



CITY COUNCIL
Tuesday, January 17, 2023, 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 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 January 3, 2023 Regular Meeting Minutes

IV. Reports of Municipal Officers

- a. City Manager
- b. Finance Director
- c. Fire Chief
- d. Police Chief
- e. Law Director
- f. Mayor Chuck Letner

V. Old Business

- a. Second reading of proposed Ord. No. 2023-02 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, SECTION 957.06 (a), AND PART 9, TITLE 5, SECTION 957.06 (e), FIXING THE USER FEES TO ALL REFUSE CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO."
- b. Second reading of proposed Ord. No. 2023-04 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 935.14 (c)(1), FIXING THE USER FEES TO ALL SEWER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO."

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



VI. New Business

- a. First reading of proposed Resolution No. 23-02, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FINAL AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF A PORTION OF INTERSTATE 70 IN THE CITY OF BROOKVILLE, OHIO."

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)(8) to consider confidential information of an applicant for economic development assistance and finding the Executive Session is necessary to protect the interests of the applicant.

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
January 3, 2023

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on January 3, 2023. 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, Requarth, Schreier, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present.

Roll Call by Clerk Duncan.

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

Motion by Zimmerlin, second by Fowler to approve the December 12, 2022 Budget Work Session Minutes. Crane abstained, Fowler yea, Zimmerlin abstained, Schreier yea, Wilder yea, Requarth yea, Letner yea. Motion carried with five yeas and two abstentions.

Motion by Zimmerlin, second by Wilder to approve the December 20, 2022 Regular Meeting Minutes. Fowler abstained, Zimmerlin yea, Schreier abstained, Wilder yea, Requarth yea, Crane yea, Letner yea. Motion carried with five yeas and two abstentions.

Manager Keaton began by wishing everyone a Happy New Year.

Manager Keaton stated she is glad to see everyone survived Winter Storm Elliott. That storm was brutal. The drifting snow was challenging for our snowplow drivers to stay on top of. They plowed streets from Thursday evening to Saturday, and at times, with the cold temperatures and strong winds they had to pull the trucks in the garage to thaw the salt that froze in the bed of the dump trucks. Salt does not work well when temperatures are below 15 degrees. The Service Department repaired two water main breaks over the last week, one on Villa Drive on December 27 and the other on Arlington Road this past Saturday. Manager Keaton thanked the Service Department for their efforts during the storm.

Manager Keaton provided some pictures of the snow drifts on Meadow Glen Avenue from Winter Storm Elliott.

Manager Keaton reported the Fire & EMS Agreement between the City of Brookville and Clay Township expired on December 31, 2022. Manager Keaton reported we have been negotiating with Clay Township on a new Agreement for several months, and she is pleased to report both parties settled on a new Agreement. Clay Township Trustees recently voted on the new two-year Fire & EMS Service Agreement that began on January 1, 2023. Manager Keaton requested Council authorize her to enter into a two-year Agreement with Clay Township for Fire & EMS Service beginning January 1, 2023.

Motion by Requarth, second by Zimmerlin to authorize the City Manager to enter into a two-year Agreement with Clay Township for Fire & EMS Service beginning January 1, 2023. All yeas, motion carried.

Manager Keaton reported the Fire & EMS Agreement between the City of Brookville and Perry Township also expired on December 31, 2022. Manager Keaton reported we are still negotiating a new Agreement. The expiring Agreement has a 90-day grace period.

Manager Keaton reported proposed Resolution No. 23-01 is an annual Resolution that allows the City to sell surplus property at a public auction, a private sale, by internet auction, or by donation to a government entity. Manager Keaton requested Council adopt proposed Resolution No. 23-01 as an emergency so we can proceed with the sale of our refuse truck.

Motion by Fowler, second by Schreier to read proposed Resolution No. 23-01. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-01 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY EITHER AT A PUBLIC AUCTION, A PRIVATE SALE, BY INTERNET AUCTION OR BY DONATION TO A GOVERNMENT ENTITY, OR TO A NON-PROFIT ORGANIZATION, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Manager Keaton requested Council authorization to sell our 2015 Freightliner refuse truck and five used refuse truck tires to Rumpke for \$133,500.

Member Requarth inquired whether we advertised the refuse truck for bids?

Manager Keaton replied Rumpke approached us with an offer to purchase the refuse truck and she negotiated the purchase price after she and our Fleet Mechanic researched the value. Manager Keaton advised we purchased this refuse truck in April of 2015 for \$155,884.

Motion by Schreier, second by Fowler to authorize the City Manager to sell our 2015 Freightliner refuse truck and five used refuse truck tires to Rumpke for \$133,500. All yeas, motion carried.

Manager Keaton requested Council accept the first reading, dispense with the second and third reading and adopt proposed Ordinance No. 2023-01 that directs the Montgomery County Board of Elections to place on the May 2, 2023 ballot the question of whether the City of Brookville should effect a governmental electricity aggregation program with opt out provisions pursuant to Section 4928.20 and a natural gas aggregation program with opt out provisions pursuant to Section 4929.26 of the Ohio Revised Code.

Motion by Zimmerlin, second by Wilder to read proposed Ordinance No. 2023-01. All yeas, motion carried.

Motion by Fowler, second by Requarth to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2023-01 entitled "AN ORDINANCE DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY, OHIO TO PLACE ON THE BALLOT AT THE ELECTION TO BE HELD ON MAY 2, 2023 THE QUESTION OF WHETHER THE CITY OF BROOKVILLE, OHIO SHOULD EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT OUT PROVISIONS PURSUANT TO SECTION 4928.20 AND A NATURAL GAS AGGREGATION PROGRAM WITH OPT OUT PROVISIONS PURSUANT TO SECTION 4929.26 OF THE OHIO REVISED CODE." All yeas, motion carried.

Manager Keaton presented a request from the Brookville Historical Society for financial assistance in 2023. Council has a copy of a letter from Becky Ditmer, President of the Brookville Historical Society.

Motion by Requarth, second by Schreier to approve a \$7,500 grant for the Brookville Historical Society for operating expenses in 2023. All yeas, motion carried.

Member Zimmerlin inquired whether residents should call the city office to have their Christmas trees picked up?

Manager Keaton replied Christmas trees will be picked up with regular refuse on scheduled pick-up days.

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

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

Finance Director Brandt requested Council authorization to transfer funds from the General Fund to the following funds as appropriated: \$100,000 to the Street Maintenance and Repair Fund, \$85,000 to the Note Retirement Fund, \$371,200 to the Bond Retirement Fund.

Motion by Wilder, second by Zimmerlin to authorize the transfer of \$100,000 to the Street Maintenance and Repair Fund, \$85,000 to the Note Retirement Fund and \$371,200 to the Bond Retirement Fund from the General Fund as appropriated. All yeas, motion carried.

Finance Director Brandt requested Council approval of our membership with the Miami Valley Regional Planning Commission (MVRPC) for 2023, and to appoint Chuck Letner as Member and City Manager, Sonja Keaton as Alternate to the MVRPC Board; and Rod Stephan as Member and Manager Keaton as Alternate to the Technical Advisory Committee for 2023. The dues are \$3,174.17 and are based on the 2020 census population figures. The dues are computed at fifty-three cents per capita. This is the first increase since 1990. A copy of the 2021 Benefits Report for the City of Brookville is attached. This report shows that Brookville received nearly \$20,000 or a 636% return on our investment.

Motion by Zimmerlin, second by Schreier to approve our membership with MVRPC for 2023, and to appoint Mayor Letner as Member and Manager Keaton as Alternate to the MVRPC Board; and Law Director Stephan as Member and Manager Keaton as Alternate to the Technical Advisory Committee for 2023. All yeas, motion carried.

Finance Director Brandt requested Council approval of proposed Ordinance No. 2023-02, which increases the refuse rate by \$15 per quarter and proposed Ordinance No. 2023-04 which increases the sewer rates for the City of Brookville. The sewer increase is 5%, which will result in a \$3-\$6 per quarter increase for residential customers.

Motion by Fowler, second by Zimmerlin to read proposed Ordinance No. 2023-02. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to accept the first reading of proposed Ordinance No. 2023-02. All yeas, motion carried.

Motion by Requarth, second by Fowler to read proposed Ordinance No. 2023-04. All yeas, motion carried.

Motion by Requarth, second by Schreier to accept the first reading of proposed Ordinance No. 2023-04. All yeas, motion carried.

Member Requarth asked when these increases would take effect?

Finance Director Brandt replied the increases will take effect on the billing for the quarter ending March 1.

Fire Chief Fletcher presented the Total Record Volume by Incident Type Report for 2022. Fire Chief Fletcher reported 2022 was a busier year than normal and set a record with 2,108 total calls for the year.

Fire Chief Fletcher advised the Fire Department is still seeing a lot of activity relating to COVID and influenza, and we, along with other departments in the area, had a spike in overdose activity recently when some strong heroin came through our region.

Police Chief Jerome reported on December 23, 2022, during Winter Storm Elliott, the highway coming through Brookville was shut down for six hours, which resulted in thousands of cars and trucks exiting the interstate. Police Chief Jerome commended the Service Department, under Joe

Hamiel's leadership, for their assistance clearing the road and the lots on Campus Drive and Nutrition Way to allow for semi-truck parking. The Service Department also assisted a semi-truck stuck in the middle of the road in front of Reichard Chevrolet, which likely would have resulted in many accidents without their assistance.

Police Chief Jerome also commended the Service Department for handling a water problem at an apartment building occupied by elderly residents. The water was bursting out of a kitchen. Service Department Superintendent Joe Hamiel came out immediately after hours to shut off the water and prevent further damage. Police Chief Jerome stated Superintendent Hamiel and the Service Department make the City look good, and stated this is a perfect example of teamwork among the departments.

Police Chief Jerome reported the Police Department participated in the Santa's Sleigh event on December 28. The parade began in Vandalia and ended at Children's Medical in Dayton.

Police Chief Jerome reported upcoming events for the Police Department are the Lights, Sirens & Pizza Event on January 10, Coffee With A Cop on January 11 and the Prayer Breakfast on January 12.

Law Director Stephan reported proposed Ordinance 2023-03 is before City Council tonight for a first reading. The proposed Ordinance establishes the Harper Creek District TIF Site and grants a 30-year tax increment financing exemption to finance public infrastructure within that district. Funds from this TIF will be used to construct streets, water lines, sanitary sewer lines and other public infrastructure for the Harper Creek subdivision. This 30-year, 100% exemption has been approved by the Brookville Local School District and the Miami Valley Career Technology Center. School District and Compensation Agreements have been approved by the school district boards, which provide school districts with compensation from the TIF funds during the 30-year period. The proposed Ordinance authorizes the City Manager to execute the compensation agreements and to take all other actions necessary to complete tax increment financing exemption. Law Director Stephan requested that City Council dispense with the second and third readings of this proposed Ordinance.

Member Fowler commented that the proposed Ordinance is not a tax on the citizens of Brookville.

Motion by Fowler, second by Zimmerlin to read proposed Ordinance No. 2023-03. 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. 2023-03 entitled "AN ORDINANCE DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF BROOKVILLE, OHIO, HARPER CREEK INCENTIVE DISTRICT TIF SITE, TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40(C) OF THE OHIO REVISED CODE, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, AUTHORIZING THE EXECUTION OF A SCHOOL AGREEMENT AND A SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY, AND ESTABLISHING A TAX INCREMENT EQUIVALENT FUND." Requarth abstained, Crane yea, Fowler yea, Zimmerlin yea, Schreier yea, Wilder yea, Letner yea. Motion passed with six yeas and one abstention.

Mayor Letner encouraged everyone to attend the Community Prayer Breakfast at the School Board building on January 12, 2023.

Mayor Letner announced he is suspending his Citizen of the Month program for the time being and will revisit it later in the year. It has been a fun program and a lot of great citizens have been recognized.

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

Motion by Fowler, second by Zimmerlin to accept the third reading and adopt Ordinance No. 2022-05 entitled “AN ORDINANCE AMENDING CHAPTER 1137 GENERAL BUSINESS DISTRICT OF THE CODE OF ORDINANCES FOR THE CITY OF BROOKVILLE, OHIO TO AUTHORIZE MIXED RESIDENTIAL AND BUSINESS USES IN THE GENERAL BUSINESS DISTRICT.” All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to re-appoint Member Schreier as Planning Commission Liaison. Zimmerlin yea, Schreier abstained, Wilder yea, Requarth yea, Crane yea, Fowler yea, Letner yea. Motion carried with six yeas and one abstention.

Motion by Schreier, second by Zimmerlin to re-appoint Member Fowler as Park Board Liaison. Schreier yea, Wilder yea, Requarth yea, Crane yea, Fowler abstained, Zimmerlin yea, Letner yea. Motion carried with six yeas and one abstention.

Member Fowler, Park Liaison, had no report.

Member Schreier, Planning Liaison, had no report.

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

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

Motion by Zimmerlin, second by Fowler 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: 1/13/2023

Perry Township Trustees recently voted on a new three-year Fire & EMS Service Agreement beginning January 1, 2023 and expiring on December 31, 2025. I am requesting Council authorize the City Manager to enter into a three-year Agreement with Perry Township for Fire & EMS Service beginning January 1, 2023.

Montgomery County Animal Care & Control will be selling dog licenses in the Training Room of Fire Station 76 on Friday, January 27 from 9:00 a.m. to 5:00 p.m.

Requesting Council authorization to allow the submission of an Ohio Environmental Protection Agency Equipment Grant to purchase a Valve Exerciser. Grants are being offered to reimburse the initial cost of valve exercising, leak detection and meter accuracy testing equipment. The purpose of these grants is to help public water systems increase their technical capacity to provide a continuous source of safe drinking water. Grants may be requested for equipment, supplies and training in an amount not to exceed \$10,000.

AES has contracted with Wright Tree Service who will trim trees over the next couple weeks in the area northwest of the Brookville substation located on Upper Lewisburg-Salem Road, just east of Brookville. Customers in this area will be receiving an outbound call announcing the upcoming work. Most of the trimming will occur in Clay Township with the exception of residents along Arlington Road, north of Interstate 70, E. Upper Lewisburg-Salem Road, and businesses on Walker Court.

Proposed Resolution No. 23-02 allows the Director of Transportation to move forward with resurfacing Interstate 70 from the Montgomery County line to just east of the Diamond Mill Road overpass, with a portion of the interstate in the City limits. The State will bear 100% of the costs of resurfacing.

The last two weeks, the Service Department collected 430 gallons of used oil from Miami Township to use in our four used oil furnaces, repaired a watermain break on Crosswell Avenue, opened a sewer backup on Bayview, removed Christmas lights on Market Street, installed a new auger in the Pre-treatment room at the WWTP, added gravel to all recent watermain breaks, and patched potholes with cold mix.



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda January 17, 2023

Reportable Incidents

1/1/2022 – 1/12/2022 = 11

1/1/2023 – 1/12/2023 = 11

Citations

1/1/2022 – 1/12/2022 = 2

1/1/2023 – 1/12/2023 = 14

Traffic Stops

January 2022 - 56

January 2023 to date - 56

Brookville Police Department

Incident Arrest Blotter

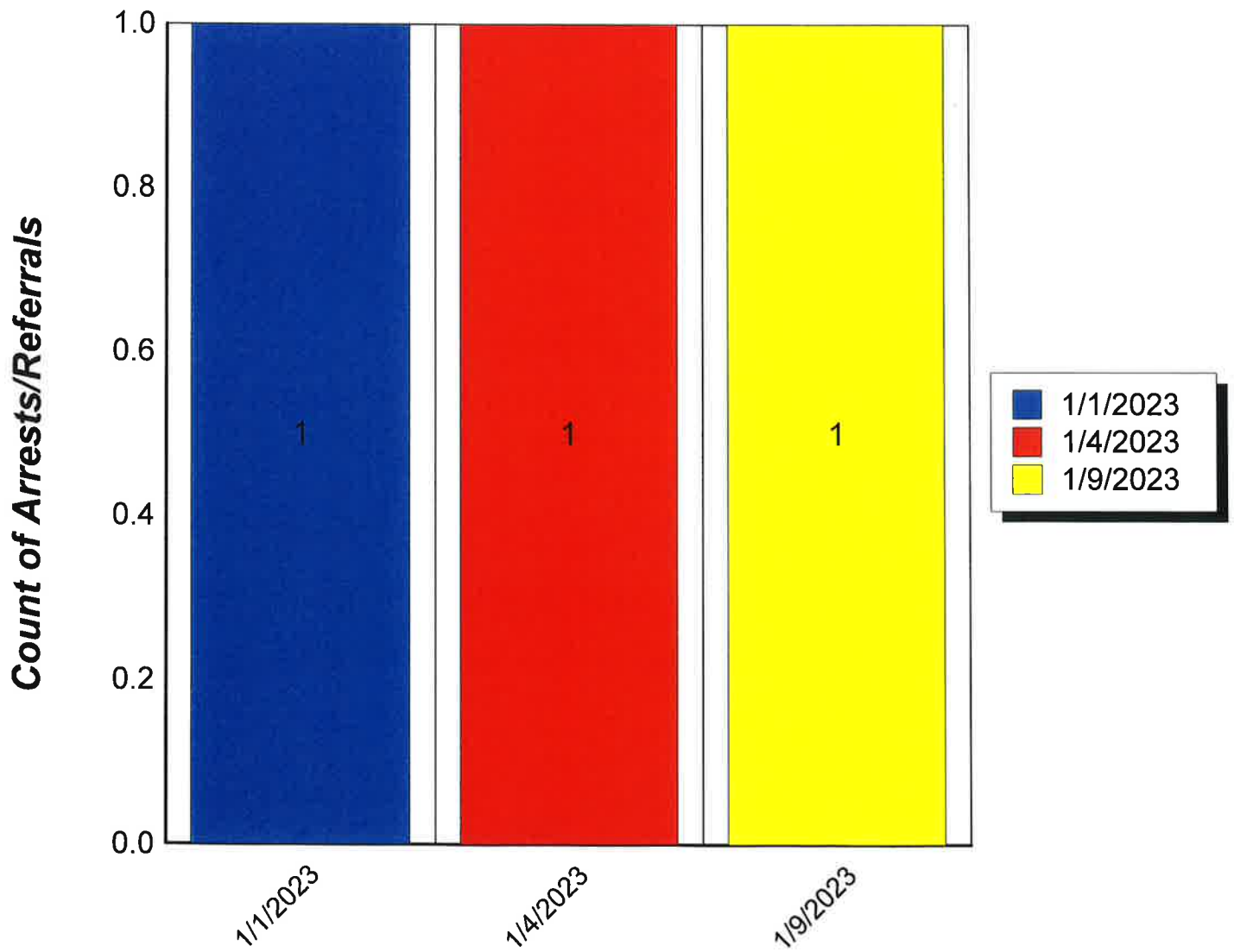
Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
01/01/2023	02:05 PM	ERIC D. HATMAKER	307 KRISTINA LYNN, ENGLEWOOD, OH 45322 35: WARRANT ARREST 292511C2: Drug abuse - sched. III/IV/V substance	2023-00003
01/04/2023	06:00 PM	DAVID L. KNISLEY	7939 BROOKVILLE PHILLIPSBURG, BROOKVILLE, OH 45 451119A: DUI - alcohol/drugs 430162: Open container liquor	2023-00005
01/09/2023		JOHN G. DAVIS	125 E DAYTON ST, LEWISBURG, OH 45338 291302A1: Theft - without consent	2023-00004
Total Selected = 3				

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
January 01, 2023	1
January 04, 2023	1
January 09, 2023	1
Total Selected = 3	

Arrest Log by Date

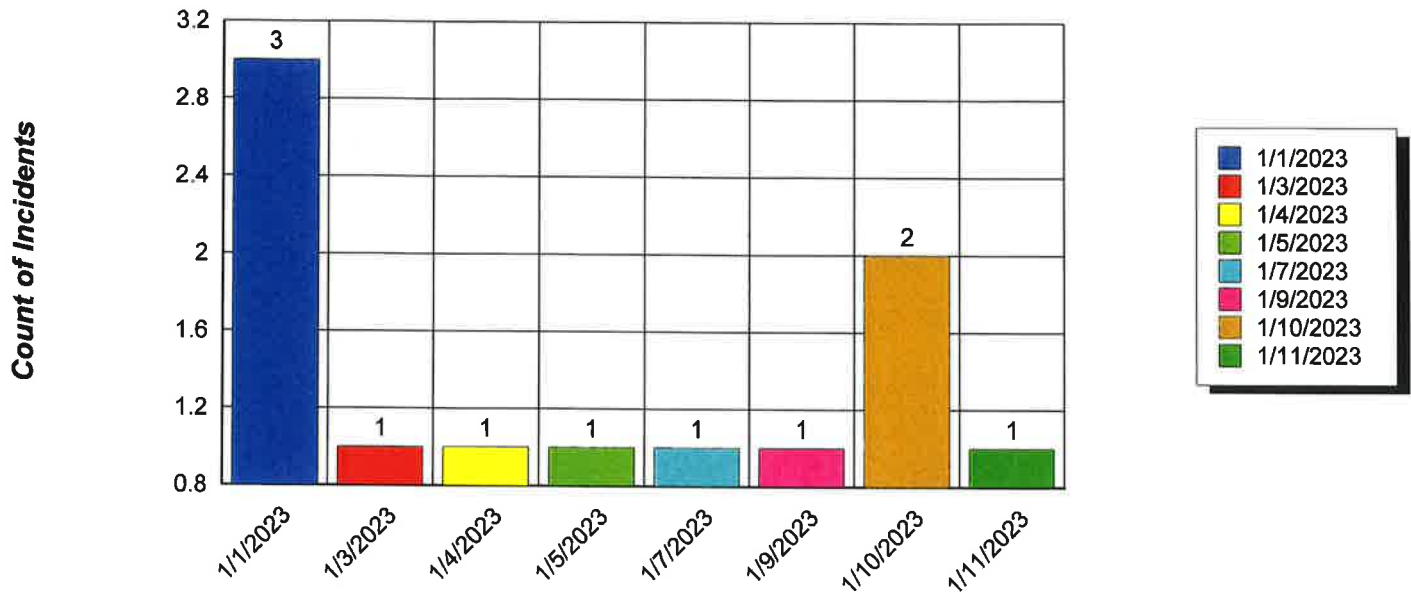


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
01/01/2023	Sunday	3
01/03/2023	Tuesday	1
01/04/2023	Wednesday	1
01/05/2023	Thursday	1
01/07/2023	Saturday	1
01/09/2023	Monday	1
01/10/2023	Tuesday	2
01/11/2023	Wednesday	1
Total Selected = 11		

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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January 01, 2023

2023-00001	70 EASTBOUND RAMP OVER ARLINGTON BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	01/01/2023	01/01/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
3	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	4513071 - STOP LIGHTS
	N/A	450311A - Expired Registration

2023-00002	575 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	01/01/2023	01/01/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2023-00003	1 COUNTRY LANE BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	01/01/2023	01/01/2023	ARREST
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Offenses	UCR	Offense Description
2	N/A	35 - WARRANT ARREST
	01	292511C2 - Drug abuse - sched. III/IV/V substance

Total Incidents Reported for Date: 3

January 03, 2023

2023-00004	1 MCMAKEN LN BROOKVILLE PD	SIGNAL 6 - THEFT	01/03/2023	01/09/2023	ARREST
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Offenses	UCR	Offense Description
1	06	291302A1 - Theft - without consent

Total Incidents Reported for Date: 1

January 04, 2023

2023-00005	434 SYCAMORE ST BROOKVILLE PD	SIGNAL 21 - OVI	01/04/2023	01/04/2023	ARREST
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Offenses	UCR	Offense Description
3	02	451119A - DUI - alcohol/drugs
	N/A	4511202 - REASONABLE CONTROL
	02	430162 - Open container liquor

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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January 05, 2023

2023-00006	4 URBAN LANE, BROOKVILLE, OHIO BROOKVILLE PD	SIGNAL 53HR - HIT AND RUN ACCIDENT	01/05/2023	01/05/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	454902 - STOPPING AFTER ACCIDENT

Total Incidents Reported for Date: 1

January 07, 2023

2023-00007	301 SYCAMORE ST BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	01/06/2023	01/07/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

January 09, 2023

2023-00008	301 SYCAMORE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	01/09/2023	01/09/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

January 10, 2023

2023-00010	MOSIER PKWY & WESTBROOK ROAD BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	01/10/2023	01/10/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	451011 - DRIVING UNDER SUSPENSION

2023-00009	801 ARLINGTON (BP) BROOKVILLE PD	SIGNAL 26O - FAILURE TO COMPLY WITH AN ORDER/SIGNAL OF PO	01/10/2023		OPEN CASE
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Offenses	UCR	Offense Description
2	02	2921331B - Failure to comply with order/signal of P.O. - elud
	N/A	451011 - DRIVING UNDER SUSPENSION

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

January 11, 2023

2023-00011	2 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 15 - WEAPONS COMPLAINT	01/11/2023		OPEN CASE
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Offenses	UCR	Offense Description
1	01	2923122A - HAVING WEAPONS WHILE ON SCHOOL PREMISES

Total Incidents Reported for Date: 1

Total Selected = 11

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-02 Passed , 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 5, SECTION 957.06 (a), AND PART 9, TITLE 5, SECTION 957.06 (e), FIXING THE USER FEES TO ALL REFUSE CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO.

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

SECTION I: Section 957.06 (a) of the Code of Ordinances is hereby amended to read as follows:

The following shall be the quarterly rates charged by the City of Brookville for trash and garbage collection and shall be based upon the number of collections per week and the amount of trash and garbage collected. The following rate schedule shall apply effective with the March 2023 billing for refuse collection for December 2022 through February 2023:

- CLASS I: The minimum charge to be paid by each dwelling unit having not more than one cubic yard or less of garbage and trash per week and not more than one stop per week. Rate to be \$60.00 per quarter.
- CLASS II: The minimum charge to be paid by each commercial (business, industrial, professional, etc.) place having not more than one cubic yard or less of garbage and trash per week and not more than one stop per week. Rate to be \$74.50 per quarter.

SECTION II: Section 957.06 (e) of the Code of Ordinances is hereby amended to read as follows:

The City of Brookville shall provide trash collection of yard wastes including garden residues, leaves, grass clippings, shrubbery, and tree limbs less than one-quarter inch in diameter under the basic trash collection fees in subsection 957.06 (a). The City of Brookville shall provide tree limb chipping and collection for tree limbs greater than one-quarter inch in diameter but less than four inches in diameter at a minimum charge of twenty-five dollars (\$25.00) for the first ten minutes of chipping service, and two dollars (\$2.00) for each additional minute of service in excess of ten minutes. Any charges for tree limb chipping and collection by the City shall be invoiced to the property owner; if the invoice remains unpaid for thirty days or more, the charge shall be placed on the utility bill for the property.

SECTION III: This Ordinance shall revoke and rescind all Ordinances, and parts of Ordinances and Resolutions, and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earliest period allowed by law.

PASSED this day of 2023.

Kimberly Duncan, Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-02 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. 2023-02, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2023.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2023-02 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 _____ 2023 to the _____ day of _____ 2023, both days inclusive.

Kimberly Duncan, Clerk

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-04 Passed , 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 935.14 (c)(1), FIXING THE USER FEES TO ALL SEWER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO.

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

SECTION I: Section 935.14 (c)(1) of the Code of Ordinances is hereby amended to read as follows:

The following shall be the quarterly rates charged by the City for services to be rendered by its sanitary sewage system to it and to its inhabitants and others, based on water consumption. The Rate schedule shall apply effective on the March 2023 billing for sewer usage as follows on:

- (1) Domestic strength wastewater
 - A. First minimum charge for 1,000 cubic feet or less per quarter: Thirty-eight dollars and fifty-nine cents (\$38.65).
 - B. Second: Charge for each 100 cubic feet or any part thereof, in excess of 1,000 cubic feet, but less than 10,000 cubic feet: Three dollars and eighty-six cents (\$3.87).
 - C. Third: Charge for each 100 cubic feet, or any part thereof in excess of 10,000 cubic feet: Two dollars and eighty-eight cents (\$2.88).
 - D. Fourth: There will be a twenty-five percent (25%) additional fee for consumers living outside of the municipal corporation limits.

SECTION II: This Ordinance shall revoke and rescind all Ordinances, and parts of Ordinances and Resolutions, and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earliest period allowed by law.

PASSED this day of 2023.

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 Ordinance No. 2023-04, passed by the Council of the City of Brookville, Ohio, on the day of 2023.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2023-04 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 2023 to the day of 2023, both days inclusive.

Kimberly Duncan, Clerk

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution #: 23-02

PID No.: 105365

County/Route/Section: MOT IR 70 0.00

The following is a Resolution enacted by the City of Brookville of Montgomery County, Ohio,
(Ordinance/Resolution) (Local Public Agency)
hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the State of Ohio has determined the need for the described project:

This project will resurface Interstate Route 70 from mile marker 0.00 to 6.71 with a portion of roadway in the City of Brookville.

NOW THEREFORE, be it ordained by the City of Brookville of Montgomery County, Ohio.
(LPA)

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - This Resolution shall therefore take effect and be in force thirty (30) days after passage as provided by the Charter of the City of Brookville, Ohio.

SECTION VII - Authority to Sign

I, Sonja M. Keaton of said City of Brookville is hereby empowered on behalf of the City of
(Contractual Agent) (LPA) (LPA)
Brookville to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

Passed: _____ 2 _____.
(Date)

Attested: _____
(Clerk)

(City Manager)

Attested: _____
(Clerk)

(Mayor)

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Brookville of Montgomery County, Ohio
(LPA)

I, Kim Duncan as Clerk of the City of Brookville of Montgomery County, Ohio, do
(LPA)
hereby certify that the foregoing is a true and correct copy of Resolution No. 23-02 adopted
(Ordinance/Resolution)
by the legislative Authority of the said City of Brookville on the _____ day of
(LPA)
_____ 20_____.

That the publication of such Resolution No. 23-02 has been made and certified of record
(Ordinance/Resolution)
according to Law; that no proceedings looking to a referendum upon such Resolution No. 23-02
(Ordinance/Resolution)
have been taken; and that such Resolution No. 23-02 and certificate of publication thereof are
(Ordinance/Resolution)
of record in Resolution Book and the Council Proceedings Book.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal,
if applicable, this _____ day of _____ 2_____.

(Clerk)

(CITY SEAL)

City of Brookville of Montgomery County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter
stating "No Seal is required to accompany the executed legislation.)

The afore going is accepted as a basis for proceeding with the project herein described.
For the City of Brookville of Montgomery County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)

.....

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. 23-02, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2023.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 23-02, 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 _____ 2023 to the _____ day of _____ 2023, both days inclusive.

Kimberly Duncan, Clerk