

Brookville City Council
Regular Meeting
October 4, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on October 4, 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, Requarth, Schreier, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, 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 Schreier, second by Zimmerlin to approve the September 20, 2022 Regular Meeting Minutes. All yeas, motion carried.

Manager Keaton reported the contractor was able to begin work last week on the Westbrook and Albert Road Drainage Project, and the project was completed yesterday.

Manager Keaton reported with the completion of the Westbrook and Albert Drainage Project, she requested an updated Engineers Estimate on resurfacing E. Westbrook Rd. between Wolf Creek and Albert Road. The preliminary estimate is \$144,286. Manager Keaton advised we currently have \$115,331 in Permissive Tax funds that can be used toward this project and asked if Council wants to move forward with this project this year and use ARPA funds for costs above our Permissive Tax balance, or put the project off until next Spring?

Motion by Requarth, second by Schreier to allow Manager Keaton to advertise for bids to repave E. Westbrook Road from Wolf Creek Street to Albert Road, in 2022. All yeas, motion carried.

Manager Keaton advised we have five Board and Commission seats whose terms expire on December 31, 2022. Our Clerk of Council reached out to all members and all members expressed an interest in continuing to sit on their current Board and Commission seats. Manager Keaton recommended that Council reappoint Damian Kristof to Planning Commission for a three-year term, Carolyn Haney to Park Board for a four-year term, Kathleen Dafler to the Zoning Board of Appeals for a five-year term, Joshua Florkey to the Civil Service Commission for a five-year term, and Shari Fowler to the Local Board of Tax Review for a two-year term, with all terms beginning January 1, 2023.

Motion by Zimmerlin, second by Wilder to reappoint Damian Kristof to Planning Commission for a three-year term, Carolyn Haney to Park Board for a four-year term, Kathleen Dafler to the Zoning Board of Appeals for a five-year term, Joshua Florkey to the Civil Service Commission for a five-year term, and Shari Fowler to the Local Board of Tax Review for a two-year term, with all terms beginning January 1, 2023. All yeas, motion carried.

Manager Keaton announced leaf pickup will begin on October 17. Leaves will be picked up daily, beginning at one end of the city and working completely through all streets before starting the route over again. Residents should place raked leaves in the street, 6" away from curbs. Residents should make sure leaves are not under, between or around parked vehicles, and do not mix yard waste with leaves as grass, sticks, brush or spent flowers clog the vacuum. Small piles of leaves can also be placed in with refuse.

Manager Keaton advised she recently submitted a Montgomery County Solid Waste District Incentive Grant application for 82,000 lbs. of rubber mulch, 728 linear feet of rubber curbing, and

landscape matting to go under and around our older playground equipment. Manager Keaton stated we received a recommendation letter early this year from our risk insurance carrier that stated all playgrounds and playground equipment are to comply with safety standards. Currently, our older playground equipment does not have any protective surfacing underneath. This funding opportunity will allow us to place protective surfacing underneath all of our playground equipment. The total grant request is \$41,404 with the District contributing \$28,982.80, or 70% and the City contributing \$12,421.20, or 30% of the total grant request.

Manager Keaton noted the City of Dayton Water Department has notified us of our 2023 water rates. Per the Dayton-Brookville Water Service Agreement, the 2023 base charge will be \$38,799.61/qtr. and the volume charge will be \$26.80/1,000 cubic feet of consumption. These rates will be effective with the first quarter billing of 2023. The 2023 rates are based upon Dayton's 2021 actual expenditures. Manager Keaton reported Finance Director Brandt is working through the budget process to see if we need to increase our rates.

Manager Keaton announced that Perry Township has placed a new 4-mill Fire & EMS levy on the November ballot for a continuing period of time. Perry Township Trustees are holding a Town Hall meeting at Fire Station 76 on October 12 at 7:00 p.m. All residents living in the City of Brookville south of Westbrook Road are also Perry Township residents and are encouraged to vote on this levy. These levy funds will support the maintenance and operations of the Brookville and New Lebanon Fire Departments.

Manager Keaton stated as reported at the last Council Meeting, the MVRPC Board formally authorized MVRPC to solicit qualified member jurisdictions for new transportation projects using MVRPC regionally controlled federal funds. Manager Keaton provided Council with a breakdown of the two W. Westbrook Resurfacing project costs and reported she is submitting these two projects with a 30% local match as we gain six points versus zero points if we contribute a 20% local match. Manager Keaton requested Council adopt proposed Resolution No. 22-29, which authorizes the submittal of two Surface Transportation Resurfacing Projects through the Miami Valley Regional Planning Commission. The application is due October 6, thus the reason for declaring it an emergency. Manager Keaton reported she is also submitting an Electric Vehicle Charging grant application for the city lot off Arlington Road.

Member Requarth asked about putting an additional Electric Vehicle Charging station at the library to take care of people on the south side of town.

Manager Keaton replied there was discussion at the MVRPC Technical Advisory Committee meeting that the head of the library was looking to put Electric Vehicle Charging stations at various library locations. Manager Keaton stated it has to be on public property with power available. We could possibly place one at Powell Park.

Mayor Letner commented the main goal is to keep the charging station in the business district so that it is within walking distance of the various businesses and restaurants.

Member Requarth stated he does not want us to lose sight of the business district on Market Street.

Manager Keaton advised there may be other funding opportunities for charging stations through AES or other avenues.

Motion by Zimmerlin, second by Requarth to read proposed Resolution No. 22-29. All yeas, motion carried.

Motion by Requarth, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-29 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATIONS FOR FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) FUNDS THROUGH THE

MIAMI VALLEY REGIONAL PLANNING COMMISSION, AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Finance Director Brandt presented the September 30, 2022 Fund Balance.

Motion by Zimmerlin, second by Wilder to accept the September 30, 2022 Fund Balance as presented. All yeas, motion carried.

Fire Chief Fletcher reported the Fire Department responded to 147 incidents in the month of September, which is about average. The first weekend of October was extremely busy, with a lot of emergency incidents.

Fire Chief Fletcher reported the Fire Department will kick off Fire Prevention Week on Sunday, October 9 with an Open House. Fire Captain Ferguson and his wife, Brittany, have worked very hard to put this together. They have lined up the Corvette Club to be at the event, along with several food vendors, the Fire Safety House and other activities for kids. Adults will be able to use the Jaws of Life on a vehicle. Fire Chief Fletcher encouraged everyone to attend.

Fire Chief Fletcher stressed it is harvest time and cautioned everyone to be mindful of farm equipment on rural roads.

Fire Chief Fletcher commented there is a burn ban from 6:00 a.m. until 6:00 p.m. during the months of October and November. The ban is a State law, administered by the Ohio Department of Natural Resources. It is very dry and windy right now, and residents are reminded to observe the burn ban.

Law Director Stephan reported he recently attended a statewide economic development meeting entitled Aligning Housing and Economic Development for Ohio’s Growth. The meeting focused on the growing problem in Ohio of inadequate housing for existing and new workforce. This is particularly true in smaller communities with various industries and businesses. Lack of housing makes it difficult for those businesses to attract workers. Law Director Stephan reported there were several suggestions in the meeting, such as having a timely and streamlined permitting process. That is something that we are doing well, as we turn housing permits around fairly quickly. Communities should also look at their zoning code to try to reduce the number of variances and to have a more certain process for the developers. They should look at increased density to allow for additional housing in the community. The third suggestion is to have available public infrastructure in place for housing projects. Tax incentives, including TIF, CRA, could be used to provide that infrastructure. Finally, it was recommended to try to seek public support for projects, by clearly explaining the need for the project and precisely what the project is so the community can understand the project and why there is a need for it. Law Director Stephan stated he thinks the need for housing is an important thing for us to look at. We are hearing from our employers that they are working hard to attract workers, but it is a struggle. If there is a travel time to work, with the current cost of gasoline, workers may choose another employer that is closer to where they live.

Member Schreier stated it sounds like we are doing a lot of those things now.

Law Director Stephan agreed, stating in our permitting process we provide comments within five days versus other communities that are taking up to eighteen months. We do need to look at our zoning code to try to reduce the number of variances.

Member Zimmerlin inquired how our inspection process is going now that we use Montgomery County rather than National Inspection Corporation?

Law Director Stephan replied it is going well, despite the fact that Montgomery County has been struggling with some personnel issues. We typically turn zoning permits for housing usually within 24 hours and Montgomery County usually issues a building permit within a few weeks. It does

take a little longer on the commercial side, but those projects are more complex and take longer. Montgomery County is working hard to keep the building department operating smoothly. Member Schreier commented we have looked at our setbacks recently but maybe there is some more work Planning Commission can do with that.

Law Director Stephan commented our setbacks are still larger than most surrounding communities. We are still at a lower density which is a choice you can make as a community. It was suggested in the meeting to look at setbacks and lot size to create additional density. Law Director Stephan advised another thing we are working on in our code is adding mixed-use housing in the business districts, like we currently have on Market Street.

Mayor Letner thanked the Pink Ribbon Girls, along with Gale and Tim Colston, for the 5K event and Block Party. It was well received by the community. Mayor Letner also thanked the Service Department for their hard work with setup and tear down for the event.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 22-28. All yeas, motion carried.

Motion by Zimmerlin, second by Requarth to accept the second reading of Resolution No. 22-28. All yeas, motion carried.

Bonnie Cordes, of 760 Kimmel Trail, advised Park Board will hold a Work Session on October 11 at 6:00 p.m. to begin planning for the Christmas in the Park Event. The Annual Optimist Pumpkin Walk is November 5.

Member Schreier, Planning Commission Liaison, had no report.

Damian Kristoff, 61 Oak Street, announced the Brookville Public Library will host a “Don’t Get Scammed” workshop on November 1, where people will learn about different scam techniques and how to avoid them. Mr. Kristoff encouraged everyone, especially senior citizens to come.

Mr. Kristoff commented the library also has the opportunity to host another workshop and they need to choose between “Record Sealing” or “License Reinstatement”. Mr. Kristoff stated he would like Chief Jerome’s opinion on which workshop to host.

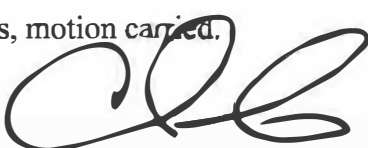
Mayor Letner requested an Executive Session under O.R.C 121.22(G)(8) to consider confidential information of an applicant for economic development assistance.

Motion by Zimmerlin, second by Wilder to go into Executive Session under O.R.C 121.22(G)(8) to consider confidential information of an applicant for economic development assistance pursuant to ORC 5709.40 to 5709.43 and finding that the Executive Session is necessary to protect the interests of the applicant. All yeas. motion carried.

Motion by Wilder, second by Schreier to go back into Regular Session. All yeas, motion carried.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor