

Brookville City Council
Regular Meeting
May 17, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on May 17, 2022. The meeting was held in the City Council Chambers and virtually using the Cisco Webex application. The Pledge of Allegiance was recited. Members Crane, Schreier, Requarth, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan and Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Member Fowler was absent

Roll Call by Clerk Duncan.

Motion by Zimmerlin, second by Wilder to adopt the Agenda as presented. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to approve the May 3, 2022 Meeting Minutes. All yeas, motion carried.

Mayor Letner recognized Amy Stanoikovich as the Citizen of the Month for the month of May. Mayor Letner read a proclamation honoring Amy for her community involvement and generosity in assisting fellow community members in need.

Amy Stanoikovich stated she is honored to accept this recognition and thanked the Mayor and Council for everything they do for the City of Brookville.

Manager Keaton reported DMAX will be holding their Open House & Family Day on Sunday, August 28 from noon to 5:00 p.m. The Open House for DMAX was cancelled last September due to Covid. Council and Staff are encouraged to tour the Brookville Plant and get to know the DMAX family. Manager Keaton advised she will keep Council updated on the details of their Open House.

Manager Keaton advised MetroNet is currently at a standstill as they are waiting on approval from AES Ohio to attach fiber on AES poles. As soon as they receive approval, aerial construction and any additional underground due to denied pole attachments will begin.

Manager Keaton reported electric bills will increase beginning June 1. Ohio allows consumers to shop for their energy suppliers, but those who do not, are charged a default rate negotiated through a bidding process. Consumers can visit energychoice.ohio.gov to compare different suppliers. The city is currently locked in an Electric General Supply Agreement for the city's electric accounts through May 2024.

Manager Keaton reported last September, Dixon Engineering & Inspection Services, Inc. performed a one-year warranty inspection on our 500,000-gallon elevated water storage tank that was recoated in 2020. During inspection, Dixon Engineering noted some minor failures in the wet and dry interior coating, and we requested LC United Painting Company to return this Spring to repair the failures. LC United is scheduled back later this month to repair the failures at no cost.

Manager Keaton advised we received our Notice to Negotiate with the Ohio Patrolmen's Benevolent Association. Negotiations will begin later this month as our current contract expires on June 30.

Manager Keaton reported Brumbaugh will be completing the installation of new curb and sidewalk on the Hay Avenue Reconstruction Project this week. They will also begin repairing the lawns and any drives that were removed as part of this project. The roadway should be paved next week, weather permitting. Manager Keaton thanked the residents for their patience during this project.

Manager Keaton advised Council will soon see some fresh faces working for the City. Mike Hickey is our new Code Enforcement Officer and Dave Schmitt is our new Fleet Mechanic. Both men began their employment with the City yesterday.

Manager Keaton reported we recently learned that ODOT has contracted with an engineering firm to perform traffic counts on our I-70 ramps, Arlington Road, and West Westbrook Road.

Finance Director Brandt had no report.

Fire Chief Fletcher reported both the new ladder truck and new engine have been placed in limited service. The engine had to be pushed into service as the old engine is currently out for repair.

Police Chief Jerome reported the annual Ride to the Wall hosted by the AMVETS and the VFW will come through Brookville on May 25.

Police Chief Jerome commented the school year will end on May 26 and the Police Department is gearing up as there is always juvenile drama with the use of social media.

Police Chief Jerome reported beginning June 13, 2022 a new Ohio law goes into effect that allows qualifying adults to carry a handgun in a concealed manner without obtaining a license and no background check. A Qualifying Adult can carry a concealed weapon and transport a loaded firearm in a motor vehicle under the same rules as a person with their concealed license. However, it will remain illegal for a person to discharge a firearm while in a motor vehicle or for a person under the influence to transport or have a loaded firearm in a motor vehicle, or unloaded handgun and ammunition that is not stored in a compartment that cannot be accessed without leaving the vehicle, or not stored in a container that provides complete or separate closure. Police Chief Jerome stated the Qualifying Adults do not have to tell an officer that they have a gun unless they are asked. Police Chief Jerome stated law enforcement is skeptical of this new law but they were not given the opportunity to voice their concerns prior its passage.

Police Chief Jerome reported the new State law regarding fireworks goes into effect in July.

Police Chief Jerome reported House Bill 4 goes into effect on May 30, 2022 which mandates Montgomery County Job and Family Services Children Services Division (CSB) to notify the Police Department of all physical abuse investigations and neglect investigations when a safety plan has been implemented. A mandated Law Enforcement letter will be mailed to the Police Department within seven days of the open CSB investigation. Police Chief Jerome advised the Police Department will then contact the caseworker, to see if they need to follow up and make contact. Police Chief Jerome advised there is a concern about the lag time between the initial contact and when the Police Department receives a letter. If his Officers cannot reach the caseworker in a timely manner, there could already be a case plan in place by the time Officers go to physically check on the welfare of the child, which could definitely cause issues.

Discussion followed regarding how the Police Department will react to the requirements of this new law, how it will impact the volume of calls handled and the potential that additional staff will be required to follow up on the notifications.

Member Zimmerlin asked if the new law allowing Qualifying Adults to carry a firearm will change the Police Department's protocol to ask if the subject is carrying when they make a traffic stop?

Police Chief Jerome replied most of his Officers already ask that question.

Member Zimmerlin asked if there are any Home Rule provisions in the new law?

Police Chief Jerome stated he has not heard or read anything about the possibility of invoking any Home Rule with this law.

Police Chief Jerome reported our body cameras have been delivered. The supervisors have been trained and the patrol vehicles have been upgraded to accommodate the cameras. All Officers will receive training over the next few weeks and the body cams should be up and running by the end of June.

Member Requarth inquired if firearms are prohibited in the same occupied structures, such as government buildings, under the new Qualifying Adults law?

Police Chief Jerome stated you still cannot carry a firearm in a liquor establishment. It could probably be posted in privately owned establishments. Our Law Director could research whether carrying will be allowed in government buildings and other establishments.

Fire Chief Fletcher advised his ambulance crews already have security procedures in place if one of their patients is carrying a gun.

Law Director Stephan had no report.

Mayor Letner thanked Amy Stanoikovich for accepting the Citizen of the Month recognition for the month of May.

Mayor Letner wished everyone a safe and happy Memorial Day weekend.

Motion by Schreier, second by Requarth to read proposed Ordinance No. 2022-03. All yeas, motion carried.

Motion by Wilder, second by Crane to accept the second reading of proposed Ordinance No. 2022-03. Schreier yea, Wilder yea, Requarth yea, Crane yea, Zimmerlin nay, Letner yea. Motion passed with five yeas and one nay.

Motion by Zimmerlin, second by Requarth to read proposed Resolution No. 22-08. All yeas, motion carried.

Motion by Zimmerlin, second by Wilder to accept the second reading of proposed Resolution No. 2022-08. All yeas, motion carried.

In New Business, Member Zimmerlin inquired about a summer schedule for Council meetings to accommodate summer vacations. There are some municipalities that only meet once a month in the summer.

Law Director Stephan replied Section 3.07(B) of the Charter states at least two regular meetings of the Council will be scheduled each month. Council can change the date and time of the meetings or call special meetings if needed. Law Director Stephan stated from a procedure perspective, it would be difficult for us to only have one meeting a month.

Manager Keaton advised Council needs to let us know by the next meeting if they will be present for the July 5 meeting.

Law Director Stephan stated if we do not have a quorum on that day, we will need to have a meeting later that week if possible.

Manager Keaton asked Council Members to email her by next Tuesday, May 24, to let her know if they can attend the July 5 meeting.

Member Requarth suggested setting the Council schedule at the beginning of the year to accommodate any changes due to holidays.

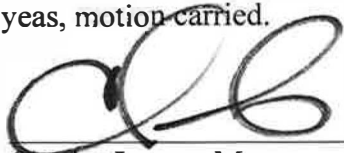
Bonnie Cordes, of 760 Kimmel Trail commented the new Gaga Pit has been installed at Westbrook Park and the basketball court at Ward Park has been resurfaced, with two new goals installed. New swings will soon be installed at Ward Park.

Manager Keaton reported the pickleball court at Westbrook Park should be done by the end of this month.

Member Schreier, Planning Commission Liaison, had no report.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor