



CITY COUNCIL
Tuesday, November 1, 2022, 7:30 PM
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309
937-833-2135
www.brookvilleohio.com

Online: <https://brookvilleoh.webex.com/brookvilleoh/j.php?MTID=md126c47d4c8ed62fd3a7cc6cddc93fde>

Meeting number: 2631 949 5698 Password: P4Jbn3t8JPA

Join by phone: +1-415-655-0001 US Toll Access code: 263 194 95698

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 October 18, 2022 Regular Meeting Minutes

IV. Reports of Municipal Officers

- a. City Manager
- b. Finance Director
 - 1. Fund Balance of October 31, 2022
- c. Fire Chief
- d. Police Chief
- e. Law Director
- f. Mayor Chuck Letner

V. Old Business

VI. New Business

- a. First reading of proposed Ordinance No. 2022-05 entitled "AN ORDINANCE AMENDING CHAPTER 1137 GENERAL BUSINESS DISTRICT OF THE CODE OF ORDINANCES

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



FOR THE CITY OF BROOKVILLE, OHIO TO AUTHORIZE MIXED RESIDENTIAL AND BUSINESS USES IN THE GENERAL BUSINESS DISTRICT."

- b. First reading of proposed Ordinance No. 2022-06 entitled "AN ORDINANCE ACCEPTING THE ANNEXATION OF 59.401 ACRES, MORE OR LESS, IN CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF BROOKVILLE, OHIO AND DECLARING IT AN EMERGENCY.

VII. Reports of Boards and Commissions

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

VIII. Public Comments (5 minutes per speaker)

IX. Executive Session

- a. O.R.C. 121.22(G)(1) To consider the employment of a public employee.

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
October 18, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on October 18, 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 Zimmerlin, second by Requarth to approve the October 4, 2022 Regular Meeting Minutes. All yeas, motion carried.

Mayor Letner recognized Tim Colston as the Citizen of the Month. Mayor Letner stated Tim sets an example for all the citizens of Brookville with his volunteer work for Pink Ribbon Girls and the Montgomery County Fair Board.

Mr. Colston thanked Mayor Letner, stating his volunteer work would not be possible without his wife Gale, the many individuals who do as much as him, and the generosity of the citizens of the City of Brookville.

Adam Murka, from Citizens for Sinclair, made a brief presentation requesting Council support of the upcoming Issue 10, which is for the Renewal of 1 mill for Sinclair Community College, to be used for expanding job training and educational services in health sciences, technologies and other career fields, making property improvements, and paying operating costs. Issue 10 will be on the November 8, 2022 ballot.

Manager Keaton requested Council authorization to enter into a one-year contract with the Montgomery County Public Defender. This Agreement allows the County to provide legal representation to indigent adults charged with a violation of an ordinance of a municipal corporation for which the penalty or possible adjudication includes potential loss of liberty. The 2023 Agreement is the same as the 2022 Agreement with the exception of a 2.5% rate increase. The 2023 rate will be \$188.09 per case. To date, we had one case in 2022 and zero cases in 2021, 2020, and 2019.

Motion by Schreier, second by Requarth to authorize Manager Keaton to enter into a one-year contract with the Montgomery County Public Defender for 2023, at a rate of \$188.09 per case. All yeas, motion carried.

Manager Keaton requested Council approval for Change Order #1 on the Westbrook and Albert Drainage Improvement Project. Change Order #1 is a decrease of \$725 for final quantity adjustments. The Original Contract Price was \$44,375. With this Change Order, the new Contract Price will be \$43,650.

Motion by Zimmerlin, second by Wilder to approve Change Order #1 on the Westbrook and Albert Drainage Improvement Project, which decreases the Original Contract Price of \$44,375 to the New Contract Price of \$43,650. All yeas, motion carried.

Manager Keaton reminded everyone that Trick-or-Treat is scheduled for Monday, October 31 from 6:00 to 7:30 p.m.

Manager Keaton reported November 8 is Election Day and there are two Brookville Issues on the ballot. Issue 11 is a local option for liquor sales and Sunday liquor sales for the El Bronco Mexican Restaurant, located at 485 Arlington Road. This levy is for residents in the Brookville B Precinct. Issue 33 is an additional 4 mill levy for the purpose of operating and maintaining Fire/EMS services. This levy is for residents in the incorporated and unincorporated areas of Perry Township. Manager Keaton encouraged everyone to get out and vote.

Member Requarth asked what area Precinct B consists of?

Manager Keaton replied the City offices are in Precinct B, and it includes a portion of Hay Avenue, down Wolf Creek to Arlington to Rona Parkway. Manager Keaton advised she will email a copy of the Precinct B boundaries to Council Members in case they receive any inquiries.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution 22-30 which amends the 2022 Appropriations and Estimated Resources. This Resolution shall take effect immediately after passage of this Resolution as provided in 4.07(A)(1) of the Charter of the City.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 22-30. All yeas, motion carried.

Motion by Requarth, second by Wilder to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-30 entitled "A RESOLUTION AMENDING THE 2022 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." All yeas, motion carried.

Fire Chief Fletcher reported the past few weeks have been extremely busy. Fire Chief Fletcher reported they recently responded to a large field fire which required 71 pieces of equipment from 27 departments to get the fire under control. The weather conditions are extremely dry and windy, which contributed to the spread of this large fire that burned more than 60 acres. Fire Chief Fletcher discouraged any open burning until we have more damp weather conditions.

Fire Chief Fletcher reported the Fire Department Open House event was very successful. They were joined by the Corvette Club and food trucks from What's the Scoop and Diablo Grill. Captain Chad Ferguson and Administrative Assistant Brittany Ferguson organized the event and worked hard alongside the duty crews to make this event a success.

Member Schreier commented it seems like there are a large number of crashes in the section of Interstate 70 in our fire district.

Fire Chief Fletcher stated it might appear that way, but there are no more crashes on our section of Interstate than all along Interstate 70 and 75.

Police Chief Jerome commended the Service Department for their hard work setting up and tearing down after the Pink Ribbon Girls Event. They worked as a team and did a tremendous job.

Mayor Letner commented most of the Service Department donated the time they worked at the event.

Police Chief Jerome reported the pink ribbons have been installed on all the police cruisers for Breast Cancer Awareness month.

Police Chief Jerome advised they are ready for trick or treat. They will give safety talks at the school and will pass out candy from one of the fire bays if there is inclement weather.

Police Chief Jerome reported the Police Department is helping instruct the high school students on how to present themselves in a job interview.

Police Chief Jerome commented Council should have a copy of a citizen complaint regarding traffic violations within the City. The duty crews have been informed and will be watching for and investigating these complaints, including the complaint about loud exhaust.

Police Chief Jerome announced Ghostly Night Out is this Saturday from 6:00 p.m. until 9:30 p.m. and encouraged everyone to attend. Volunteers are welcome as well.

Police Chief Jerome remarked the new police cruiser has been striped and tentatively scheduled to be in service the first weekend in November.

Police Chief Jerome commended Fleet Mechanic Dave Schmitt for his skill and time management abilities.

Law Director Stephan had no report.

Mayor Letner thanked Tim Colston for being his Citizen of the Month. Mayor Letner commented Tim and his wife Gale are a real asset to the City of Brookville.

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

Motion by Requarth, second by Wilder to accept the third reading and adopt Resolution No. 22-28 entitled "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." All yeas, motion carried.

Carolyn Haney, of 202 Beechwood Avenue, reported Park Board is busy planning the Christmas in the Park event. Volunteers are welcome to help assemble and set up displays on November 18.

Member Schreier had no report.

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

Kimberly Duncan, Clerk

Charles Letner, Mayor

To: Mayor & Council
From: Sonja M. Keaton, City Manager
RE: Manager's Report
Date: 10/31/22

The Optimist Pumpkin Walk is this Saturday, November 5 from 6:00-8:30 p.m. at Golden Gate Park.

