDUM ON ORDINANCE 2021-04." All yeas, motion carried.

Mayor Letner stated that he had the pleasure of swearing in the new Police Captain, Captain Morgan. Captain Morgan was one of three candidates, and it was a close running with all the numbers being close together. We are excited to have him on board.

Mayor Letner read a letter stating "Hey Chief my name is Jeremy Morris and I'm the head coach for the Ohio United 10 fast pitch select softball team out of Lebanon. I'm also a Brookville resident. My Assistant Coach, and I are former law enforcement officers ourselves. We had practice in Brookville last night and had the luxury of meeting one of your female officers. I apologize for not capturing her name (Jessica Moore), but I just wanted to commend her and your department for their continued professionalism and excellence in service. She was driving through Golden Gate Park last night and took the time to stop and introduce herself and play around with the girls for a little bit. I know the girls really enjoyed this, as did the parents themselves, as I received a lot of compliments on the department. Again, I just wanted to take the time to say thank you for your continued leadership and your departments overall excellence to service. We truly do appreciate all you do." Mayor Letner personally thanked Jessica for taking time out of her busy day and interacting with the kids because that is what policing is all about.

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

Motion by Zimmerlin, second by Wilder to accept the third reading and adopt 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." Crane yea, Fowler yea, Zimmerlin yea, Schreier yea, Wilder yea, Requarth nay and Letner yea. Motion carried with six yeas and one nay.

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

Motion by Fowler, second by Zimmerlin to accept the third reading and adopt 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." All yeas, motion carried.

Mayor Letner stated this evening, Council interviewed two candidates for the vacant seat on the Planning Commission Board and it was a unanimous choice.

Motion by Schreier, second by Wilder to appoint Ronda Dittrick to fill the unexpired term of Jeff Requarth on Planning Commission. All yeas, motion carried.

Member Fowler had no Park Board report.

Member Schreier had nothing to report on the Planning Commission.

Acting Clerk Brandt read aloud an email from Lionel Balcom, of 146 Ashmark Court. He stated feral cats are the best thing that has happened to his yard. Before the feral cats I could not grow anything from seed in my garden or flower beds, the rabbits would eat the plants. The spring after I saw feral cats, I got to see my first crocus bloom. Then I saw other flowers and the seeds I planted in my garden came up and began to grow. It appears the feral cats controlled the rabbit population. As you can see for me, and my yard, feral cats are a good thing.

Motion by Schreier, second by Zimmerlin to go into Executive Session in accordance with ORC 121.22(G)(8), to consider confidential information of an applicant for economic development assistance that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project. All yeas, motion carried.

Mayor Letner called Council back into Regular Session.

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

Michelle Brandt, Acting Clerk

Charles Letner, Mayor



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda September 21, 2021

Reportable Incidents

1/1/2020 – 9/17/2020 = 469

1/1/2021 – 9/17/2021 = 510

Citations

1/1/2020 – 9/17/2020 = 269

1/1/2021 – 9/17/2021 = 592

Traffic Stops

September 2020- 193

September 2021 to date - 64

Items of Interest

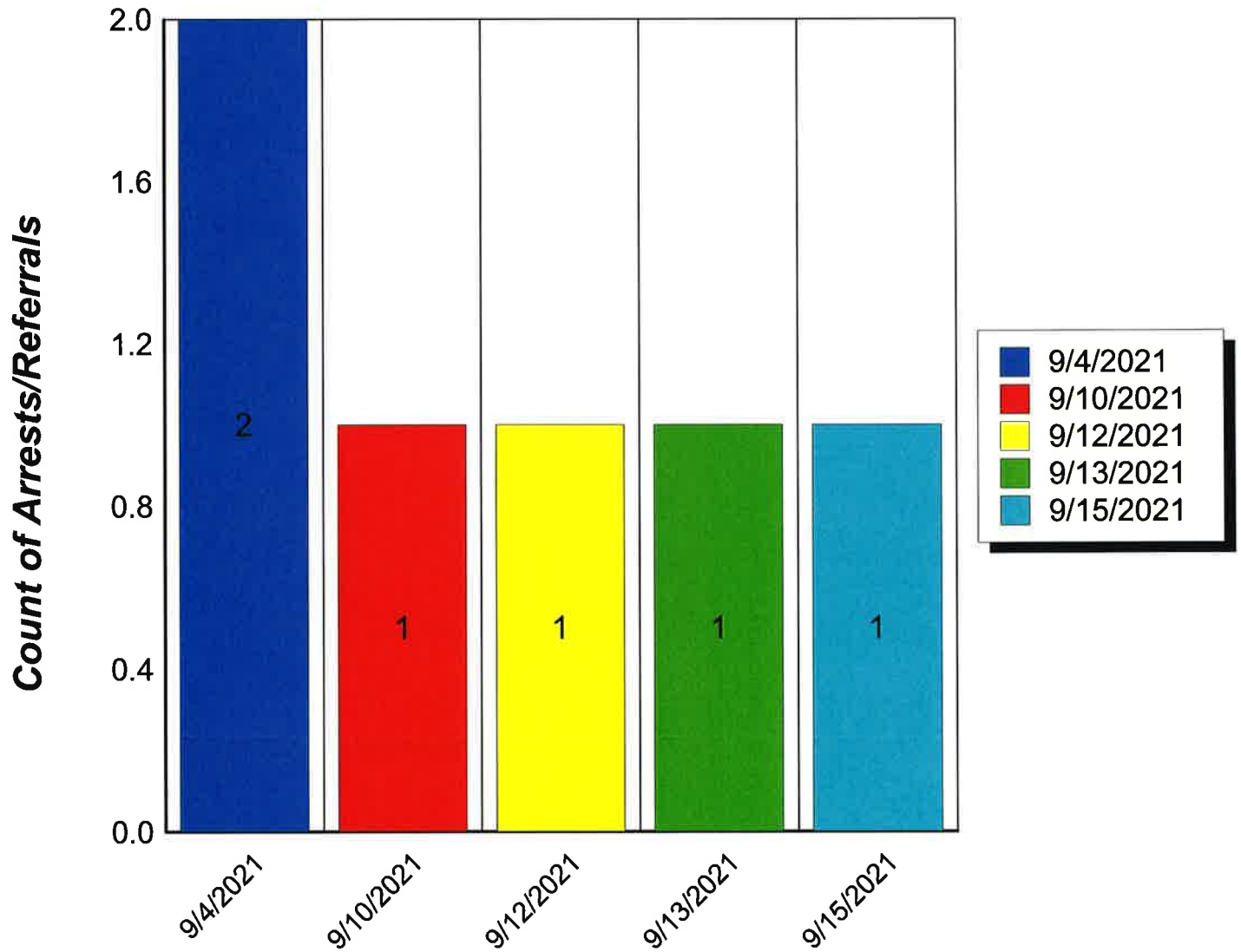
- 1. Montgomery County Animal Resource Center - Update**
- 2. Introduction of newly promoted Captain Morgan, Officer Hudson, and Officer Presson.**
- 3. Discussion of future Youth Police Academy – Office of Criminal Justice Services.**
- 4. Ghostly Night Out – Golden Gate Park – Saturday, October 23, 2021 – 6-10 p.m.**
- 5. Let's Eat – Thanksgiving Lunch – BHS – November 20, 2021 – 12-1:30 p.m.**
- 6. Officer John Hanson Retirement Luncheon at BFD – Friday, October 15, 2021, from 11:30 a.m. -2:00 p.m.**

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
September 04, 2021	2
September 10, 2021	1
September 12, 2021	1
September 13, 2021	1
September 15, 2021	1
Total Selected = 6	

Arrest Log by Date



Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
09/04/2021		DENNIS R. DOOLIN	1821 BROWNWELL RD, DAYTON, OH 45403 292511C3: Drug abuse - marijuana	2021-00495
		GEORGE M. TURNER	227 S FINDLAY ST, DAYTON, OH 45403 292511C3: Drug abuse - marijuana	2021-00495
09/10/2021		ROBERT P. LADISLAW	429 N WOLFCREEK ST # 11, BROOKVILLE, OH 45309 290709: Public indecency 2911211: AGGRAVATED TRESPASS	2021-00507
09/12/2021		DENNIS W. KING	266 DOYLE, BROOKVILLE, OH 45309 291925: Domestic violence	2021-00510
09/13/2021		BILLY E. BROWN	124 GERLAUGH AVE, DAYTON, OH 45403 291351: Receiving stolen property	2021-00509
09/15/2021		JAMES P. JURGENS	21 CHEROKEE DR, DAYTON, OH 45417 291721B: Telephone harassment - abuse, threaten, annoy	2021-00517

