



CITY COUNCIL
Tuesday, November 15, 2022, 7:30 PM
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309
937-833-2135
www.brookvilleohio.com

Join Online: <https://brookvilleoh.webex.com/brookvilleoh/j.php?MTID=m35fad1e4c41a9c2cd48d75288932c58f>

Meeting number: 2632 108 8237 Password: dNeJ73MWNb7

Join by phone: +1-415-655-0001 US Toll Access code: 263 210 88237

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 November 1, 2022 Meeting Minutes

IV. Citizen of the Month Recognition - Angie Lake

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

- a. First reading of proposed Resolution No. 22-31 entitled "A RESOLUTION AUTHORIZING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED IN 2023 FOR THE YEAR 2022."

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



- b. First reading of proposed Ordinance No. 2022-07 entitled "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO."
- c. First reading of proposed Ordinance No. 2022-08 entitled "AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING IT AN EMERGENCY."

VIII. Reports of Boards and Commissions

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

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
November 1, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on November 1, 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, Fowler, Schreier and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Members Requarth and Wilder were absent.

Roll Call by Clerk Duncan.

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

Motion by Zimmerlin, second by Schreier to approve the October 18, 2022 Regular Meeting Minutes. Fowler abstain, Crane yea, Zimmerlin yea, Schreier yea, Letner yea. Motion carried with four yeas and one abstention.

Manager Keaton reported the Service Department recently replaced a broken shaft in the VLR tank at the WWTP. Manager Keaton advised when replacing a shaft, we have to hire a crane and an operator to lift the shaft and motor out and place the new motor and shaft. Manager Keaton commended the Service Department for their speed and efficiency in changing out the shaft. Manager Keaton advised we will have the old shaft repaired and keep it for a spare.

Manager Keaton reported the drinking fountain purchased by the Delta Theta Tau Sorority has been installed in front of Shelter 3 in Golden Gate Park. The fountain will be operational from April through mid-November.

Manager Keaton reported the Optimist Pumpkin Walk is this Saturday, November 5, from 6:00 p.m. until 8:30 p.m. Participants will gather at the back parking lot of Golden Gate Park to walk down the decorated bikeway to the Train Depot and back. Refreshments, a bonfire and hayrides will be available to the public.

Manager Keaton reminded everyone that Daylight Savings Time ends this Sunday morning.

Manager Keaton advised the Brookville Area Chamber of Commerce Annual Banquet is scheduled for November 11, 2022 at Meadowbrook Country Club in Clayton, Ohio. The Service Department will be presented with a dedication award at the banquet for their assistance to the Chamber of Commerce during the Brookville Community Picnic and for what they do behind the scenes for many community events. The deadline to order \$25.00 tickets is November 3, through the Chamber of Commerce website.

Manager Keaton reported we received a Walmart Community Grant in the amount of \$1,500 to be used for the purchase of displays, lights and supplies for the Christmas in the Park event.

Manager Keaton reported opening night for the Christmas in the Park event is Friday, December 2 from 6:00 p.m. until 8:00 p.m. This will be a drive-through event, with treat bags distributed to the first 225 children on opening night. The lights will be displayed nightly from December 2 through January 1.

Manager Keaton requested Council authorization for the City to pay the \$60 registration fee for Council, Planning Commission, Board of Zoning Appeals or staff members who are interested in attending the MVRPC Planning and Zoning Workshop. The workshop will be held on December 2 at Sinclair Community College. The last Planning and Zoning workshop was held in 2019, prior to COVID.

Member Fowler asked how many normally attend the workshop?

Manager Keaton stated less than five people.

Motion by Zimmerlin, second by Fowler to authorize the payment of the \$60 registration fee for Council, Planning Commission, Board of Zoning Appeals or staff who are interested in attending the MVRPC Planning and Zoning Workshop. All yeas, motion carried.

Manager Keaton reported bids were opened yesterday for the Westbrook Road Resurfacing Project. The engineer's estimate was \$140,196. We received three responsive bids and one unresponsive bid. Manager Keaton recommended that Council accept the lowest responsive bid of \$100,327.70 from Wagner Paving, Inc.