We applied for and received a \$1,500 Walmart Community Grant. Grant funds will be used for purchasing Christmas displays, lights, and supplies for Christmas in the Park. Opening night for Christmas in the Park is Friday, December 2 at Golden Gate Park from 6:00 - 8:00 p.m. This will be a drive-thru event. Treat bags will be distributed to the first 225 children on opening night. The Christmas lights will be displayed nightly from December 2, 2022-January 1, 2023.

The Brookville Area Chamber of Commerce Annual Banquet is scheduled for November 11 at Meadowbrook at Clayton. Our Service Department will be recognized with the Dedication Award. Tickets are \$25 each, and the deadline to order tickets is November 3 through the Chamber website.

We will be opening bids today for the Westbrook Road Resurfacing Project, and tomorrow we will be opening bids for the Main Street Watermain Replacement Project.

The drinking fountain, donated by Delta Theta Tau, has been installed in front of Building 3 in Golden Gate Park. This is a seasonal drinking fountain.

Request Council approval for the City to pay the \$60.00 registration fee for those on Council, Planning Commission, BZA and Staff who are interested in attending the 34th Annual Miami Valley Planning and Zoning Workshop that will be held on Friday, December 2, 2022 at Sinclair Community College.

The Service Department performed the following:

- Replaced a shaft at the WWTP
- Leaf collection
- Winterized irrigation & seasonal restrooms/concession buildings/Gateway Park
- Mowing of our parks
- Limb chipping
- Set new drinking fountain at Building 3 at GG Park
- Tested Market Street Christmas lights
- Assisted Police Department with Ghostly Night Out
- Added water to the pond at Golden Gate Park



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda

November 1, 2022

Reportable Incidents

1/1/2021 – 10/28/2021 = 586

1/1/2022 – 10/28/2022 = 401

Citations

1/1/2021 – 10/28/2021 = 624

1/1/2022 – 10/28/2022 = 114

Traffic Stops

October 2021 - 66

October 2022 to date - 79

Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
10/21/2022		SHANE DOUGLAS HAV	322 CHATHAM, FAIRBORN, OH 45324 291927: Violate protection order or consent agreement	2022-00401
10/24/2022		KEYONA T. DIXON	2224 DEERING AVE, DAYTON, OH 45406 292511: Drug abuse - obtain, possess, use controlled subst	2022-00405
		DANEISHA K. DIXON	1403 RAUSCH AVE APT 4, DAYTON, OH 45432 292511C3: Drug abuse - marijuana	2022-00405

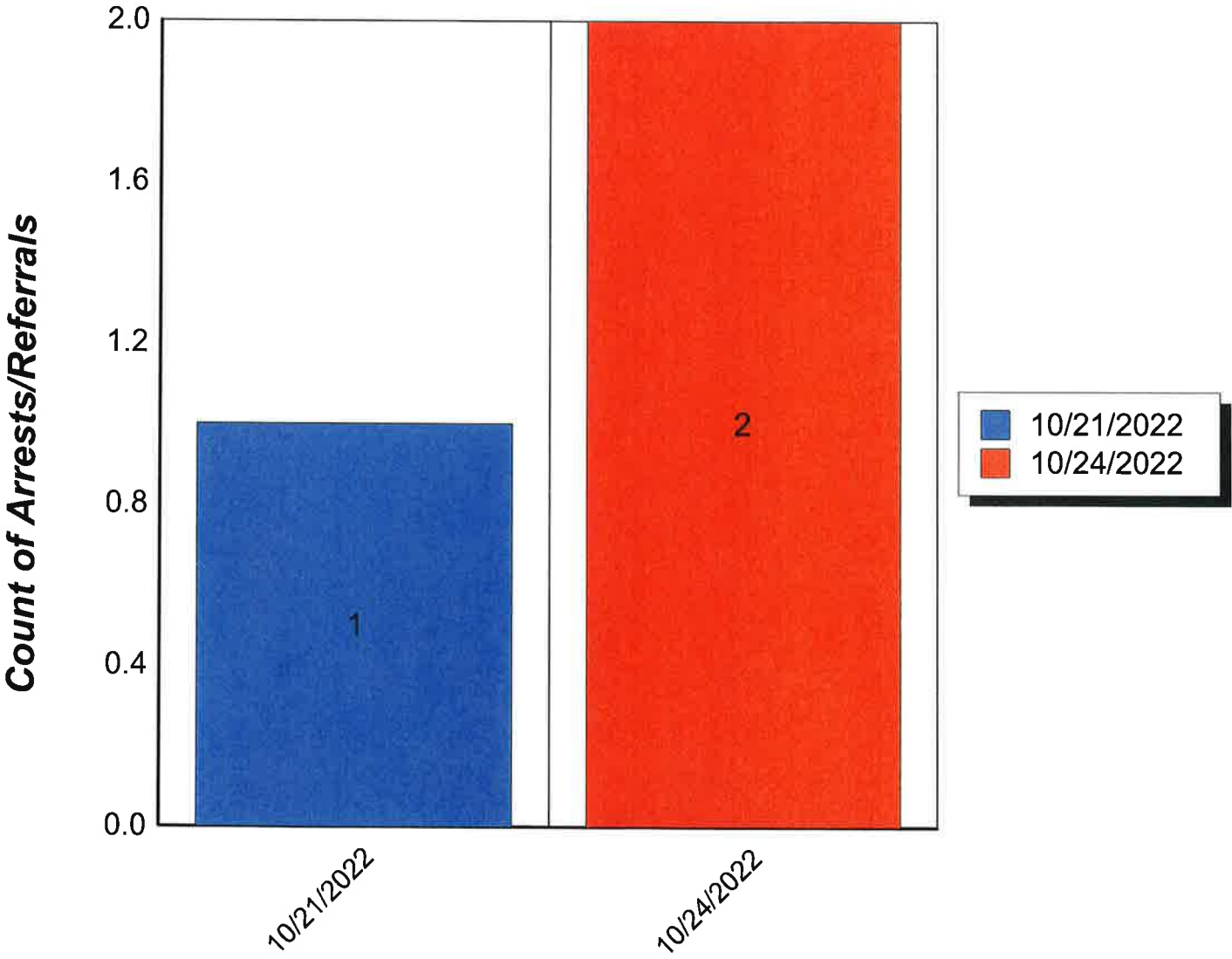
Total Selected = 3

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
October 21, 2022	1
October 24, 2022	2
Total Selected = 3	

Arrest Log by Date

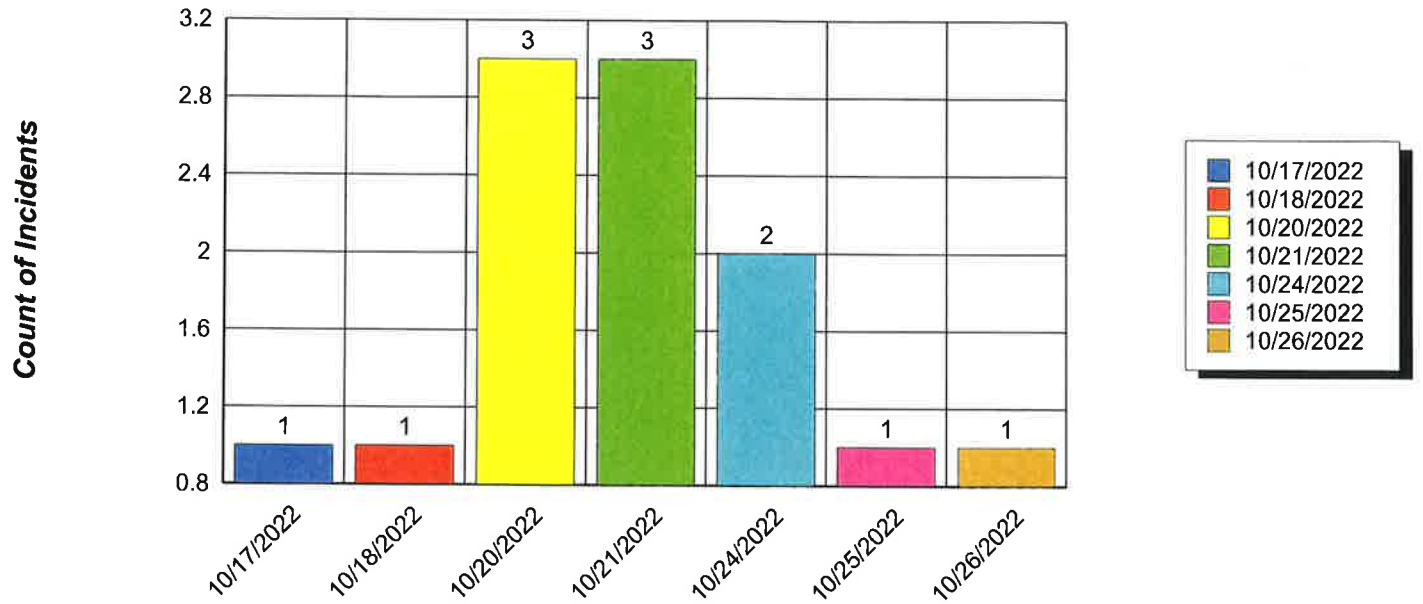


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
10/17/2022	Monday	1
10/18/2022	Tuesday	1
10/20/2022	Thursday	3
10/21/2022	Friday	3
10/24/2022	Monday	2
10/25/2022	Tuesday	1
10/26/2022	Wednesday	1
Total Selected = 12		

Incident Log by Date Reported



Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 17, 2022

2022-00397	12706 S. WOLF CREEK ST BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	10/17/2022		OPEN CASE
Offenses UCR Offense Description					
	1	N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH			
Total Incidents Reported for Date: 1					

October 18, 2022

2022-00396	829 CALMER ERNST BROOKVILLE PD	SIGNAL 26DB - DEAD BODY	10/18/2022	10/18/2022	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description					
	1	02 26DB - DEAD BODY			
Total Incidents Reported for Date: 1					

October 20, 2022

2022-00398	770 ARLINGTON RD BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	10/20/2022	10/20/2022	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description					
	2	N/A 451012 - DRIVING WITHOUT VALID LICENSE			
		N/A 451143A - FAILED TO STOP AT POSTED STOP SIGN			
2022-00400	719 MEADOW GLENN BROOKVILLE PD	SIGNAL 02 - RAPE	10/20/2022	10/26/2022	INACTIVE
Offenses UCR Offense Description					
	1	02 290702 - Rape			
2022-00399	55 ROBERT WRIGHT DRIVE BROOKVILLE PD	SIGNAL 53HR - HIT & RUN CRASH	10/20/2022	10/20/2022	UNFOUNDED
Offenses UCR Offense Description					
	1	N/A 53H&R - HIT & RUN CRASH			
Total Incidents Reported for Date: 3					

October 21, 2022

2022-00401	202 SYCAMORE BROOKVILLE PD	SIGNAL 26O - VIOLATION OF A PROTECTION ORDER	10/21/2022	10/21/2022	ARREST
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Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 21, 2022

Offenses UCR Offense Description 1 02 291927 - Violate protection order or consent agreement					
2022-00402	5 OSAGE STREET BROOKVILLE PD	SIGNAL 06A - GRAND THEFT	10/21/2022		OPEN CASE
Offenses UCR Offense Description 1 06 291302 - Theft					
2022-00403	5 OSAGE RD APT L BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/21/2022	10/21/2022	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 3					

October 24, 2022

2022-00404	300 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	10/24/2022	10/24/2022	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 451121A - ASSURED CLEAR DISTANCE AHEAD					
2022-00405	CARR DR. BROOKVILLE PD	SIGNAL 18- DRUG ABUSE	10/24/2022		OPEN CASE
Offenses UCR Offense Description 3 N/A 451121 - SPEEDING 01 292511 - Drug abuse - obtain, possess, use controlled subst 01 292511C3 - Drug abuse - marijuana					
Total Incidents Reported for Date: 2					

October 25, 2022

2022-00406	19 N. WOLF CREEK RD BROOKVILLE PD	SIGNAL 14 - CRIMINAL DAMAGING	10/25/2022	10/24/2022	UNFOUNDED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 1					

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 26, 2022

2022-00407	610 ARLINGTON BROOKVILLE PD	SIGNAL 26I - CRIMINAL TRESPASS	10/26/2022		OPEN CASE
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

Total Selected = 12

MEMORANDUM:

DATE: OCTOBER 28, 2022

TO: BROOKVILLE CITY COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: ORDINANCE NO. 2022-05

Proposed Ordinance 2022-05 is before City Council for a first reading on November 1, 2022. Ordinance 2022-05 will amend the General Business Zoning District to establish a new special use for mixed use development. The mixed use development will include residential and business uses within the same structure or in close proximity within the same general business district.

Planning Commission has reviewed this Ordinance and directed that it be presented to City Council for a first reading. A public hearing on this Ordinance will be held on December 6, 2022 at 8:00pm.

If you have any questions, please contact me.

MEMORANDUM:

DATE: OCTOBER 28, 2022

TO: BROOKVILLE CITY COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: ORDINANCE NO. 2022-06-ACCEPTANCE OF ANNEXATION OF 59.401 ACRES

Ordinance 2022-06 will accept the annexation of 59.401 acres to the City of Brookville. The 59.401 acre property is located at Upper Lewisburg-Salem Rd. and Brookville-Phillipsburg Rd. as depicted in the map attached to the ordinance. It is requested that City Council pass Ordinance 2022-06 as an emergency so that city services can be immediately provided to this annexation territory as requested by the owner of the property.

If you have any questions, please contact me.

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. ORDINANCE 2022-05 Passed , 20

AN ORDINANCE AMENDING CHAPTER 1137 GENERAL BUSINESS DISTRICT OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO AUTHORIZE MIXED RESIDENTIAL AND BUSINESS USES IN THE GENERAL BUSINESS DISTRICT

WHEREAS, Chapter 1137 of the Code of Ordinances provides zoning regulations for the General Business zoning districts in the City of Brookville; and

WHEREAS, the Planning Commission and City Council desire to amend the zoning code to permit mixed residential and business uses within the same structure or in close proximity to one another in general business districts to promote walkable neighborhoods in general business districts; and

WHEREAS, after public hearing on this amendment to the zoning code of the City of Brookville, Ohio 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 code.

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

SECTION I: Section 1137.02 (b) Special Uses is hereby amended to provide the following new special use:

Section 1137.02(b)(13) Mixed Use Development-Residential and Business Uses within the same structure or in close proximity to each other within the same General Business District. The residential uses shall include single family, two family and multi-family uses as described in the permitted uses and special uses of Chapter 1129.02 (a) and 1129.02(b) of the Code of Ordinances, and the business uses shall include permitted and special business uses as described in Chapter 1137.02(a) and (b).

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 , 2022.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. _____ Passed _____, 20____

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022-05, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____, 2022.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2022-05 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____ day of _____, 2022, to the _____ day of _____, 2022, both days inclusive.

Kimberly Duncan, Clerk

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Passed _____, 20____

SECTION IV: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, or welfare of the City and its residents for the reason that the annexation territory has an immediate need for City services, and the owner of the annexation territory desires to have its property immediately subject to the City's authority and for City services to be immediately available to their property.

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. _____ Passed _____, 20_____

PASSED this _____ day of _____, 2022.

ATTEST:

Kimberly Duncan, Clerk Charles Letner, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022-06, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____, 2022.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2022-06 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____ day of _____, 2022, to the _____ day of _____, 2022, both days inclusive.

Kimberly Duncan, Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

ANNEXATION OF 59.401 ACRES TO THE CITY OF BROOKVILLE, OHIO

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 27, TOWN 6, RANGE 4 E AND NORTHEAST QUARTER OF SECTION 34, TOWN 6, RANGE 4 E, CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box with iron pin found at the southwest corner of the southeast corner of Section 27 and being on the centerline of East Upper Lewisburg Salem Road;

thence, North 89°-36'-11" East, 1612.87 feet, along the south line of said Section 27 to a Mag nail set on the centerline of East Upper Lewisburg Salem Road and being at the southwest corner of a tract of land owned by WLW, LLC. as described in IR Deed 09-038959 and the southeast corner of a tract of land owned by W. Meyer Farms, LLC. as described in IR Deed 20-077995 and being the principal place of beginning of the tract herein conveyed;

thence, North 00°-04'-26" East, 2675.00 feet, along the west line of said WLW, LLC. tract to an iron pin with cap set on the south line of a tract of land owned by Alexander J. Clericus and Jennifer M. Clericus as described in IR Deed 19-036540;

thence, South 89°-42'-58" East, 981.42 feet, along the south line of said Clericus tract to a Mag nail found at the northeast corner of the southeast quarter of Section 27 and being on the centerline of Brookville-Phillipsburg Road;

thence, South 00°-04'-28" West, 2528.63 feet, along the east line of said southeast quarter of Section 27 to a Mag nail set at the northeast corner of a tract of land owned by Jared A. Hoops and Amber L. Hoops as described in IR Deed 19-057313;

thence, South 89°-36'-11" West, 373.00 feet, along the north line of said Hoops tract to an iron pin with cap set;

thence, South 00°-04'-28" West, 164.70 feet, along the west line of said Hoops tract to an iron pin with cap set on the south right-of-way line of East Upper Lewisburg Salem Road;

thence, South 89°-36'-11" West, 608.42 feet, along the south right-of-way line of East Upper Lewisburg Salem Road to an iron pin with cap set;

thence, North 00°-04'-26" East, 30.00 feet, to the principal place of beginning.

Containing 59.401 acres more or less and all being subject to any legal highways and easements of record.

The bearing of North 89°-36'-11" East along the centerline of East Upper Lewisburg Salem Road was based on NAD 83 CORS 2011 adjustment, Ohio South Zone, ODOT VRS CORS Network.

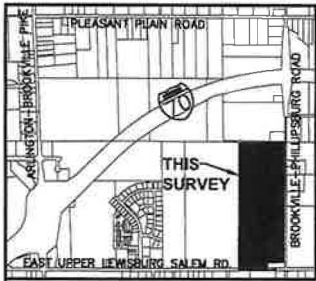
The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated February 8, 2022.

All iron pins set are 5/8" x 30" rebar with caps reading "CHOICE ONE ENGR-WDG PS 8254."


Wesley D. Goubeaux, PS #8254



02/08/2022
Date



VICINITY MAP

ANNEXATION NOTE:

PERIMETER OF ANNEXATION AREA=7361.16 FT.
CONTIGUOUS BOUNDARY WITH CITY=608.42 FT.

ANNEXATION OWNERS INDEX

- ① WLM, LLC.
6043 GEORGETOWN-VERONA RD.
LEWISBURG, OH 45338
IR DEED 08-038959
(58.847 AC. DEED)
C04-006-03-0007
- ② CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009391
(2.735 AC. DEED)
C05-001-09-0032
- ③ CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 22-003013
(18.831 AC. DEED)
C05-001-09-0020

LINE CHART		
LINE	BEARING	DIST.
L1	N00°04'26"E	30.00'

LEGEND

- 5/8" X 30" REBAR
W/CAP SET
- 5/8" IRON PIN FOUND
- MAG NAIL SET
- MAG NAIL FOUND
- MONUMENT BOX W/P PLACED
- ▨ EXISTING CORP. LIMITS

THE BEARING OF N 89°36'11" E ALONG THE
CENTRELINE OF EAST UPPER LEWISBURG SALEM
ROAD WAS BASED ON NAD 83 CORRS 98
ADJUSTMENT, OHIO SOUTH ZONE,
ODOT VRS CORRS NETWORK

SCALE: 1"=200'



PERTINENT INFORMATION

PLAT BOOK 214, PAGE 16A
LAND SURVEY 2003-0657
LAND SURVEY 2006-0570
LAND SURVEY 2007-0363
LAND SURVEY 2011-0204
LAND SURVEY 2021-0138

PROPOSED ANNEXATION TO THE CITY OF BROOKVILLE

SECTION 27, TOWN 6, RANGE 4 E
SECTION 34, TOWN 6, RANGE 4 E
CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO

59.401 ACRES TOTAL

ADJOINING OWNERS INDEX & TAX MAILING ADDRESS

W. MEYER FARMS, LLC.
11150 BALTIMORE-PHILIPPSBURG PIKE
BROOKVILLE, OH 45309
IR DEED 20-077995
C04-006-03-0006

ALEXANDER J. CLERICUS &
JENNIFER M. CLERICUS
7489 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 19-036540
C04-006-03-0021

SYCAMORE RIDGE
COMMUNITY CHURCH
P.O. BOX 88
BROOKVILLE, OH 45309
IR DEED 04-103836
C04-006-03-0029

HARRY EDWIN ARMSTRONG, TRUSTEE &
BETTY A. ARMSTRONG, TRUSTEE
7489 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 11-045249
C04-006-03-0063

DONALD E. SCHNEIDER &
CAROL J. SCHNEIDER, TRUSTEES
7354 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 09-037448
C04-006-02-0008

CURT P. HEFELFINGER &
LISA M. MESCHER
459 CRYSTAL DR.
CLAYTON, OH 45315
IR DEED 06-015678
C04-006-02-0008

RAY D. CORDER &
SUSAN D. CORDER
7420 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 05-082883
C04-006-02-0106
C04-006-02-0115

MARK R. SMOOT &
LINDA G. SMOOT
7400 BROOKVILLE PHILIPPSBURG PIKE
D.M.F. 99-0409-C06
C04-006-02-0137

MALCOLM R. SMOOT, RHONDA L. THOMAS,
MARK L. SMOOT, MICHAEL SMOOT &
KIRK D. SMOOT
7400 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 19-033220
C04-006-02-0009
C04-006-02-0010

JARED A. HOOPS &
AMBER L. HOOPS
10047 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45309
IR DEED 19-057313
C04-006-03-0071

CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 22-003013
(18.831 AC. DEED)
C05-001-09-0020

CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009391
(2.735 AC. DEED)
C05-001-09-0032

ALEXANDER J. CLERICUS &
JENNIFER M. CLERICUS
IR DEED 19-036540

SYCAMORE RIDGE
COMMUNITY CHURCH
IR DEED 04-103836
SUR. 2004/032

HARRY EDWIN ARMSTRONG, TRUSTEE &
BETTY A. ARMSTRONG, TRUSTEE
IR DEED 11-045249

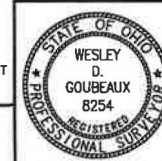
DONALD C. SCHNEIDER, TRUSTEE &
CAROL J. SCHNEIDER, TRUSTEE
IR DEED 09-037448

CERTIFICATION

I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C.
CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS
TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED
UNDER MY DIRECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED
IN FEBRUARY, 2022. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET
OR TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC.

Wesley D. Goubeaux
WESLEY D. GOUBEAUX, P.S. #8254

02-08-2022
DATE



PREPARED BY:

ChoiceOne
Engineering

SIDNEY, OHIO 43142-0200
LOVELAND, OHIO 513.238.9534

DATE:

02-08-2022

DRAWN BY:

RMF

JOB NUMBER:

MOI-BRO-2204

SHEET NUMBER

1 OF 1

Exhibit "B"