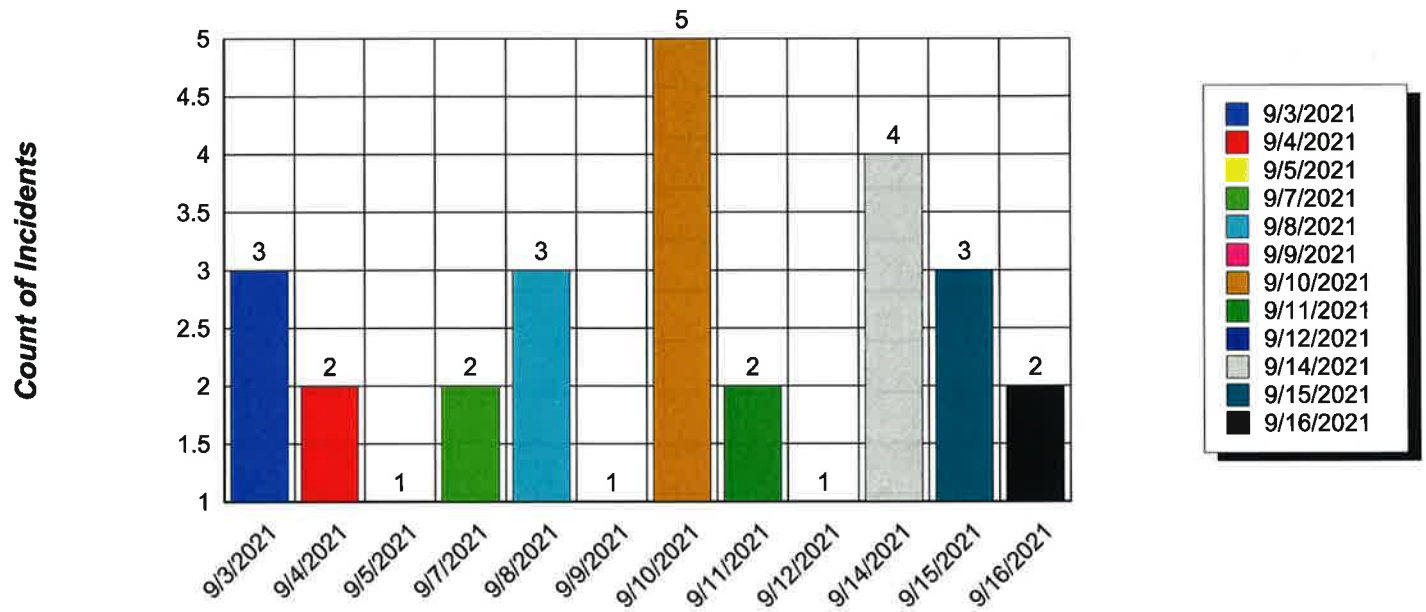
Total Selected = 6

Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
09/03/2021	Friday	3
09/04/2021	Saturday	2
09/05/2021	Sunday	1
09/07/2021	Tuesday	2
09/08/2021	Wednesday	3
09/09/2021	Thursday	1
09/10/2021	Friday	5
09/11/2021	Saturday	2
09/12/2021	Sunday	1
09/14/2021	Tuesday	4
09/15/2021	Wednesday	3
09/16/2021	Thursday	2
Total Selected = 29		

Incident Log by Date Reported



Brookville Police Department

Incident Log by Date Reported

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

September 03, 2021

2021-00491	35 W MCKINLEY ST APT C BROOKVILLE PD	SIGNAL 11- FRAUD	09/03/2021	09/03/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 01 291302A3 - Theft - deception					
2021-00492	1 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 1096- PINK SLIP	09/03/2021	09/03/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2021-00493	517 STERLING MEADOWS BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	09/03/2021	09/03/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH					
Total Incidents Reported for Date: 3					

September 04, 2021

2021-00494	50 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	09/04/2021	09/04/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2021-00495	697 WESTBROOK ROAD BROOKVILLE PD	SIGNAL 18 - POSSESSION OF DRUGS	09/04/2021	09/04/2021	ARREST
Offenses UCR Offense Description 3 01 292511C3 - Drug abuse - marijuana 01 292511C3 - Drug abuse - marijuana N/A 451322 - EXCESSIVE SMOKE					
Total Incidents Reported for Date: 2					

September 05, 2021

2021-00496	100 PARKVIEW DRIVE NORTH BROOKVILLE PD	SIGNAL 1096 - MENTAL HEALTH	09/05/2021	09/05/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					

Brookville Police Department

Incident Log by Date Reported

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

Total Incidents Reported for Date: 1

September 07, 2021

2021-00497	SALEM @ COUNTRY LANE BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	09/07/2021	09/07/2021	EXCEPTIONALLY CLEARED
------------	---------------------------------------	--------------------------	------------	------------	-----------------------

Offenses UCR Offense Description
 3 N/A 451121 - SPEEDING
 N/A 451016 - FRA SUSPENSION
 N/A 451021 - FAILURE TO REINSTATE

2021-00498	301 SYCAMORE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/07/2021	09/07/2021	EXCEPTIONALLY CLEARED
------------	-------------------------------	---------------------------------	------------	------------	-----------------------

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 2

September 08, 2021

2021-00499	801 ARLINGTON BROOKVILLE PD	SIGNAL 53H&R - HIT & RUN CRASH	09/04/2021		OPEN CASE
------------	--------------------------------	--------------------------------	------------	--	-----------

Offenses UCR Offense Description
 1 N/A 53H&R - HIT & RUN CRASH

2021-00500	433 SALEM BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/08/2021	09/08/2021	UNFOUNDED
------------	----------------------------	---------------------------------	------------	------------	-----------

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

2021-00501	1 MCMAKEN LANE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/09/2021	09/09/2021	EXCEPTIONALLY CLEARED
------------	---------------------------------	---------------------------------	------------	------------	-----------------------

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 3

September 09, 2021

2021-00502	95 RIDGE ROAD UNIT 38 BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/09/2021	09/09/2021	EXCEPTIONALLY CLEARED
------------	--	---------------------------------	------------	------------	-----------------------

Brookville Police Department

Incident Log by Date Reported

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

September 09, 2021

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

September 10, 2021

2021-00503 429 N. WOLF CREEK ST UNIT 11 SIGNAL 20 - DOMESTIC VIOLENCE 09/10/2021
BROOKVILLE PD

Offenses UCR Offense Description
1 02 291925 - Domestic violence

2021-00504 I70 @ 21 SIGNAL 26A - ASSIST OTHER AGENCY 09/10/2021 09/10/2021
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 26A - ASSIST ANOTHER AGENCY/OFFICER

2021-00505 301 SYCAMORE ST SIGNAL 11 - FRAUD 09/10/2021 09/10/2021
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 06 291349A - Taking identity of another

2021-00506 ARLINGTON @ W UPPER SIGNAL 53A - PROPERTY DAMAGE CRASH 09/10/2021 09/10/2021
LEWISBURG SALAM BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 451121A - ASSURED CLEAR DISTANCE AHEAD

2021-00507 429 N. WOLF CREEK UNIT 12 SIGNAL 17 - PUBLIC INDECENCY 09/10/2021 09/10/2021
BROOKVILLE PD ARREST

Offenses UCR Offense Description
2 01 290709 - Public indecency
02 2911211 - AGGRAVATED TRESPASS

Total Incidents Reported for Date: 5

September 11, 2021

2021-00508 E. WESTBROOK @ BROOKE SIGNAL 55 - TRAFFIC STOP 09/11/2021 09/11/2021
WOODE BROOKVILLE PD EXCEPTIONALLY CLEARED

Brookville Police Department

Incident Log by Date Reported

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

September 11, 2021

Offenses	UCR	Offense Description
3	N/A	4510.111 - CHILD SUPPORT SUSPENSION
	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	451121 - SPEEDING

2021-00509	1 MCMAKEN LANE BROOKVILLE PD	SIGNAL 55 - EXPIRED LICENSE PLATE	09/11/2021	09/11/2021	ARREST
------------	---------------------------------	-----------------------------------	------------	------------	--------

Offenses	UCR	Offense Description
3	N/A	450311A - Expired Registration
	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	01	291351 - Receiving stolen property

Total Incidents Reported for Date: 2

September 12, 2021

2021-00510	266 DOYLE BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	09/12/2021	09/12/2021	ARREST
------------	----------------------------	-------------------------------	------------	------------	--------

Offenses	UCR	Offense Description
1	02	291925 - Domestic violence

Total Incidents Reported for Date: 1

September 14, 2021

2021-00512	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 11 - FRAUD	09/14/2021	09/14/2021	EXCEPTIONALLY CLEARED
------------	--------------------------------------	-------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	06	291349A - Taking identity of another

2021-00511	715 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 24 - DISORDERLY CONDUCT	09/14/2021	09/14/2021	EXCEPTIONALLY CLEARED
------------	-------------------------------------	--------------------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	02	291121 - Criminal trespass

2021-00513	MAIN ST @ COLUMBIA ST BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	09/14/2021	09/14/2021	EXCEPTIONALLY CLEARED
------------	--	--------------------------	------------	------------	-----------------------

Offenses	UCR	Offense Description
1	N/A	451139 - FAILURE TO SIGNAL

2021-00514	10 RIDGE RD #6	SIGNAL 26I - INFORMATION REPORT	09/14/2021		
------------	----------------	---------------------------------	------------	--	--

Brookville Police Department

Incident Log by Date Reported

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

September 14, 2021

BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 4

September 15, 2021

2021-00515 W UPPER LEWISBURG SIGNAL 55 - DRIVING UNDER SUSPENSION 09/15/2021 09/15/2021
 SALEM @ ARLINGTON
 BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
 2 N/A 451011 - DRIVING UNDER SUSPENSION
 N/A 451314 - TWO HEADLIGHTS REQUIRED

2021-00516 MAIN STREET @ MULBERRY SIGNAL 26I - INFORMATION REPORT
 STREET
 BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

2021-00517 126 CHURCH SIGNAL 260 - TELECOMMUNICATIONS 09/15/2021 09/15/2021
 BROOKVILLE PD HARASSMENT ARREST

Offenses UCR Offense Description
 1 02 291721B - Telephone harassment - abuse, threaten, annoy

Total Incidents Reported for Date: 3

September 16, 2021

2021-00518 ARLINGTON @ 70 SIGNAL 18 - DRUG POSSESSION 09/16/2021
 BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 2 01 292511 - Drug abuse - obtain, possess, use controlled subst
 N/A 451322 - EXCESSIVE SMOKE

2021-00519 428 N. WOLF CREEK ST SIGNAL 18 - DRUG TRAFFICKING 09/16/2021
 BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 1 01 292503E1 - Marijuana trafficking - sell less than bulk

Brookville Police Department

Incident Log by Date Reported

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

Total Incidents Reported for Date: 2

Total Selected = 29

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-14 Passed , 20

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART LOT 2174 OF THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF (HS) HIGHWAY SERVICE DISTRICT TO THE NEW CLASSIFICATION OF (I-2) GENERAL INDUSTRIAL DISTRICT.

WHEREAS, Part Lot 2174, Auditor Parcel No. C05 00611 0002, being approximately 53.567 acres, and further described in Exhibit "A" attached hereto, is currently zoned (HS) Highway Service District; and

WHEREAS, after public hearing on this amendment to the zoning classification of the property as required by Section 4.11 of the Charter, and upon recommendation of the Planning Commission, Council hereby adopts this Ordinance to amend the zoning classification of the property from its present classification of (HS) Highway Service District to its new classification of (I-2) General Industrial District.

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

SECTION I: The zoning classification of Part Lot 2174, Auditor Parcel No. C05 00611 0002, being approximately 53.567 acres and further described in Exhibit "A" attached hereto and incorporated herein by reference, is hereby amended from its present zoning classification of (HS) Highway Service District to the new classification of (I-2) General Industrial District. This zoning amendment shall only apply to the property, as described in Exhibit "A", if it is transferred from the current property owner of record, RJ Property Holdings, LLC, to another property owner, by deed recorded in the office of the Montgomery County Recorder by December 31, 2022.

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:

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-14 Passed , 20

EXHIBIT "A"

Situate in the State of Ohio, County of Montgomery, and City of Brookville, and being Lot Number 2174 of The Brookville-Retail & Industrial Campus as recorded in Plat Book 181, Page 19.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES:

Being Lot Numbers 2178, 2179 and 2180 of The Brookville-Retail & Industrial Campus Section One as recorded in Plat Book 180, Page 29 and re-recorded in Plat Book 180, Page 35 of the Montgomery County Records.

Parcel No. C05 00611 0002

EXHIBIT "A"

RECORD PLAN

BROOKVILLE RETAIL & INDUSTRIAL CAMPUS, SECTION TWO

BEING A SUBDIVISION OF PART LOT 2173 OF THE CONSECUTIVE LOT NUMBERS OF THE CITY OF BROOKVILLE SECTION 28, TOWN 6, RANGE 4 E, MONTGOMERY COUNTY, OHIO 74.529 ACRES TOTAL

PB 234 P 25

Type: OBE
Khd: PLAT
Recorded: 09/19/2019 11:40:10 AM
Fee Amt: \$86.40 Page 1 of 2
Montgomery County, OH
Brandon C. McClain County Recorder
File # 2019-0059012

THE BEARING OF N89°53'37"W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 28 WAS BASED ON NAD 83 CORN 2003 ADJUSTMENT, OHIO SOUTH ZONE, 0007 VRS CORN NETWORK

SCALE: 1"=200'
0 100 200 400

LEGEND

- 5/8" X 30" REBAR W/CAP SET
- 5/8" IRON PIN FOUND
- MAG NAIL SET
- MAG NAIL FOUND
- RAILROAD SPIKE FOUND
- STONE FOUND
- MONUMENT BOX W/P.F.D.

LINE	BEARING	DIST.
L1	N89°53'49"W	146.37'
L2	S70°44'58"E	45.00'
L3	S70°44'58"E	45.00'
L4	N68°38'27"E	52.51'
L5	N23°38'27"E	90.00'
L6	N76°07'13"W	52.50'
L7	S23°35'19"W	50.95'

CURVE DATA

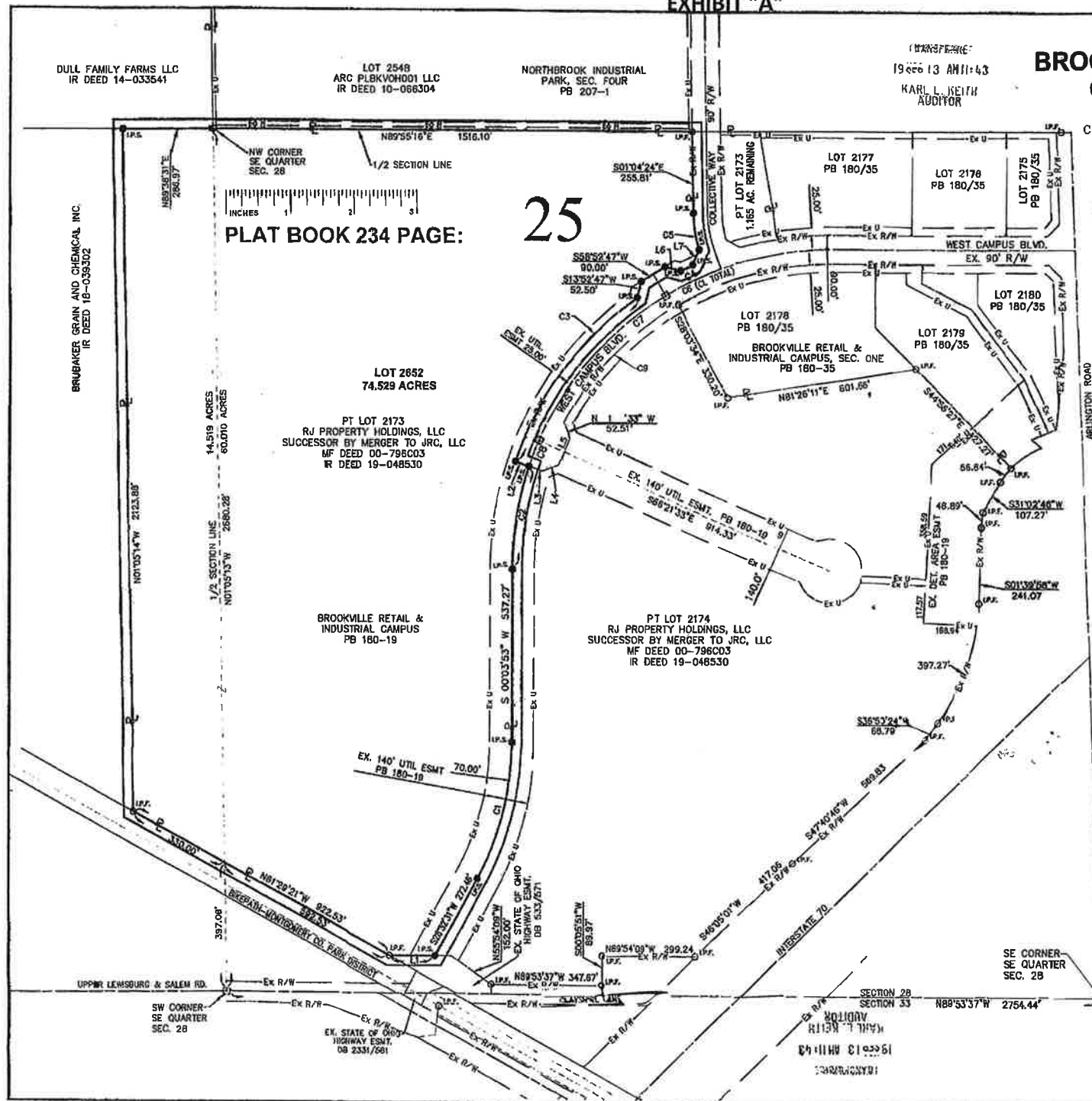
CURVE	RADIUS	Δ	LENGTH	CHORD	
				LENGTH	BEARING
C1	890.00'	28°28'38"	442.35'	437.81'	S14°18'12"W
C2	1000.00'	18°40'01"	325.80'	324.36'	S09°23'54"W
C3	1045.00'	35°37'07"	649.64'	639.22'	S30°33'48"W
C4	1045.00'	02°19'02"	42.26'	42.26'	S64°32'39"W
C5	395.00'	16°43'39"	115.32'	114.91'	S09°26'13"E
C6	1000.00'	90°00'00"	1670.80'	1414.21'	S45°03'53"W
C7	1000.00'	35°14'20"	615.04'	605.39'	S41°15'37"W
C8	1000.00'	04°54'33"	85.68'	85.65'	S21°11'20"W
C9	955.00'	31°31'09"	525.36'	518.76'	N44°20'19"E

PREPARED BY:

ChoiceOne
Engineering

SHIRLEY, OHIO 937.491.0200
LOVELAND, OHIO 513.279.8154
www.CHOICEONEENGINEERING.com

DATE:
09-06-2019
DRAWN BY:
WDC
JOB NUMBER:
MOTBR01903
SHEET NUMBER
1 of 2



RESOLUTION NO. 21-27

Tax Year 2021/2022

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

(City Council)

Revised Code, Secs, 5705.34 - 5705.35

The Council of the City of Brookville, Montgomery County, Ohio met in
Regular session on the _____ day of _____ 2021, at the office of
City of Brookville with the following members present:

Charles Letner, Mayor
JD Fowler, Council Member
Stephen Crane, Council Member
Jeff Requarth, Council Member
Curt Schreier, Council Member
Kim Wilder, Council Member
James Zimmerlin, Council Member

_____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Brookville Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

RESOLUTION NO. 21-27

Tax Year 2021/2022

and be it further

RESOLVED, That the Clerk of the Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

This Resolution shall take effect 30 days after passage by City Council as provided in the Charter of the City of Brookville.

Adopted the _____ day of October 2021.

Charles Letner, Mayor

Michelle Brandt, Acting Clerk of Council
Brookville City
Montgomery County, Ohio

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-27 was posted at the City Building, U.S. Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the ____ day of October 2021, to the ____ day of _____ 2021, both days inclusive.

Michelle Brandt, Acting Clerk

City of Brookville - Tax Year 2021/2022

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
City of Brookville - Tax Year 2021/2022	Column I	Column II	III	IV
General Fund C05, L54.....	159,701		1.30	
General Fund L56.....	180		0.65	
General Fund C04-1.....	77		0.71	
TOTAL	159,958	0	2.66	0.00

City of Brookville - Tax Year 2021/2022

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION

Carry to Sch A

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)	
SPECIAL LEVIES:			

RESOLUTION NO. 21-27

Tax Year 2021/2022

CERTIFICATE OF COPY

Original on File

The State of Ohio, Montgomery County, ss.

I, Michelle Brandt, Acting Clerk of this Council of Brookville City, in said County, and in whose custody the Files and Records of said Board required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original minutes of _____ now on file with said Council, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of October 2021.

Michelle Brandt, Acting Clerk of Council
Brookville City
Montgomery County, Ohio

RESOLUTION NO. 21-27

Tax Year 2021/2022

**COUNCIL OF THE CITY OF
BROOKVILLE
MONTGOMERY COUNTY, OHIO**

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
AUDITOR.

(City Council)

Adopted _____, 2020

Michelle Brandt, Acting Clerk of Council

Filed _____, 2020

County Auditor

By _____
Deputy
