



CITY COUNCIL
Tuesday, April 18, 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 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 April 4, 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. Third reading of proposed Resolution No. 23-08 entitled "A RESOLUTION ENACTING LEGISLATION TO COOPERATE WITH THE DIRECTOR OF TRANSPORTATION ON THE WOLF CREEK STREET RESURFACING PROJECT."

VI. New Business

VII. Reports of Boards and Commissions

- a. JD Fowler - Park Board

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



- b. Curt Schreier - Planning Commission

VIII. Public Comments (5 minutes per speaker)

IX. Executive Session

- a. Executive Session, O.R.C. 121.22(G)(1) – To consider the discipline of a public employee.
- b. Executive Session, O.R.C. 121.22(G)(1) – To consider the appointment of a public employee.
- c. Executive Session, O.R.C. 121.22(G)(1) – To consider the compensation of public employees.

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.

To: Mayor & Council
From: Sonja M. Keaton, City Manager
RE: Manager's Report
Date: 4/17/2023

The City was notified that the Keep Montgomery County Beautiful Grant that we applied for on behalf of the Leaf & Blossom Club was approved. The Leaf & Blossom Club was awarded a \$1,000 grant for the flower planters in our Downtown Business District.

A new 4" chopper pump at a cost of \$12,500 was ordered to replace the 2007 chopper pump in the Urban Lane lift station.

A reminder that our electric and natural gas aggregation is on the May 2 Ballot. By voting YES for electric and natural gas aggregation, residents will allow Council to purchase electric and natural gas at a discounted rate for the City.

The inmate litter control crew was out last week picking up litter along our I-70 entrance/exit ramps.

Reminder, BBC Opening Day Parade is Saturday, April 29 at 10:00 a.m.

Over the last two weeks, the Service Department performed the following:

- Cut down five dead trees in Golden Gate Park
- Applied fertilizer and sprayed our parks and city properties
- Repaired five gutter plates and curbs from water main breaks/fire hydrant replacements
- Picked up downed limbs in parks
- Began mowing our parks
- Repaired broken curb stop on Wolf Creek
- Removed damaged sidewalk leading to/from kitchen side of Leiber Center
- Installed memorial plaque at base of tree in GG Park
- Activated the fountain at Gateway Park and drinking fountain in GG Park
- Removed dead tree from Market Street detention pond



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting

Agenda

April 18, 2023

Reportable Incidents

1/1/2022 – 4/14/2022 = 133

1/1/2023 – 4/14/2023 = 142

Citations

1/1/2022 – 4/14/2022 = 41

1/1/2023 – 4/14/2023 = 121

Traffic Stops

April 2022 -130

April 1, 2023, to date - 65

Brookville Police Department

Incident Arrest Blotter

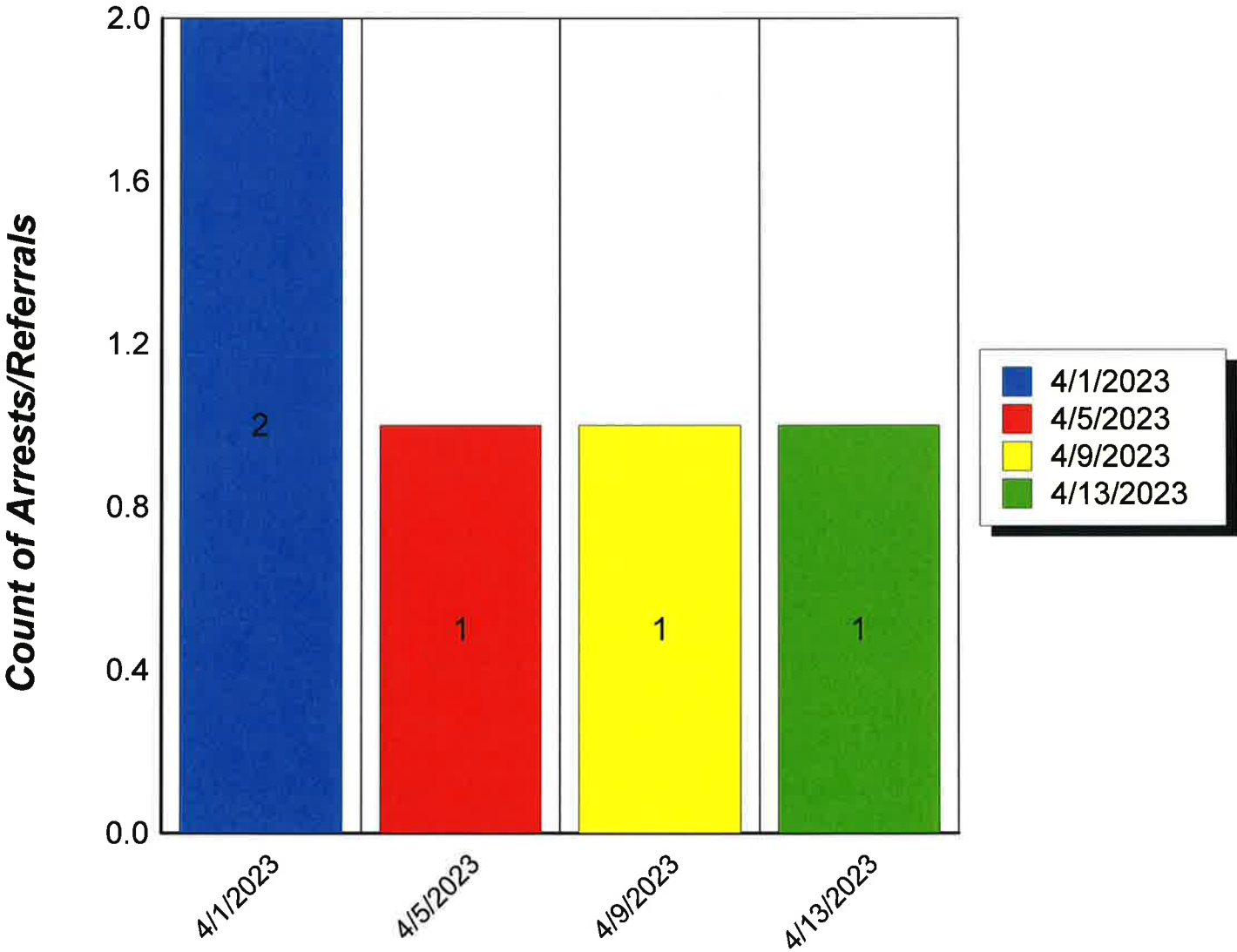
Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
04/01/2023	05:34 PM	BRIAN K. WILLIAMS	60 RIDGE RD, APT 17, BROOKVILLE, OH 45309 35: WARRANT ARREST	2023-00127
		ALICE A. SMITH	60 RIDGE RD APT 17, BROOKVILLE, OH 45309 35: WARRANT ARREST	2023-00127
04/05/2023	10:00 PM	JOHN E. KIDD	11993 PROVIDENCE PK, BROOKVILLE, OH 45309 451305: NO TAIL LIGHTS; REAR PLATE LIGHT	2023-00129
04/09/2023		BRUCE A. HORNER, Sr	422 MAIN, BROOKVILLE, OH 45309 291925A: Domestic violence - knowingly cause physical harm	2023-00132
04/13/2023	01:00 PM	THOMAS E. EVANS	3454 RT 40 APT 2, LEWISBURG, OH 45338 35: WARRANT ARREST	2023-00142
Total Selected = 5				

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
April 01, 2023	2
April 05, 2023	1
April 09, 2023	1
April 13, 2023	1
Total Selected = 5	

Arrest Log by Date

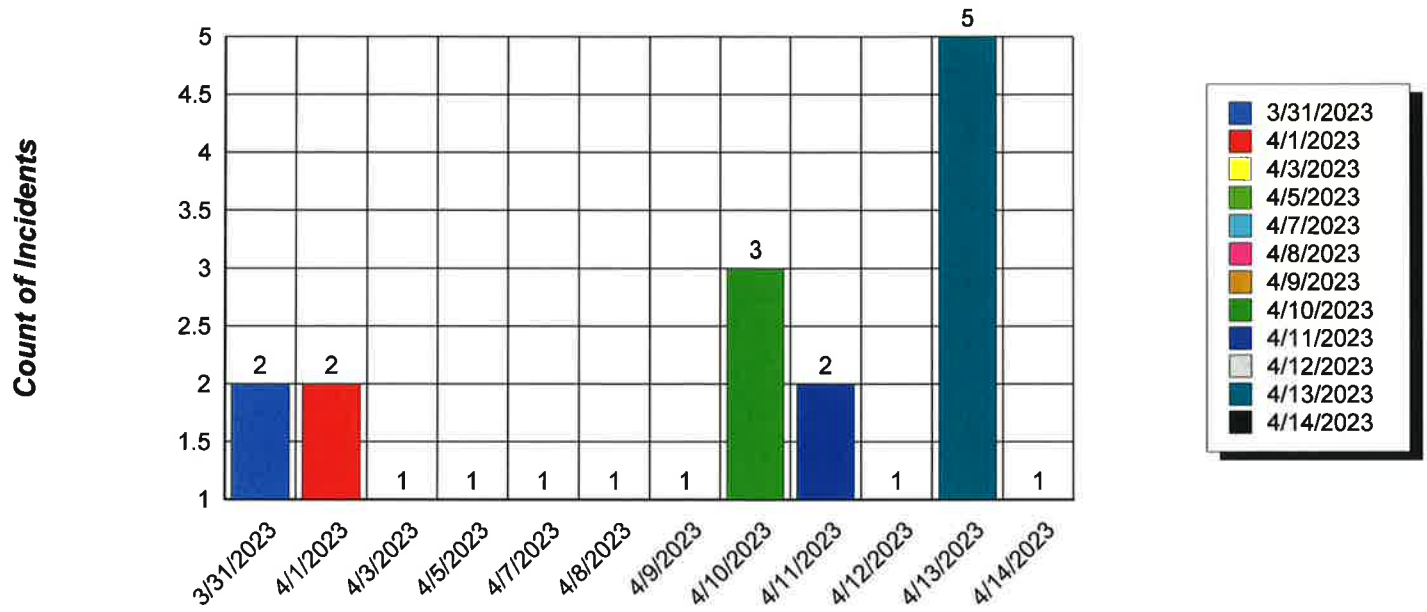


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
03/31/2023	Friday	2
04/01/2023	Saturday	2
04/03/2023	Monday	1
04/05/2023	Wednesday	1
04/07/2023	Friday	1
04/08/2023	Saturday	1
04/09/2023	Sunday	1
04/10/2023	Monday	3
04/11/2023	Tuesday	2
04/12/2023	Wednesday	1
04/13/2023	Thursday	5
04/14/2023	Friday	1
Total Selected = 21		

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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March 31, 2023

2023-00124	531 HAY AVENUE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	03/31/2023	04/07/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2023-00125	512 VINE STREET BROOKVILLE PD	SIGNAL 17 - DISSEMINATING HARMFUL MATTER TO JUVENILES	03/31/2023		OPEN CASE
Offenses UCR Offense Description 1 02 290731 - Disseminate matter harmful to juveniles					
Total Incidents Reported for Date: 2					

April 01, 2023

2023-00126	7769 WELLBAUM BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	04/01/2023	04/01/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH					
2023-00127	60 RIDGE RD APT 17 BROOKVILLE PD	SIGNAL 35 - WARRANT	04/01/2023	04/01/2023	ARREST
Offenses UCR Offense Description 1 N/A 35 - WARRANT ARREST					
Total Incidents Reported for Date: 2					

April 03, 2023

2023-00128	120 TIMBERWOLF WAY BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	03/22/2023	04/13/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 1					

April 05, 2023

2023-00129	120 BLUE PRIDE DR BROOKVILLE PD	SIGNAL 18 - DRUG POSSESSION	04/05/2023	04/05/2023	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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April 05, 2023

Offenses	UCR	Offense Description
2	01	292511 - Drug abuse - obtain, possess, use controlled subst
	N/A	451305 - NO TAIL LIGHTS; REAR PLATE LIGHT

Total Incidents Reported for Date: 1

April 07, 2023

2023-00130	818 MEADOW GLENN BROOKVILLE PD	SIGNAL 6A - GRAND THEFT	04/07/2023		OPEN CASE
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Offenses	UCR	Offense Description
1	06	291302A - Theft

Total Incidents Reported for Date: 1

April 08, 2023

2023-00131	250 MOUND STREET BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	04/08/2023	04/08/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	4511202 - REASONABLE CONTROL

Total Incidents Reported for Date: 1

April 09, 2023

2023-00132	145 BROOKMOOR BROOKVILLE PD	SIGNAL 20 - OFFENSES AGAINST FAMILY OR CHILD	04/09/2023	04/09/2023	ARREST
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Offenses	UCR	Offense Description
1	02	291925A - Domestic violence - knowingly cause physical harm

Total Incidents Reported for Date: 1

April 10, 2023

2023-00133	68 JUNE PLACE BROOKVILLE PD	SIGNAL 6B - THEFT	04/10/2023		OPEN CASE
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Offenses	UCR	Offense Description
1	06	291302A1 - Theft - without consent

2023-00134	965 ARLINGTON	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	04/10/2023	04/10/2023	
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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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April 10, 2023

BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH

2023-00135 965 ARLINGTON ROAD SIGNAL 53A - PROPERTY DAMAGE ACCIDENT 04/10/2023 04/10/2023
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 451121A - ASSURED CLEAR DISTANCE AHEAD

Total Incidents Reported for Date: 3

April 11, 2023

2023-00136 460 E WESTBROOK RD SIGNAL 55 - TRAFFIC VIOLATION/ HAZARD 04/11/2023 04/11/2023
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
2 N/A 4513241 - WINDOW TINT
N/A 451016 - FRA SUSPENSION

2023-00137 926 ARLINGTON SIGNAL 55 - TRAFFIC VIOLATION/ HAZARD 04/11/2023 04/11/2023
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
3 N/A 451011 - DRIVING UNDER SUSPENSION
N/A 451021 - FAILURE TO REINSTATE
N/A 451112 - OBEYING TRAFFIC CONTROL DEVICES

Total Incidents Reported for Date: 2

April 12, 2023

2023-00138 436 SALEM ST SIGNAL 35 - WARRANT ARREST 04/12/2023 04/12/2023
BROOKVILLE PD ARREST

Offenses UCR Offense Description
1 N/A 35 - WARRANT ARREST

Total Incidents Reported for Date: 1

April 13, 2023

2023-00139 379 ALBERT ROAD SIGNAL 260 - CRIMINAL TRESPASS 04/13/2023
BROOKVILLE PD OPEN CASE

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 13, 2023

Offenses UCR Offense Description 1 02 260 - ALL OTHER CRIMINAL OFFENSES					
2023-00140	BROOKSIDE DRIVE/ N WOLF CREEK STREE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	04/13/2023	04/13/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 2 N/A 35103F - PARKING PROHIB WITHIN 20 FT OF X-WALK AT INTERSECT 02 26I - INFORMATION REPORT					
2023-00141	20 ROBERT WRIGHT DR BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	04/13/2023	04/13/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 4511202 - REASONABLE CONTROL					
2023-00142	209 MARKET STREET BROOKVILLE PD	SIGNAL35 - WARRANT ARREST	04/13/2023	04/13/2023	ARREST
Offenses UCR Offense Description 1 N/A 35 - WARRANT ARREST					
2023-00143	76 MEADOW BROOKE AVENUE BROOKVILLE PD	SIGNAO 26O - PROTECTION ORDER VIOLATION	04/13/2023		OPEN CASE
Offenses UCR Offense Description 1 02 291927 - Violate protection order or consent agreement					
Total Incidents Reported for Date: 5					

April 14, 2023

2023-00144	55 OAK STREET BROOKVILLE PD	SIGNAL 6A - THEFT	04/13/2023		OPEN CASE
Offenses UCR Offense Description 1 06 291302 - Theft					
Total Incidents Reported for Date: 1					

Total Selected = 21

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution #: 23-08

PID No.: 116842

County/Route/Section: MOT Wolf Creek St. Resurfacing

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 (LPA/STATE) has determined the need for the described project:

This project will resurface Wolf Creek St. from Arlington Rd. to Western Ave. 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
(Contractual Agent) (LPA)
City of Brookville to enter into contracts with the Director of Transportation which is necessary
(LPA)
to complete the above-described project.

Passed: _____, 2 _____.
(Date)

Attested: _____
Kimberly Duncan, Clerk

Sonja M. Keaton, City Manager

Attested: _____
Kimberly Duncan, Clerk

Charles Letner, Mayor

Resolution #: 23-08

PID No.: 116842

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Brookville of Montgomery County, Ohio
(LPA)

I, Kimberly Duncan, as Clerk of the City of Brookville of Montgomery County,
(LPA)
Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 23-08
(Ordinance/Resolution)
adopted by the legislative Authority of the said City of Brookville on the _____ day of
(LPA)
_____, 2_____.

That the publication of such Resolution No. 23-08 has been made and certified of record
(Ordinance/Resolution)
according to Law; that no proceedings looking to a referendum upon such Resolution No. 23-08
(Ordinance/Resolution)
have been taken; and that such Resolution No. 23-08 and certificate of publication thereof
(Ordinance/Resolution)
are 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_____.

Kimberly Duncan, 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. 23-08, 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. 23-08, 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