Motion by Zimmerlin, second by Fowler to accept the lowest responsive bid of \$100,327.70 from Wagner Paving, Inc. for the Westbrook Road Resurfacing Project. All yeas, motion carried.

Manager Keaton reported bids were opened today for the Main Street Water Main Replacement Project. The engineer's estimate was \$354,425. We received eight responsive bids and one unresponsive bid. Manager Keaton recommended that Council accept the lowest responsive bid of \$331,716 from Associated Excavating, Inc.

Motion by Schreier, second by Fowler to accept the lowest responsive bid of \$331,716 from Associated Excavating, Inc. for the Main Street Water Main Replacement Project. All yeas, motion carried.

Finance Director Brandt presented the October 31, 2022 Fund Balance.

Motion by Zimmerlin, second by Schreier to accept the October 31, 2022 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt advised a date needs to be set for the Budget Work Session. The consensus is to hold the Work Session on December 8 at 6:00 p.m.

Fire Chief Fletcher reported the month of October was an extremely busy month with fire calls. The Fire Department also responded to several fatal crashes. The new pumper pumped thousands of gallons in the month of October and performed very well.

Fire Chief Fletcher reported the drive through Beggar's Night event hosted by the Fire and Police Departments was well received and attended. The Fire Department plans to make this an annual event, with hot cider for the adults and a costume contest at the end of the evening.

Fire Chief Fletcher reminded everyone there is still a burn ban in place from 6:00 a.m. until 6:00 p.m. for the months October and November, and March through May.

Police Chief Jerome reported the Police Department presented their trick or treat safety programs at the schools and Beggar's Night went well with no issues.

Police Chief Jerome reported the Ghostly Night Out event was a huge success and thanked the Brookville Fire Department, Perry Township and Clayton Police Departments, Montgomery County Sheriff's Office and numerous others who participated in the event.

Police Chief Jerome reported the new cruiser should be in service by the end of the month.

Police Chief Jerome invited Council to help with the Veteran's Day lunch at Rob's Restaurant on November 11. Police Officers from all over the area, along with the students in the Criminal Justice Program at MVCTC will also help with the event. The annual Veteran's Day Assembly at the Brookville Middle School will be held prior to the luncheon.

Police Chief Jerome reported the Police Department will attend the Optimists Pumpkin Walk on November 5 and encouraged everyone to attend.

Law Director Stephan reported proposed Ordinance No. 2022-05 is before City Council for a first reading tonight. Proposed Ordinance No. 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 proposed Ordinance and directed that it be presented to City Council for a first reading. A public hearing on this proposed Ordinance will be held on December 6, 2022 at 8:00pm.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2022-05. All yeas, motion carried.

Motion by Schreier, second by Zimmerlin to accept the first reading of proposed Ordinance No. 2022-05. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 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 proposed Ordinance. It is requested that City Council pass proposed Ordinance 2022-06 as an emergency so that city services can be immediately provided to this annexed territory as requested by the owner of the property.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2022-06. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the first reading, dispense with the second and third reading and adopt 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." All yeas, motion carried.

Mayor Letner encouraged everyone to vote on November 8, 2022.

Member Fowler reported plans are underway for the Christmas in the Park event on December 2, 2022. Member Fowler thanked the Englewood Walmart store for the grant to help fund the event.

Member Schreier reported Planning Commission reviewed and recommended to Council proposed Ordinance 2022-05.

Missy Mears, of Perry Township Trustees encouraged everyone to vote for the fire levy on November 8, 2022.

Motion by Fowler, second by Zimmerlin to go into Executive Session per O.R.C 121.22(G)(1) to consider the employment of a public employee. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to go back into Regular Session. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin 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: 11/14/22

Request Council authorization to purchase a 2022 Ford-F250 pickup truck for the Service Department through Ricart Ford at a cost of \$48,495. Our last pickup purchase was in 2018. The Service Department currently has the following pickup trucks, 2000 Chevy, 2004 Ford, 2006 Ford, 2008 Ford, 2010 Chevy, 2012 Chevy, 2013 Chevy, 2015 GMC, 2019 GMC. The funds to purchase the pickup will come out of the Street M&R, Park, Water, Stormwater, and Sanitary Sewer Funds. We will be selling our 2004 Ford pickup on GovDeals.

The Service Department continues to pick up leaves daily, with leaf pickup continuing through December 2.

The Downtown Christmas Tree Lighting will take place on Market Street in Gruenig Park on November 30 at 6:30 p.m.

Reminder that opening night for Christmas in the Park is Friday, December 2 from 6:00 to 8:00 p.m.

Over the last two weeks, the Service Department continued with leaf pick up, winterized Diamond 1 concession, serviced fire hydrants, mulched leaves in parks, helped set up for Pumpkin Walk, cleaned swale at Meadows of Brookville, removed fountains from Golden Gate pond, winterized soccer concession, put Christmas lights on Market Street trees, Gateway Park trees, and GG Park gazebo, cleaned Gateway Park for Veterans Day, installed electric panels in GG Park for Christmas lights, cleaned leaves around Castle Playground, prepared trucks for snowplows and salt spreaders, power washed sidewalk at city building. Our Service Department will be participating in Brookville Local Schools Career Day on November 18.



City of
BROOKVILLE
POLICE
Chief Douglas Jerome



Council Meeting Agenda
November 15, 2022

Reportable Incidents

1/1/2021 – 11/11/2021 = 612

1/1/2022 – 11/11/2022 = 421

Citations

1/1/2021 – 11/11/2021 = 641

1/1/2022 – 11/11/2022 = 123

Traffic Stops

November 2021 - 73
November 2022 to date - 35

Brookville Police Department

Incident Arrest Blotter

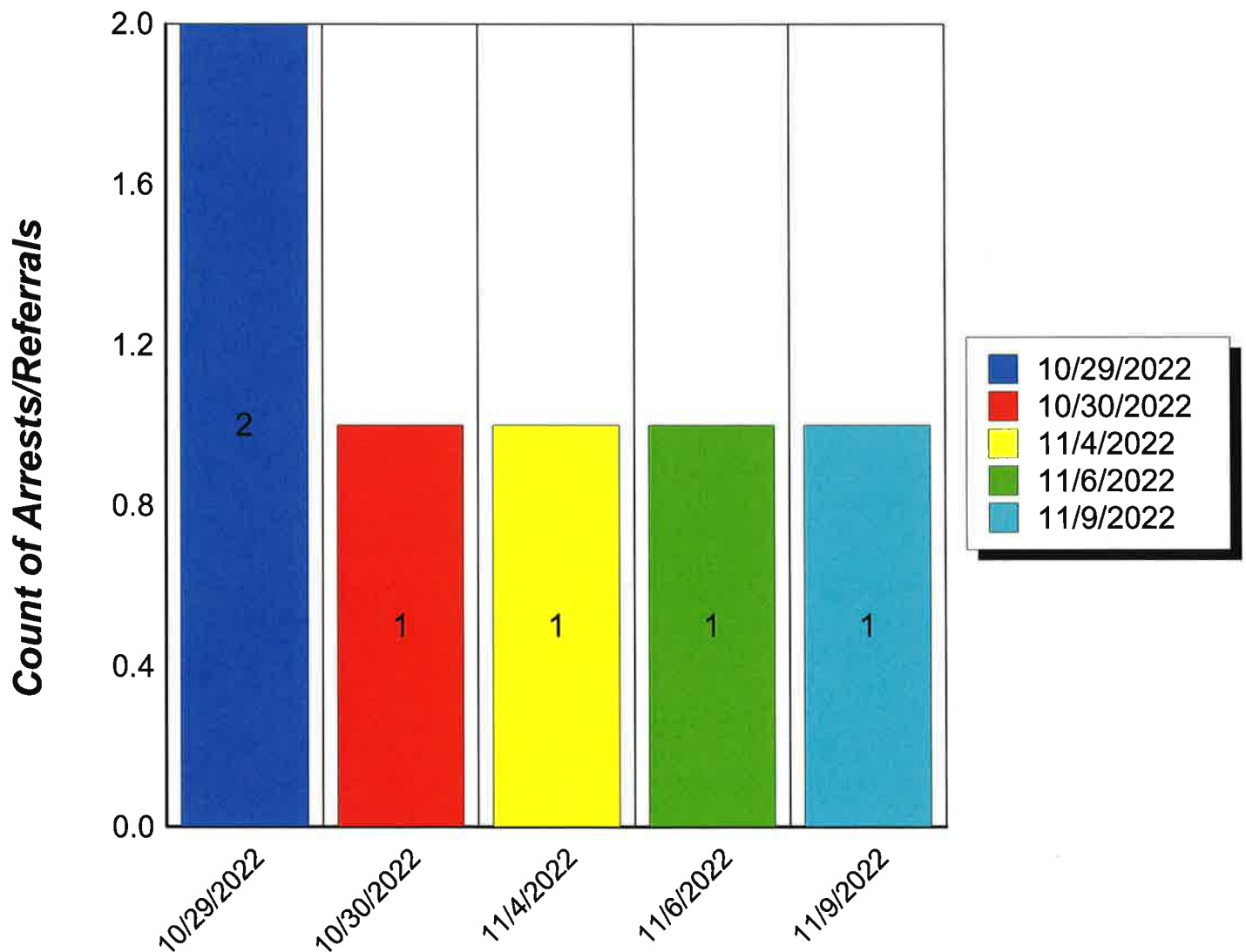
Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
10/29/2022		JAMILYN R. BELL	5 OSAGE RD, BROOKVILLE, OH 45309 290906A1: Criminal damaging/endangering - knowingly, any mea	2022-00410
		GORDEN M. LITCHFIEL	1436 STUBEN DR, DAYTON, OH 45417 292511C3: Drug abuse - marijuana	2022-00411
10/30/2022		JEREMY W. MILLER	406 MAIN STREET, BROOKVILLE, OH 45309 291925A: Domestic violence - knowingly cause physical harm 292133A: RESISTING ARREST	2022-00413
11/04/2022		GENE D. KENNEDY	4605 ROSS AVE, DAYTON, OH 45414 292511: Drug abuse - obtain, possess, use controlled subst 35: WARRANT ARREST 35: WARRANT ARREST	2022-00419
11/06/2022		GARY L. HOWARD	355 E XENIA DR, FAIRBORN, OH 45324 291925: Domestic violence 291111A1: Aggravated burglary - inflict harm	2022-00421
11/09/2022		CODIE E. BLANKENSH	582 PEARL ST, ARCANUM, OH 45304 35: WARRANT ARREST	2022-00427
Total Selected = 6				

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
October 29, 2022	2
October 30, 2022	1
November 04, 2022	1
November 06, 2022	1
November 09, 2022	1
Total Selected = 6	

Arrest Log by Date

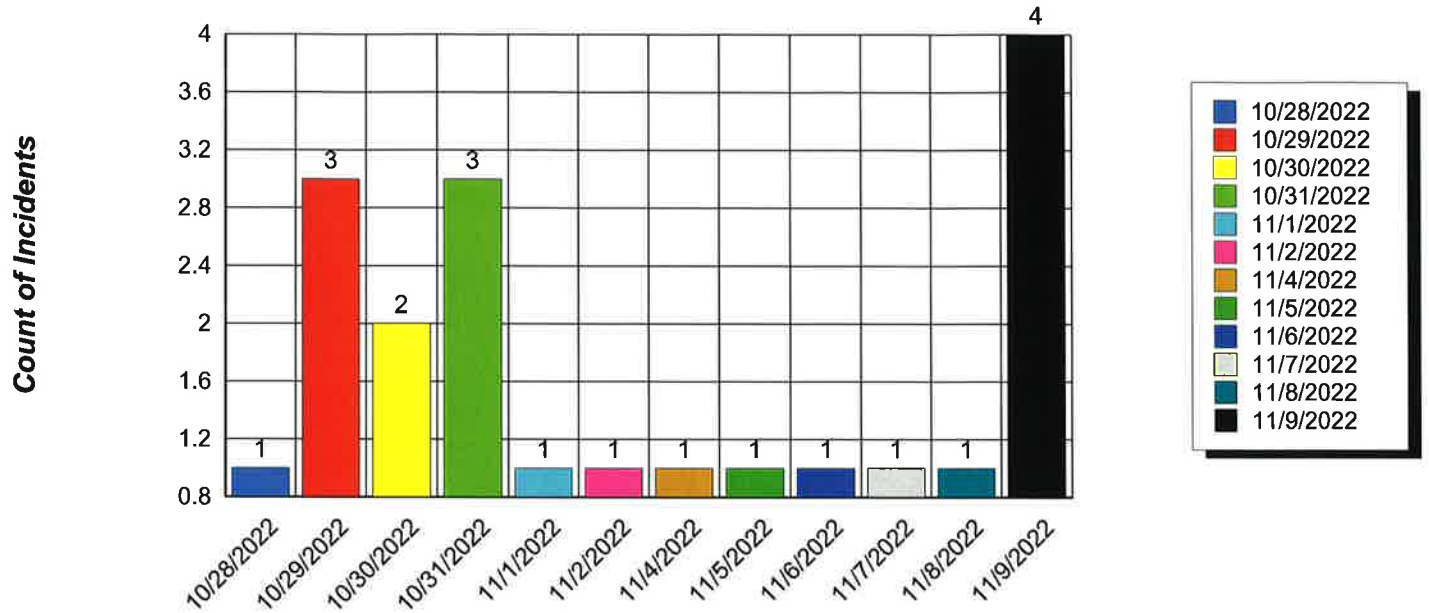


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
10/28/2022	Friday	1
10/29/2022	Saturday	3
10/30/2022	Sunday	2
10/31/2022	Monday	3
11/01/2022	Tuesday	1
11/02/2022	Wednesday	1
11/04/2022	Friday	1
11/05/2022	Saturday	1
11/06/2022	Sunday	1
11/07/2022	Monday	1
11/08/2022	Tuesday	1
11/09/2022	Wednesday	4
Total Selected = 20		

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 28, 2022

2022-00408	316 WESTERN AVE BROOKVILLE PD	SIGNAL 26I - HB4 LE NOTIFICATION LETTER	10/28/2022	10/28/2022	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - OHIO HB4 LE NOTIFICATION LETTER

Total Incidents Reported for Date: 1

October 29, 2022

2022-00409	102 ESTATE LANE BROOKVILLE PD	SIGNAL 6A - THEFT	10/23/2022		OPEN CASE
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Offenses	UCR	Offense Description
1	06	291302A1 - Theft - without consent

2022-00411	715 ARLINGTON RD BROOKVILLE PD	SIGNAL 18 - POSSESSION OF MARIJUANA	10/29/2022	10/29/2022	ARREST
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Offenses	UCR	Offense Description
3	N/A	4510.111 - CHILD SUPPORT SUSPENSION
	N/A	451314 - TWO HEADLIGHTS REQUIRED
	01	292511C3 - Drug abuse - marijuana

2022-00410	5 OSAGE ALLEY BROOKVILLE PD	SIGNAL 14 - CRIMINAL DAMAGING	10/29/2022	10/29/2022	ARREST
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Offenses	UCR	Offense Description
1	01	290906A1 - Criminal damaging/endangering - knowingly, any mea

Total Incidents Reported for Date: 3

October 30, 2022

2022-00412	95 PARKVIEW DRIVE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/30/2022	10/30/2022	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2022-00413	406 N MAIN STREET BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	10/30/2022	10/30/2022	ARREST
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Offenses	UCR	Offense Description
2	02	291925A - Domestic violence - knowingly cause physical harm
	04	292133A - RESISTING ARREST

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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Total Incidents Reported for Date: 2

October 31, 2022

2022-00414	WESTBROOK @ WOLFCREEK BROOKVILLE PD	SIGNAL 53A - CRASH	10/31/2022	10/31/2022	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 N/A 33119 - REQUIREMENTS AT STOP SIGNS

2022-00415	225 WEST UPPER LEWISBURG SALEM BROOKVILLE PD	SIGNAL 53B - INJURY ACCIDENT	10/31/2022	10/31/2022	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 N/A 53B - INJURY TRAFFIC CRASH

2022-00416	277 JOHNSVILLE-BROOKVILLE ROAD BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/31/2022	10/31/2022	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 3

November 01, 2022

2022-00417	SYCAMORE ST & E MCKINLEY ST BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	11/01/2022	11/01/2022	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

November 02, 2022

2022-00418	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	11/02/2022	11/02/2022	EXCEPTIONALLY CLEARED
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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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November 04, 2022

2022-00419	225 W. UPPER LEWISBURG SALEM ROAD BROOKVILLE PD	SIGNAL 18 - POSSESSION OF DRUGS	11/04/2022	11/04/2022	ARREST
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Offenses	UCR	Offense Description
5	01	292511 - Drug abuse - obtain, possess, use controlled subst
	N/A	35 - WARRANT ARREST
	N/A	35 - WARRANT ARREST
	N/A	451016 - FRA SUSPENSION
	N/A	4513.24 - Windshield and windshield wipers

Total Incidents Reported for Date: 1

November 05, 2022

2022-00420	100 TIMBERWOLF WAY BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	11/05/2022	11/05/2022	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

November 06, 2022

2022-00421	540 ALBERT BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	11/06/2022	11/06/2022	ARREST
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Offenses	UCR	Offense Description
4	02	291925 - Domestic violence
	05	291111A1 - Aggravated burglary - inflict harm
	02	292514 - Drug paraphernalia
	01	292511 - Drug abuse - obtain, possess, use controlled subst

Total Incidents Reported for Date: 1

November 07, 2022

2022-00422	CAMPUS BLVD BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	11/07/2022	11/07/2022	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	451021 - FAILURE TO REINSTATE

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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Total Incidents Reported for Date: 1

November 08, 2022

2022-00423	513 Adrian Court BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	11/03/2022	11/07/2022	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

November 09, 2022

2022-00424	319 BrookeWoode Ave, Brookville, Oh BROOKVILLE PD	SIGNAL 26I - DOMESTIC VIOLENCE	11/09/2022	11/09/2022	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

2022-00425	403 MARKET APT 6 BROOKVILLE PD	SIGNAL 26DB - DEAD BODY	11/09/2022		OPEN CASE
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Offenses UCR Offense Description
1 02 26DB - DEAD BODY

2022-00426	437 N WOLF CREEK STREET BROOKVILLE PD	SIGNAL 53HR - HIT & RUN CRASH	11/09/2022		OPEN CASE
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Offenses UCR Offense Description
1 N/A 53H&R - HIT & RUN CRASH

2022-00427	1139 PREBLE DRIVE, EATON, OH 45320 BROOKVILLE PD	SIGNAL 35 - WARRANT	11/09/2022	11/09/2022	ARREST
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Offenses UCR Offense Description
1 N/A 35 - WARRANT ARREST

Total Incidents Reported for Date: 4

Total Selected = 20

No.

RESOLUTION NO. 22-31

Passed

Yr.

A RESOLUTION AUTHORIZING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED IN 2023 FOR TAX YEAR 2022.

WHEREAS: It is in the best interest of citizens of the City of Brookville, Ohio that a request be made for advance taxes collected in 2023 for year 2022.

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

SECTION I: Authorization is granted to the Director of Finance of the City of Brookville, Ohio to make a request for an advance of taxes collected by the Treasurer of Montgomery County, Ohio, not to exceed the amount allotted by the Ohio Revised Code for the year 2022.

SECTION II: This Resolution shall therefore take effect and be enforced from and after its passage by the members of Council pursuant to the Charter of the City of Brookville, Ohio.

PASSED this _____ day of _____ 2022.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Resolution No. 22-31 passed by the Council of said City on the _____ day of _____ 2022.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 22-31 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 _____ 2022, to the _____ day of _____ 2022, both days inclusive.

Kimberly Duncan, Clerk

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2022-07

Passed _____, 20____

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, this Council did on the 19th day of October 2021, duly adopt Resolution No. 21-30 declaring the necessity of constructing certain sidewalks, curbs and gutters on Hay Avenue in the City of Brookville; and

WHEREAS, the City of Brookville has subsequently constructed such sidewalks, curbs and gutters which were not constructed by the owners of the property abutting therein; and

WHEREAS, a list of the estimated assessments of the total cost of said construction has been prepared and placed on file in the office of the Director of Finance; and

WHEREAS, no objections to said estimated assessments have been filed; and

WHEREAS, pursuant to Section 913.01 of the Code of Ordinances of the City of Brookville, Ohio, the City may assess the cost of constructing new sidewalks, curbs or gutters; and

WHEREAS, the Director of Finance has given notice of such assessment to the owner of the lot that had the sidewalk, curbs and gutters constructed, either in person or sent by regular United States Mail, postage prepaid; and

WHEREAS, the assessments remain unpaid more than thirty (30) days after the notice of assessment was sent to the owner by the Director of Finance.

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

SECTION I: The Council hereby approves and authorizes the Director of Finance to certify an aggregate of \$9,677.59, collected in five (5) annual installments, with interest at five percent (5%) per annum to the County Auditor for the unpaid assessments on Hay Avenue being set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION II: The Director of Finance shall certify to the County Auditor the unpaid assessments within thirty (30) days after passage of this Ordinance.

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

PASSED this _____ day of _____ 2022.

Kimberly Duncan, Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-6094 FORM NO. 30043

Ordinance No. _____ Passed _____, 20____

CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022-07 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. 2022-07 as 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

PARCEL #	Project ID	Tax Year	Annual Amount
C05-00202-0028		2022	\$ 224.00
C05-00202-0028		2023	\$ 215.04
C05-00202-0028		2024	\$ 206.08
C05-00202-0028		2025	\$ 197.12
C05-00202-0028		2026	\$ 188.16
C05-00202-0024		2022	\$ 802.46
C05-00202-0024		2023	\$ 770.36
C05-00202-0024		2024	\$ 738.27
C05-00202-0024		2025	\$ 706.17
C05-00202-0024		2026	\$ 674.06
C05-00202-0025		2022	\$ 159.29
C05-00202-0025		2023	\$ 152.90
C05-00202-0025		2024	\$ 146.53
C05-00202-0025		2025	\$ 140.16
C05-00202-0025		2026	\$ 133.79
C05-00202-0029		2022	\$ 640.00
C05-00202-0029		2023	\$ 614.40
C05-00202-0029		2024	\$ 588.80
C05-00202-0029		2025	\$ 563.20
C05-00202-0029		2026	\$ 537.60
C05-00203-0015		2022	\$ 278.09
C05-00203-0015		2023	\$ 266.96
C05-00203-0015		2024	\$ 255.84
C05-00203-0015		2025	\$ 244.72
C05-00203-0015		2026	\$ 233.59
			\$ 9,677.59

PARCEL #	Project ID	Tax Year	Annual Amount		5% Interest		Total Assessment
C05-00202-0028		2022	\$	179.20	\$ 896.00	\$ 44.80	\$ 224.00
C05-00202-0028		2023	\$	179.20	\$ 716.80	\$ 35.84	\$ 215.04
C05-00202-0028		2024	\$	179.20	\$ 537.60	\$ 26.88	\$ 206.08
C05-00202-0028		2025	\$	179.20	\$ 358.40	\$ 17.92	\$ 197.12
C05-00202-0028		2026	\$	179.20	\$ 179.20	\$ 8.96	\$ 188.16
			\$	896.00			
C05-00202-0024		2022	\$	641.97	\$ 3,209.84	\$ 160.49	\$ 802.46
C05-00202-0024		2023	\$	641.97	\$ 2,567.87	\$ 128.39	\$ 770.36
C05-00202-0024		2024	\$	641.97	\$ 1,925.90	\$ 96.30	\$ 738.27
C05-00202-0024		2025	\$	641.97	\$ 1,283.93	\$ 64.20	\$ 706.17
C05-00202-0024		2026	\$	641.96	\$ 641.97	\$ 32.10	\$ 674.06
			\$	3,209.84			
C05-00202-0025		2022	\$	127.43	\$ 637.11	\$ 31.86	\$ 159.29
C05-00202-0025		2023	\$	127.42	\$ 509.69	\$ 25.48	\$ 152.90
C05-00202-0025		2024	\$	127.42	\$ 382.27	\$ 19.11	\$ 146.53
C05-00202-0025		2025	\$	127.42	\$ 254.85	\$ 12.74	\$ 140.16
C05-00202-0025		2026	\$	127.42	\$ 127.43	\$ 6.37	\$ 133.79
			\$	637.11			
C05-00202-0029		2022	\$	512.00	\$ 2,560.00	\$ 128.00	\$ 640.00
C05-00202-0029		2023	\$	512.00	\$ 2,048.00	\$ 102.40	\$ 614.40
C05-00202-0029		2024	\$	512.00	\$ 1,536.00	\$ 76.80	\$ 588.80
C05-00202-0029		2025	\$	512.00	\$ 1,024.00	\$ 51.20	\$ 563.20
C05-00202-0029		2026	\$	512.00	\$ 512.00	\$ 25.60	\$ 537.60
			\$	2,560.00			
C05-00203-0015		2022	\$	222.47	\$ 1,112.35	\$ 55.62	\$ 278.09
C05-00203-0015		2023	\$	222.47	\$ 889.88	\$ 44.49	\$ 266.96
C05-00203-0015		2024	\$	222.47	\$ 667.41	\$ 33.37	\$ 255.84
C05-00203-0015		2025	\$	222.47	\$ 444.94	\$ 22.25	\$ 244.72
C05-00203-0015		2026	\$	222.47	\$ 222.47	\$ 11.12	\$ 233.59
			\$	1,112.35			
			\$	15,718.25			\$ 9,677.60

RECORD OF ORDINANCES

Ordinance No. 2022-08 Passed , 20

AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING IT AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council in the form of replacement pages to the Codified Ordinances;

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

SECTION I: The ordinances of the Municipality of Brookville, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2022 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION II: The following sections and chapters are hereby added, amended, or repealed as respectively indicated in order to comply with current State law.

Administrative Code

101.03 Rules of Construction. (Amended)

Traffic Code

303.082 Private Tow-Away Zones. (Amended)
303.083 Impounding Vehicles on Public Property. (Added)
337.10 Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm Machinery, Agricultural Tractors, and Animal-Drawn Vehicles. (Amended)
337.16 Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)

General Offenses Code

513.01 Drug Abuse Control Definitions. (Amended)
513.03 Drug Abuse; Controlled Substance Use. (Amended)
517.01 Gambling Definitions. (Amended)
517.02 Gambling. (Amended)
517.06 Methods of Conducting a Bingo Game; Prohibitions. (Amended)
517.08 Raffles. (Amended)
517.09 Charitable Instant Bingo Organizations. (Amended)
517.11 Bingo or Game of Chance Records. (Amended)
517.13 Bingo Exceptions. (Amended)
517.14 Instant Bingo Conduct by a Veteran's or Fraternal Organization. (Amended)
517.15 Skill-Based Amusement Machines. (Amended)
517.16 Electronic Instant Bingo; Prohibited Conduct. (Added)
529.01 Liquor Control Definitions. (Amended)
529.07 Open Container Prohibited. (Amended)
537.19 Hazing Prohibited. (Added)

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____, 20____

- 549.02 Carrying Concealed Weapons. (Amended)
 - 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
 - 549.10 Possessing Replica Firearm in School. (Amended)
 - 549.12 Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Added)
- Fire Prevention Code
- 1519.05 Application. (Amended)

SECTION III: The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION IV: This Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the Municipality, the emergency being the immediate necessity to approve and distribute current Replacement Pages to the Codified Ordinances so as to facilitate administration, daily operation and avoid practical and legal entanglements; and it shall therefore take effect immediately upon passage by two-thirds of the members of Council of the Municipality of Brookville, Ohio.

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. 2022-08, 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. 2022-08 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