

Brookville City Council
Regular Meeting
December 20, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on December 20, 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, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Members Fowler and Schreier were absent.

Roll Call by Clerk Duncan.

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

Motion by Zimmerlin, second by Requarth to approve the December 6, 2022 Regular Meeting Minutes. All yeas, motion carried.

Joseph Braden, West Regional Liaison for the Auditor of State's Office, presented Finance Director Brandt with the Auditor of State Award for a clean audit report, citing her outstanding leadership and commitment to fiscal integrity. Mr. Braden stated only a few of over 6,000 entities audited qualify for this award, which represents the hard work put in by all the city employees, staff and Council Members.

Mayor Letner recognized Alex Stierwalt as the Citizen of the Month for the month of December. Alex is 17 years old and a first-time blood donor, and Mayor Letner stated it is not where you begin, it is where you end.

Mr. Stierwalt stated he is honored to be the Citizen of the Month and thanked Mayor Letner for the recognition.

Amy Hoffman, of Palmer Energy, gave a presentation regarding Government Aggregation for electricity and natural gas. Ms. Hoffman advised Palmer Energy is partnering with the Miami Valley Communications Council (MVCC) to be their energy consultant, which will provide an opportunity for Brookville residents to participate in a governmental aggregation program and get a better rate on their electricity and natural gas through bulk purchasing. Ms. Hoffman explained if Council decides to move forward this Spring, they will need to pass an Ordinance to put it on the ballot by the first of February. If it passes, the City could join the MVCC coalition and Palmer Energy will price competitors to get the best rate. Eligible residents- those who are not already contracted with providers other than AES- will receive an opt-out letter. Residents will automatically be enrolled in the program if they do not opt-out. Ms. Hoffman advised an informational meeting for residents should be held prior to this going on the ballot and if it passes, Ohio Revised Code requires two Public Hearings to be held for opt-out aggregation.

Member Zimmerlin inquired whether Palmer Energy knows how many Brookville residents have not chosen an electric supplier?

Ms. Hoffman stated they do not have that information at this time. They will not receive that information until further in the process.

Member Crane inquired how often the program rates are adjusted?

Ms. Hoffman replied typically they price two or three-year contracts with governmental aggregation, based on the market.

Member Zimmerlin commented he is excited about the program, as it will save our residents money.

Manager Keaton asked Council if they want staff to prepare legislation for the next Council meeting so the governmental aggregation program can go on the May ballot?

The consensus is for staff to move forward with preparing this legislation.

Manager Keaton reported on December 7, she received word that Frontier Communications will be installing approximately 133,000 feet of aerial and buried fiber optic cable next year. Work will commence on or around January 1, 2023. All fiber optic installation will be within existing utility easements. A reminder to our residents that live in older subdivisions, utility easements are primarily in the rear yard, in newer subdivisions, utility easements may be in the front and/or side yards.

Manager Keaton reported in August, she nominated our Market Street Sanitary Sewer Extension project, and she received word last week that the project is on the draft list for Water Pollution Control Loan Fund (WPCLF) assistance in 2023. Ohio EPA has to conduct a 30-day public review and comment period, followed by a public hearing in mid-January and finalization in time for the January loan awards. According to Ohio EPA, there are sufficient funds in the Water Pollution Control Loan Fund for all nominated projects. Manager Keaton advised she should receive additional information on our award in early 2023.

Manager Keaton reported last week she received word that our Community Development Block Grant (CDBG) application was approved. This project is a continuing effort to construct additional paths within our parks to comply with the Americans with Disabilities Act and expand access to handicapped users. The project provides for construction of approximately 600 L.F. of pedestrian pathway in Golden Gate Park and approximately 220 L.F. of pedestrian pathway in Westbrook Park. We requested \$141,870 in CDBG funds with the City contributing \$43,500.

Manager Keaton stated she recently attended the recount of the Perry Township Fire and EMS Services levy on November 30, and the levy passed by four votes. The final tally shows there were 1,200 for the tax levy and 1,196 against. There were 85 undervotes, which means 85 voters cast their ballot, but they did not vote for or against the Perry Township levy.

Manager Keaton reported the Ohio Public Works Commission, District 4 Committee, approved the slate of projects, which includes our Hay Avenue Roadway Improvements, Phase 2 project. Total project cost is \$914,332 with \$228,583 (25%) awarded as a grant and \$685,749 (75%) as a 29-year loan at a zero percent interest rate.

Manager Keaton reminded everyone with snow predicted later this week, the City of Brookville has a snow emergency ordinance in place. A snow emergency exists when three or more inches of snow have fallen. No person shall park any vehicle on any street during a snow emergency. Residents can park in any city parking lot: Behind the Post Office off Main Street, off Mulberry by Powell Park, off Walnut between Market and Main Streets, Westbrook Park, the west parking lot at Fire Station 76, and at the City Building on Sycamore. Residents can ask a neighbor or friend if they can park in their driveway or contact a nearby church to park in their lot until streets are clean.

Manager Keaton advised this is the time of year that we are experiencing more water main breaks due to changes in ground temperature. Today we experienced a break on Sycamore Street. Our Service Department does its best to make all water main repairs as quickly as possible to keep the inconvenience to residents and businesses at a minimum. When a water main break occurs, water in the area must be temporarily shut-off. Once the break is repaired, homeowners and businesses in the area may experience discolored water. To clear up the discolored water, let your faucets run for a short period of time.

Member Requarth asked for the school to be notified if a water main break will affect the bus routes.

Manager Keaton wished everyone a Merry Christmas, and a happy, healthy, and safe New Year.

Finance Director Brandt requested Council authorization to receipt 90% of the revenue received from EMS Billing into the General Fund for operations of the Fire Department and 10% of the revenue from EMS Billing into the Fire Capital Improvement Fund for 2023.

Motion by Zimmerlin, second by Requarth to authorize Finance Director Brandt to receipt 90% of the revenue received from EMS Billing into the General Fund for operations of the Fire Department and 10% of the revenue from EMS Billing into the Fire Capital Improvement Fund for 2023. All yeas, motion carried.

Finance Director Brandt requested approval to set the Service Department Mechanic labor rate at \$50 per hour for 2023, for work performed on the City fleet.

Motion by Zimmerlin, second by Wilder to set the Service Department Mechanic labor rate at \$50 per hour for 2023, for work performed on the City fleet. All yeas, motion carried.

Finance Director Brandt requested Council approval to issue Super Blanket Purchase Order Certificates in 2023 for recurring monthly and quarterly expenditures.

Motion by Requarth, second by Crane to authorize Finance Director Brandt to issue Super Blanket Purchase Order Certificates in 2023 for recurring monthly and quarterly expenditures. All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution No. 22-32 as provided in 4.07(A)(1) of the City Charter. This is the annual Appropriation Resolution for 2023 as discussed in the Budget Meeting.

Motion by Zimmerlin, second by Crane to read proposed Resolution No. 22-32. All yeas, motion carried.

Motion by Requarth, second by Crane to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-32 entitled "A RESOLUTION TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF BROOKVILLE, STATE OF OHIO, DURING FISCAL YEAR ENDING DECEMBER 31, 2023." All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution 22-33 which amends the 2022 Appropriations and Estimated Resources. This Resolution shall take effect immediately after passage as provided in 4.07(A)(1) of the City Charter.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 22-33. All yeas, motion carried.

Motion Zimmerlin, second by Requarth to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-33 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 he received notification that we were not selected as a recipient of the Safer Grant. There were so many applicants that they could not tell us the reason for not being selected. We did receive a FEMA grant which will help us replace breathing apparatus in 2023. We will resubmit these grant applications in 2023.

Police Chief Jerome stated he is saddened to announce retired Brookville Police Chief Andy Papanek passed away this past week.

Police Chief Jerome thanked Ritter Plumbing for inviting the Police Department to their annual Christmas luncheon.

Police Chief Jerome reported the Police and Fire Departments will be participating in Operation Santa Sleigh as it comes through our community. This event has been moved to December 28 due to the weather.

Police Chief Jerome reported the Police Department is a recipient of a grant for a Wellness App to promote mental wellness for Police Officers.

Mayor Letner thanked Police Chief Jerome for presenting a centurion proclamation in his absence at Brookhaven this week.

Law Director Stephan reported proposed Ordinance No. 2022-05 is before Council for a second reading tonight, which amends Chapter 1137 General Business District of the Code Of Ordinances of the City of Brookville to authorize Mixed Residential and Business Uses in the General Business District. Planning Commission reviewed the proposed Ordinance, along with comments from the Public Hearing and unanimously made a recommendation to City Council to approve this Ordinance.

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

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

Mayor Letner thanked Alex Stierwalt for being his December Citizen of the Month.

Mayor Letner reported he had the honor of helping the Daughters of the American Revolution place 300 wreaths on military graves at Arlington Cemetery this past week. Mayor Letner commented there are an estimated 667 military graves on the south side of that cemetery.

Mayor Letner commended the BP Station for lowering gas to \$2.26 on Thanksgiving Day, which was a dollar less than surrounding stations.

Motion by Zimmerlin, second by Requarth to read proposed Resolution No. 22-31. All yeas, motion carried.

Motion by Requarth, second by Crane to accept the third reading and adopt Resolution No. 22-31 entitled "A RESOLUTION AUTHORIZING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED IN 2023 FOR THE YEAR 2022.". All yeas, motion carried.

Motion by Zimmerlin, second by Crane to read proposed Ordinance 2022-07. All yeas, motion carried.

Motion by Requarth, second by Crane to accept the third reading and adopt Ordinance No. 2022-07 entitled "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor