



CITY COUNCIL
Tuesday, October 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 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 October 3, 2023 Regular Meeting Minutes

IV. Flock Camera Demonstration - Amy Cornell

V. Reports of Municipal Officers

- a. City Manager
- b. Finance Director
- c. Fire Chief
- d. Police Chief
- e. Law Director
 - 1. TREX Application - Casey's
- f. Mayor Chuck Letner

VI. Old Business

VII. New Business

- a. First reading of proposed Resolution No. 23-32 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF BROOKVILLE FOR THE BROOKVILLE SERVICE AREA

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



AND WWTP ANALYSIS AND EVALUATION PROJECT AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING IT AN EMERGENCY."

- b. First reading of proposed Resolution No. 23-33 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF BROOKVILLE FOR THE N. WOLF CREEK STREET WATER MAIN REPLACEMENT PROJECT AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING IT AN EMERGENCY."
- c. First reading of proposed Resolution No. 23-34 entitled "A RESOLUTION ACCEPTING THE ANNEXATION OF 113.562 ACRES, MORE OR LESS, IN PERRY TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF BROOKVILLE, OHIO AND DECLARING IT AN EMERGENCY."
- d. First reading of proposed Ordinance No. 2023-10 entitled "AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING IT AN EMERGENCY."
- e. First reading of proposed Ordinance No. 2023-11 entitled "AN ORDINANCE TO ADOPT REVISED CONSTRUCTION STANDARDS AND DRAWINGS, 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. Executive Session

- a. Per O.R.C. 121.22(G)(1) to consider the appointment of a Public Official.

XI. 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.

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

Brookville City Council
Regular Meeting
October 3, 2023

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

Roll Call by Finance Director Brandt.

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

Motion by Schreier, second by Fowler to approve the September 19, 2023 Regular Meeting Minutes. All yeas, motion carried.

Vice Mayor Zimmerlin recognized Pak-Rite Industries as the business of the month.

Jenny Rogers, of Pak-Rite Industries, spoke about the business, which has been in Brookville for two years. Pak-Rite Industries is a family-owned business that started in Ecorse, Michigan 75 years ago and expanded operations to Brookville in August of 2021. The Brookville location currently packages aftermarket Ford products. Pak-Rite ships out the packages to depots and from the depots the products are then sent to their final destination, including mechanics, car dealerships, auto part stores or auto repair shops. Pak-Rite is currently only using a portion of their 6,000 square foot facility and plans to continue to expand and grow. Ms. Rogers thanked Vice Mayor Zimmerlin for the recognition and invited Council to tour the facility to see how they have expanded since first opening.

Manager Keaton announced since our Clerk of Council is out on medical leave, we have items that need to be signed by the Clerk of Council, so she is requesting Council appoint Michelle Brandt as Acting Clerk of Council until our Clerk of Council returns from leave.

Motion by Schreier, second by Wilder to appoint Finance Director Brandt as Acting Clerk of Council while Clerk Duncan is on leave. All yeas, motion carried.

Manager Keaton requested Council adopt proposed Resolution No. 23-27 that authorizes her to apply for, accept, and enter into a Water Pollution Control Loan Fund Agreement on behalf of the City for the construction of the Market Street Sanitary Sewer Extension. This is the project that she nominated last August as a result of the Infrastructure Investment and Jobs Act that was signed into law in November 2021 that is providing \$1.4 billion to Ohio for water and wastewater projects. The extension of the sanitary sewer main on Market Street will improve sewer capacity in that area of the City and also be able to serve sewer north of Upper Lewisburg-Salem Road. The estimated construction loan amount is \$1,138,146 and the loan term is 30 years. The Water Pollution Control Loan Fund offers below-market interest rate loans, and the interest rate through December 2023 is 1%. The City's dedicated repayment will be user fees in the Sanitary Sewer Fund. The Application will be submitted this week, thus the reason for declaring it an emergency.

Motion by Fowler, second by Schreier to read proposed Resolution No. 23-27. All yeas, motion carried.

Motion by Wilder, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-27 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF BROOKVILLE FOR CONSTRUCTION OF THE MARKET STREET SANITARY SEWER EXTENSION PROJECT AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Manager Keaton reported the Miami Valley Regional Planning Commission (MVRPC) is soliciting qualified member jurisdictions for new transportation projects using MVRPC regionally controlled federal funds. Funding for the Surface Transportation Program (STP) is available in

SFY2028. Manager Keaton requested Council authorization to adopt proposed Resolution No. 23-28, which authorizes the submittal of a Surface Transportation Resurfacing Project through MVRPC for Arlington Road from Wolf Creek Street to Triggs Road and from the westbound exit ramp to the city limits. The application is due October 11, thus the reason for declaring it an emergency. Manager Keaton advised the project will be submitted with a Local Share of 30% for Construction and Construction Engineering, as we gain two additional points with a 30% match.

STP/CMAQ Project Funding Detail

PHASE	TOTAL \$	FEDERAL PRO- RATA (3)	FEDERAL \$	LOCAL PRO- RATA (3)	LOCAL \$	TOTAL PRO- RATA
Preliminary Engineering	\$ 61,000.00	%	(1) \$	100%	\$ 61,000.00	100%
Right-of-Way	\$	%	(1) \$	%	\$	100%
Construction	\$608,270.00	70%	\$425,789.00	30%	\$182,481.00	100%
Construction Engineering (See footnote (2) below)	\$ 49,000.00	70%	\$ 34,300.00	30%	\$ 14,700.00	100%
TOTAL	\$718,270.00		\$460,089.00		\$258,181.00	

- (1) These phases are not typically funded with MVRPC's STP/CMAQ Funds.
(2) Construction Engineering (CE) costs should be calculated based on the guidance on the following page. The requested % Federal participation in CE must be the same as the requested % Federal participation in Construction unless the CE will be 100% Local.
(3) Numbers shown in these columns must be whole numbers.

Motion by Wilder, second by Crane to read proposed Resolution No. 23-28. All yeas, motion carried.

Motion by Fowler, second by Crane to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-28 entitled “A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FEDERAL IJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION, AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Manager Keaton announced the pre-construction meeting on the City Park Improvements, CDBG Walking Paths Project was held and that the project is scheduled to begin next week.

Manager Keaton reported an Open House will be held on Thursday, October 12 from 5:00-6:30 p.m. for the 12 property owners along the Hay Avenue Roadway Improvements, Phase II Project that runs between Mulberry Street and Cusick Avenue. Council is welcome to attend. We hope to advertise for bids soon on that project.

Manager Keaton advised leaf pickup will begin on October 16 and will be picked up daily, beginning at one end of the city and working completely through all streets before starting the route over again. Place raked leaves in the street, 6” away from curbs to allow rain to drain properly. Make sure leaves are not under, between or around parked vehicles and do not mix yard waste with leaves. Grass, sticks, brush or spent flowers clog the vacuum. Small piles of leaves can also be placed in with your refuse.

Manager Keaton reported the month of October is Domestic Violence Awareness Month and the YWCA has placed purple ribbons on the trees and light posts on Market Street.

Manager Keaton reported Albert Road, between Salem Street and E. Upper Lewisburg-Salem Road, will be closed to traffic from 7:00 a.m. to 6:00 p.m. beginning tomorrow for two weeks for the expansion of Albert Road adjacent to the Arbor Homes project. Albert Road will be open to traffic after 6:00 p.m. and on weekends. Detours will be Market Street to Salem Street, and E. Upper Lewisburg-Salem Road to Brookville-Salem Road. Detour signs will be posted.

Manager Keaton reported Brookville High School Seniors that are in the IMPACT class will create small story book trails in Golden Gate Park, Westbrook Park, and Powell Park. This project is in collaboration with the story book trail that runs from the Brookville Library through Brookville Schools Land Lab. The story book trails will be displayed in our parks from October 8 through October 22.

Manager Keaton reported the final planting for the RETREET campaign in the Dayton region took place on Saturday, September 23. That campaign helped restore our landscape from the 2019 Memorial Day tornadoes. There was a total of five plantings over the last three years that planted over 700 trees. I would like to thank MVRPC and RETREET for bringing this project to fruition.

Finance Director Brandt presented the September 30, 2023, Fund Balance report for Council review and approval.

Motion by Schreier, second by Fowler to accept the September 30, 2023, Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt requested Council's authorization to transfer \$100,000 to the Park Fund from the General Fund, which is a portion of the total amount appropriated.

Motion by Wilder, second by Fowler to authorize the transfer of \$100,000 to the Park Fund from the General Fund, as appropriated. All yeas, motion carried.

Fire Chief Fletcher reported the number of September calls in 2023 was 146 which was almost identical with 2022 calls which were at 147. Fire calls were 13% of their activity during September with the remaining 87% being EMS calls.

Fire Chief Fletcher reported firefighters have inspected, lubricated, and flushed more than 350 hydrants during the last week of September. To date 23 hydrants have been referred to the Service Department for additional attention and repairs.

Fire Chief Fletcher reminded Council that the Fire Department's Open House is on October 8, from 1:00 p.m. until 4:00 p.m. at Station 76. There will be activities, a car show, and food trucks at the event.

Fire Chief Fletcher reported that the Ohio Department of Natural Resources has a burn ban in effect during daytime hours of 6:00 AM to 6:00 PM for five months out of the year, two of these months include October and November. During these hours is when wind, coupled with typically dry conditions, increases the hazards associated with open burning.

Police Chief Jerome reported that they have free Kia car locks available, one for each Brookville City resident, until they are no longer available.

Police Chief Jerome reported the Police Department is busy planning for the Ghostly Night Out event, which will be held at Golden Gate Park on October 21, 2023 from 6:00-9:30 p.m.

Police Chief Jerome reported that soon the Police Officers will all be wearing pink badges in honor of Breast Cancer Awareness Month.

Law Director Stephan reported a petition for annexation of 85.611 acres from Clay Township to the City of Brookville was filed with the Clerk of the Montgomery County Board of County Commissioners on September 28, 2023. The property is located on Upper Lewisburg-Salem Road and is adjacent to the property on Upper Lewisburg-Salem Road that was recently annexed to the City of Brookville. The petition was filed under the expedited Type 2 annexation process set forth in Ohio Revised Code Section 709.023. Under the expedited Type 2 annexation process, the property will not be excluded from the township and the township will continue to receive property taxes from the property.

Law Director Stephan reported Resolution No's. 23-29, 23-30, and 23-31 are before City Council for the annexation. Resolution No. 23-29 sets forth the services to be provided to the area by the City if the annexation is approved. Resolution No. 23-30 requires the establishment of a buffer when mandated by Section 709.023 in the event that municipal zoning permits uses that are

incompatible with uses permitted under township zoning. Resolution No. 23-31 provides that the City of Brookville consents to the proposed annexation. All resolutions are being passed in emergency to meet the time requirements of Ohio Revised Code 709.023 for filing the resolutions with the Clerk of the Montgomery County Board of County Commissioners.

Motion by Fowler, second by Wilder to read proposed Resolution No. 23-29. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-29 entitled "A RESOLUTION REGARDING MUNICIPAL SERVICES TO BE PROVIDED TO THE TERRITORY CONTAINED IN A PROPOSED ANNEXATION OF 85.611 ACRES, MORE OR LESS, FROM CLAY TOWNSHIP TO THE CITY OF BROOKVILLE, OHIO IF ANNEXATION OF SAID TERRITORY IS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Motion by Fowler, second by Schreier to read proposed Resolution No. 23-30. All yeas, motion carried.

Motion by Crane, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-30 entitled "A RESOLUTION REQUIRING THE ESTABLISHMENT OF A BUFFER WHEN MANDATED BY OHIO REVISED CODE SECTION 709.023 IN THE EVENT THAT THE PROPOSED ANNEXATION OF 85.611 ACRES, MORE OR LESS, FROM CLAY TOWNSHIP TO THE CITY OF BROOKVILLE, OHIO IS APPROVED, AND DECLARING IT AN EMERGENCY." All yeas, motion carried

Motion by Schreier, second by Wilder to read proposed Resolution No. 23-31. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-31 entitled "A RESOLUTION CONSENTING TO THE PROPOSED ANNEXATION OF 85.611 ACRES, MORE OR LESS, FROM CLAY TOWNSHIP TO THE CITY OF BROOKVILLE, OHIO, IS APPROVED, AND DECLARING IT AN EMERGENCY." All yeas, motion carried

Member Fowler asked how the land would be zoned.

Law Director Stephan stated that there would be a discussion with Planning Commission and City Council once the annexation is approved. Currently we are looking at a similar zoning structure to the property that is beside it, which is a GB area out front and an R1-B area behind it.

Vice Mayor Zimmerlin requested a motion for the third reading of Resolution No. 23-26.

Motion by Wilder, second by Schreier to read proposed Resolution No. 23-26. All yeas, motion carried.

Motion by Fowler, second by Crane to accept the third reading and adopt Resolution No. 23-26 entitled "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR." All yeas, motion carried

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

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

To: Mayor & Council
From: Sonja M. Keaton, City Manager
RE: Manager's Report
Date: 10/16/2023

Request Council adopt proposed Resolution No. 23-32 that authorizes the City Manager to apply for, accept, and enter into a Water Pollution Control Loan Fund Agreement on behalf of the City. This planning loan will assist the City in contracting with Hazen and Sawyer to evaluate Inflow/Infiltration and analyze and evaluate our service area and our Wastewater Treatment Plant for any future capital improvements. The planning loan amount is \$300,000 with a loan term of 5 years unless we roll it into a design loan and then into a construction loan. Our dedicated repayment will be user fees in the Sanitary Sewer Fund.

Request Council adopt proposed Resolution No. 23-33 that authorizes the City Manager to apply for, accept, and enter into a Water Supply Revolving Loan Account on behalf of the City for the N. Wolf Creek Street Water Main Replacement Project. The construction loan amount is \$500,000 with a loan term of 25 years. Our dedicated repayment will be user fees in the Water Fund.

Request Council adopt proposed Ordinance No. 2023-10, which approves and adopts the 2023 Replacement Pages to our Codified Ordinances.

Request Council adopt proposed Ordinance No. 2023-11, which adopts revised Construction Standards and Drawings set forth in Chapter 911 of our Codified Ordinances.

Request Council approval for the City to pay the \$75.00 registration fee for those on Council, Planning Commission, BZA and Staff who are interested in attending the 35th Annual Miami Valley Planning and Zoning Workshop that will be held on Friday, December 1, 2023 at Sinclair Community College.

Reminder Trick-or-Treat is scheduled for Tuesday, October 31 from 6-7:30 p.m.

Over the last two weeks, the Service Department:

- Mowing and trimming city properties
- Removed tree that was cut down in Ward Park
- Asphalt patched on Arlington, S. Clay, W. Westbrook, Western, a section of drive at Golden Gate Park, and potholes
- Trimmed brush behind Pee Wee Football
- Repaired a water main break on S. Clay
- Replaced faded stop sign on Mulberry at Market
- Trimmed low hanging branches on Villa
- Collected 250-gallons of used oil from Northmont bus barn
- Installed rubber border around large swing set at Ward Park
- Removed toddler swing set from Ward Park and relocated one toddler swing to the large swing set
- Repaired catch basin off Cusick
- Installed new stop signpost on Golden Maple
- Monitored installation of infrastructure in Hunters Run & Harper Creek



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda October 17, 2023

Reportable Incidents

1/1/2022 – 10/13/2022 = 385

1/1/2023 – 10/13/2023 = 429

Citations

1/1/2022 – 10/13/2022 = 110

1/1/2023 – 10/13/2023 = 352

Traffic Stops

October 2022 - 113

October 1, 2023 to date - 79

Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
09/30/2023	06:06 PM	ERIN L. WASHINGTON	4633 CHRISTOPHER AVE, DAYTON, OH 45406 451016: FRA SUSPENSION	2023-00412
10/02/2023	11:19 AM	BRIAN H. SEEBOCK	32 JEFFERSON ST, BROOKVILLE, OH 45309 260: ALL OTHER CRIMINAL OFFENSES	2023-00417
10/03/2023	01:44 AM	ERIC DAUDI	608 SHROYER RD APT B, DAYTON, OH 45419 35: WARRANT ARREST	2023-00422

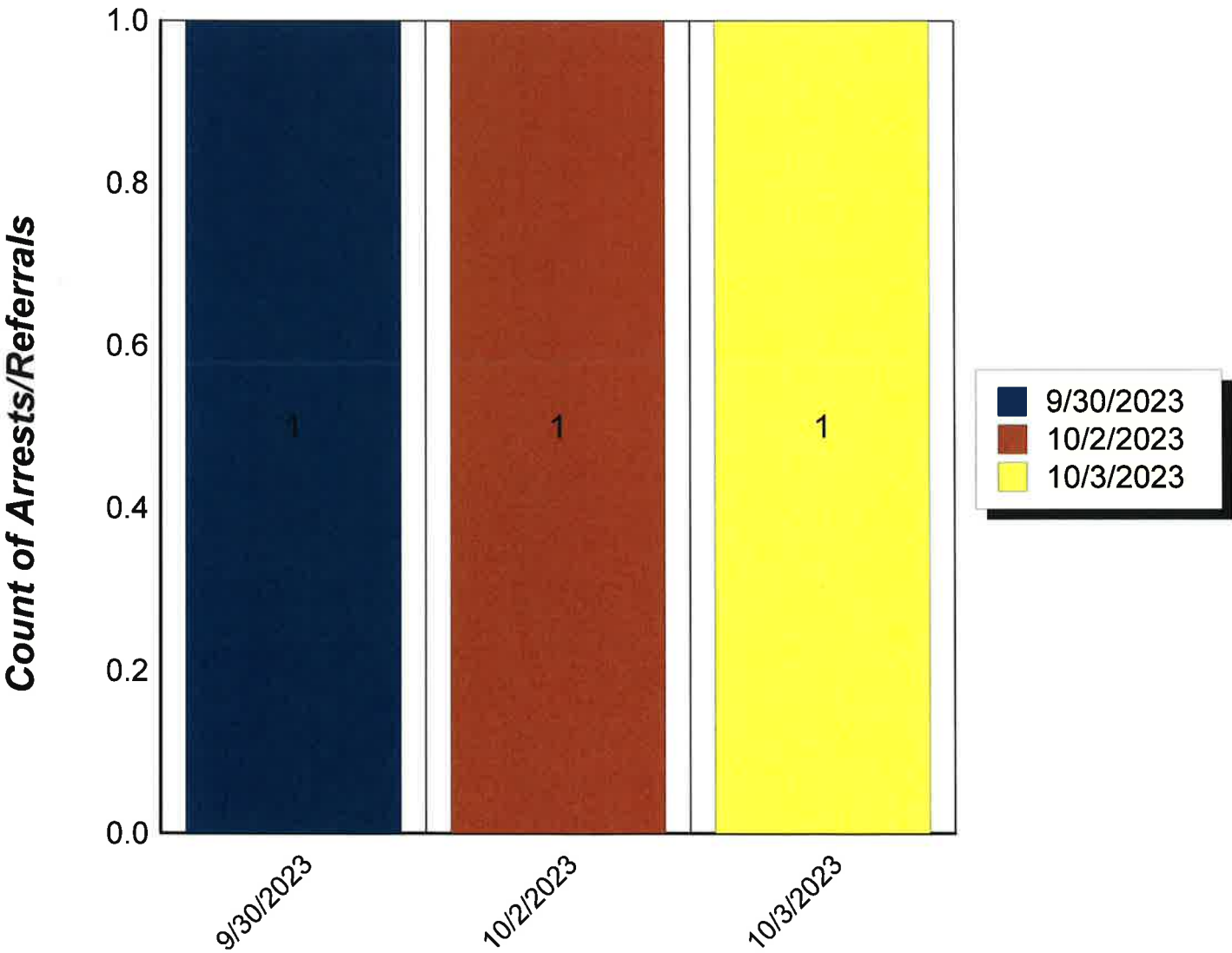
Total Selected = 3

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
September 30, 2023	1
October 02, 2023	1
October 03, 2023	1
Total Selected = 3	

Arrest Log by Date

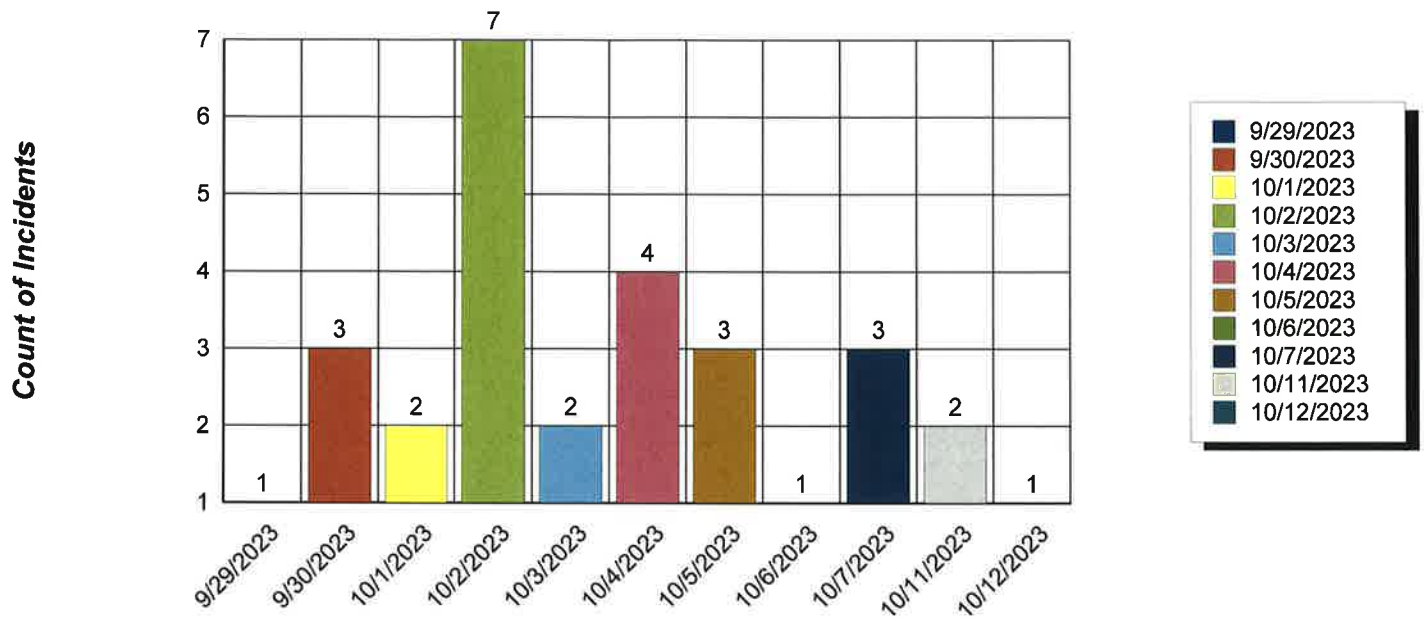


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
09/29/2023	Friday	1
09/30/2023	Saturday	3
10/01/2023	Sunday	2
10/02/2023	Monday	7
10/03/2023	Tuesday	2
10/04/2023	Wednesday	4
10/05/2023	Thursday	3
10/06/2023	Friday	1
10/07/2023	Saturday	3
10/11/2023	Wednesday	2
10/12/2023	Thursday	1
Total Selected = 29		

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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September 29, 2023

2023-00409	118 KARRLAND APT 15 BROOKVILLE PD	SIGNAL 31 - SUICIDE ATTEMPT	09/29/2023	09/29/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 5122.10 - APPLICATION FOR EMERGENCY ADMISSION					
Total Incidents Reported for Date: 1					

September 30, 2023

2023-00410	35F WEST MICKENLEY ST BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	09/30/2023	10/01/2023	ARREST
Offenses UCR Offense Description 1 02 291925A - Domestic violence - knowingly cause physical harm					
2023-00411	428 N WOLF CREEK BROOKVILLE PD	SIGNAL 260 - CRIMINAL TRESPASS	09/30/2023	09/30/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 291121A - Criminal trespass					
2023-00412	INTERSTATE 70 / ARLINGTON ROAD BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	09/30/2023	09/30/2023	ARREST
Offenses UCR Offense Description 2 N/A 35 - WARRANT ARREST N/A 451016 - FRA SUSPENSION					
Total Incidents Reported for Date: 3					

October 01, 2023

2023-00414	100 PARKVIEW DR N BROOKVILLE PD	SIGNAL 26I - CRIMINAL TRESPASS	10/01/2023		OPEN CASE
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2023-00413	853 DOROTHY BROOKVILLE PD	SIGNAL 11 - FRAUD	10/01/2023		OPEN CASE
Offenses UCR Offense Description 1 01 291302A3 - Theft - deception					

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 02, 2023

2023-00415	7 OSLO CT BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/02/2023		OPEN CASE
Offenses UCR Offense Description					
	1 02	26O - ALL OTHER CRIMINAL OFFENSES			
2023-00417	1139 PREBLE DRIVE BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	10/02/2023	10/02/2023	ARREST
Offenses UCR Offense Description					
	1 02	26O - ALL OTHER CRIMINAL OFFENSES			
2023-00416	100 PARKVIEW BROOKVILLE PD	SIGNAL 26O- CRIMINAL TRESPASS	10/02/2023	10/02/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description					
	1 02	291121A - Criminal trespass			
2023-00420	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - OHIO HB4 NOTIFICATION LETTER	10/02/2023	10/05/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description					
	1 02	26I - OHIO HB4 LE NOTIFICATION LETTER			
2023-00421	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - OHIO HB4 NOTIFICATION LETTER	10/02/2023		OPEN CASE
Offenses UCR Offense Description					
	1 02	26I - OHIO HB4 LE NOTIFICATION LETTER			
2023-00419	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	10/02/2023		OPEN CASE
Offenses UCR Offense Description					
	1 02	26I - INFORMATION REPORT			
2023-00422	55 ROBERT WRIGHT BLVD BROOKVILLE PD	SIGNAL 35 - WARRANT	10/02/2023	10/03/2023	ARREST
Offenses UCR Offense Description					
	2 N/A	35 - WARRANT ARREST			
	02	291711B1 - Disorderly conduct - intoxicated annoy or alarm			

Total Incidents Reported for Date: 7

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 03, 2023

2023-00418	100 PARKVIEW DRIVE NORTH BROOKVILLE PD	SIGNAL 17 - SEXUAL ASSAULT	10/02/2023		OPEN CASE
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Offenses	UCR	Offense Description
1	02	290702A2 - Rape - force, threat of

2023-00423	55 ROBERT WRIGHT DRIVE BROOKVILLE PD	SIGNAL 35 - WARRANT	10/03/2023	10/03/2023	ARREST
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Offenses	UCR	Offense Description
1	N/A	35 - WARRANT ARREST

Total Incidents Reported for Date: 2

October 04, 2023

2023-00425	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	10/04/2023	10/05/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2023-00424	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 11 - FRAUD	09/14/2023		OPEN CASE
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Offenses	UCR	Offense Description
1	06	291302A1 - Theft - without consent

2023-00426	354 CARR BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/04/2023	10/05/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2023-00427	340 LEISURE DR APT #4 BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/04/2023	10/05/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 4

October 05, 2023

2023-00428	34 JEFFERSON ST BROOKVILLE PD	SIGNAL 26I - CRIMINAL TRESPASS WARNING	10/05/2023	10/05/2023	EXCEPTIONALLY CLEARED
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Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 05, 2023

Offenses UCR Offense Description 1 02 291121 - Criminal trespass					
2023-00429	301 SYCAMORE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/03/2023		OPEN CASE
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2023-00430	385 CARR BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/05/2023		OPEN CASE
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 3					

October 06, 2023

2023-00431	142 BRUNS DRIVE BROOKVILLE PD	SIGNAL 11 - FRAUD	10/06/2023		OPEN CASE
Offenses UCR Offense Description 1 06 291349B - Obtain, posses or use identity of another					
Total Incidents Reported for Date: 1					

October 07, 2023

2023-00432	610 RAMBLEWOOD COURT BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/01/2023	10/09/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2023-00433	14 S WOLFCREEK BROOKVILLE PD	SIGNAL 53B - INJURY CRASH	10/07/2023	10/09/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 53B - INJURY TRAFFIC CRASH					
2023-00434	419 MARKET BROOKVILLE PD	SIGNAL 9 - ASSAULT	10/07/2023	10/09/2023	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 04 290313 - Assault					

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: 3

October 11, 2023

2023-00435	308 WOLF CREEK BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	10/11/2023	10/11/2023	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 N/A 4511202 - REASONABLE CONTROL

2023-00436	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 260 - OTHER OFFENSE	10/11/2023	10/12/2023	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 07 291303 - Unauthorized use of motor vehicle

Total Incidents Reported for Date: 2

October 12, 2023

2023-00437	306 ARLINGTON BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	10/12/2023	10/12/2023	EXCEPTIONALLY CLEARED
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Total Incidents Reported for Date: 1

Total Selected = 29

MEMORANDUM:
DATE: OCTOBER 16, 2023
TO: CITY OF BROOKVILLE CITY COUNCIL
FROM: RODNEY L. STEPHAN
RE: TREX APPLICATION-CASEY'S

Casey's Marketing Co. is considering constructing a Casey's General Store for food and gas at the corner of Arlington Road and West Campus Blvd. A requirement for Casey's to make the investment in this site is for Casey's to be able to obtain C1 and C2 carryout liquor permits from the Ohio Department of Liquor Control for this store. There are currently no C1 and C2 permits available in the City of Brookville.

Casey's has submitted a TREX transfer application to the City of Brookville for approval. A copy of the application is attached. The TREX transfer will permit Casey's to transfer a C1 and C2 permit from another location in Ohio to the Brookville site. The City must certify that the project is an economic development project for the TREX application to be approved.

It is requested that City Council authorize the Law Director to sign the TREX application approving Casey's TREX transfer as an economic development project.

RESOLUTION NO. 23-32

No. _____

Passed _____

Yr. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF BROOKVILLE FOR THE BROOKVILLE SERVICE AREA AND WWTP ANALYSIS AND EVALUATION PROJECT AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City of Brookville seeks to evaluate Inflow/Infiltration, and analyze the Brookville Service Area and Wastewater Treatment Plant; and

WHEREAS, the City of Brookville intends to apply for Water Pollution Control Loan Fund (WPCLF) for the planning of any future capital improvements to our Wastewater Treatment Plant; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

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

SECTION I: That the City Manager be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the planning of any future capital improvements to our Wastewater Treatment Plant on behalf of the City of Brookville, Ohio.

SECTION II: That the dedicated source of repayment will be user fees in the Sanitary Sewer Fund.

SECTION III: This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the City of Brookville, Ohio and to insure timely submission of the loan application to the Ohio Environmental Protection Agency for the planning of any future capital improvements to our Wastewater Treatment Plant. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2023.

ATTEST:

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Acting Clerk of the City of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Resolution No. 23-32, passed by the Council of said City on the _____ day of _____ 2023.

Michelle Brandt, Acting Clerk

CERTIFICATE OF POSTING

The undersigned, Acting Clerk of the City of Brookville, Ohio hereby certifies that the foregoing Resolution No. 23-32 was posted at the City Building, U.S. Post Office, and the Brookville Branch of the Montgomery County Library, Brookville, Ohio on the _____ day of _____, 2023 to the _____ day of _____, 2023, both days inclusive.

Michelle Brandt, Acting Clerk

RESOLUTION NO. 23-33

No. _____

Passed _____

Yr. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF BROOKVILLE FOR THE N. WOLF CREEK STREET WATER MAIN REPLACEMENT PROJECT AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City of Brookville seeks to replace the water main on N. Wolf Creek Street from Western Avenue to Arlington Road; and

WHEREAS, the City of Brookville intends to apply for Water Supply Revolving Loan Account (WSRLA) for the replacement of the water main on N. Wolf Creek Street; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

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

SECTION I: That the City Manager be and is hereby authorized to apply for a WSRLA loan, sign all documents for and enter into a Water Supply Revolving Loan Account (WSRLA) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for the replacement of the water main on N. Wolf Creek Street on behalf of the City of Brookville, Ohio.

SECTION II: That the dedicated source of repayment will be user fees in the Water Fund.

SECTION III: This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the City of Brookville, Ohio and to insure timely submission of the loan application to the Ohio Environmental Protection Agency for the replacement of the water main on N. Wolf Creek Street. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2023.

ATTEST:

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Acting Clerk of the City of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Resolution No. 23-33, passed by the Council of said City on the _____ day of _____ 2023.

Michelle Brandt, Acting Clerk

CERTIFICATE OF POSTING

The undersigned, Acting Clerk of the City of Brookville, Ohio hereby certifies that the foregoing Resolution No. 23-33 was posted at the City Building, U.S. Post Office, and the Brookville Branch of the Montgomery County Library, Brookville, Ohio on the _____ day of _____, 2023 to the _____ day of _____, 2023, both days inclusive.

Michelle Brandt, Acting Clerk

RESOLUTION NO. 23-34

No.

Passed

Yr.

A RESOLUTION ACCEPTING THE ANNEXATION OF 113.562 ACRES, MORE OR LESS, IN PERRY TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF BROOKVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of 113.562 acres, more or less, in Perry Township, Montgomery County, Ohio to the City of Brookville, Ohio described in Exhibit "A" and shown on the annexation map or plat attached as Exhibit "B" was filed with the Montgomery County Commissioners on June 16, 2023, utilizing the expedited type 2 annexation process provided for in Ohio Revised Code Section 709.023 et. seq.; and

WHEREAS, the petition was signed by all of the owners of real estate in the unincorporated territory proposed for annexation; and

WHEREAS, by Resolution 23-1019 adopted on August 1, 2023, the Board of County Commissioners of Montgomery County, Ohio approved the annexation of that 113.562 acres in Perry Township to the City of Brookville, Ohio ; and

WHEREAS, the Clerk of the Montgomery County Board of County Commissioners had a certified copy of the entire record of the annexation proceedings, including all resolutions of the board held in connection with the 113.562 acre annexation, delivered to the City Clerk on August 4, 2023; and

WHEREAS, more than sixty (60) days from the date of delivery of the record of the annexation proceedings to the City has elapsed in accordance with the provisions of Section 709.04 of the Ohio Revised Code and the city clerk has now laid the resolution of the Montgomery County Commissioners granting the annexation and the annexation papers before City Council at this next regularly scheduled meeting to accept or reject the annexation.

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

SECTION I: The annexation of 113.562 acres, described in Exhibit "A" and shown on the annexation map or plat attached as Exhibit "B" previously approved by the Montgomery County Board of County Commissioners in Resolution 23-1019 on August 23, 2022, be and hereby is accepted by the City of Brookville.

SECTION II: The City Clerk is hereby directed to send and file certified copies of the annexation petition, map or plat, and transcript and record of the annexation proceedings including this Resolution to the Ohio Secretary of State, Montgomery County Auditor, Montgomery County Recorder, and Montgomery County Board of Elections, to pay any associated fees and costs and to take any other action required by statute.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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

PASSED this _____ day of _____ 2023.

ATTEST:

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Acting Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 23-34, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2023.

Michelle Brandt, Acting Clerk

CERTIFICATE OF POSTING

The undersigned, Acting Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 23-34 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.

Michelle Brandt, Acting Clerk

EXHIBIT A

LEGAL DESCRIPTION

ANNEXATION OF 113.562 ACRES TO THE CITY OF BROOKVILLE, OHIO

SITUATE IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 2, TOWN 5, RANGE 4 E, PERRY TOWNSHIP, MONTGOMERY COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Beginning at a monument box with iron pin found at the southeast corner of the northeast quarter of Section 2 and being at the northeast corner of a tract of land owned by John L. Ritter and Patricia A. Ritter as conveyed in IR Deed 21-051838 and on the centerline of Heckathorn Road;

thence, North 88°46'46" West, 2673.12 feet, along the south line of said northeast quarter of Section 2 and north line of said Ritter tract to a stone found at the center of said Section 2 and being on the east line of a tract of land owned by Terry M. Stout and Kristina A. Stout as conveyed in IR Deed 16-045699;

thence, North 88°36'01" West, 265.71 feet, along the east line of said Stout tract to a stone found;

thence, North 00°15'47" East, 1644.36 feet, along the east line of said Stout tract to an iron pipe found on the east line of a tract of land owned by Robert J. Moyer as conveyed in IR Deed 20-045502;

thence, South 89°37'00" West, 58.28 feet, along the east line of said Moyer tract to an iron pipe found;

thence, North 00°28'16" East, 707.98 feet, along the east line of said Moyer tract to a post found at the northeast corner of a tract of land owned by James M. Jeffries and Mary M. Jeffries as conveyed in IR Deed 02-159209;

thence, North 61°16'29" West, 298.68 feet, along the north line of said Jeffries tract to a Mag nail set on north line of said Section 2 and centerline of Westbrook Road;

thence, South 89°52'11" East, 263.10 feet, along the north line of said Section 2 and centerline of Westbrook Road to a railroad spike found at the northwest corner of a tract of land owned by Mark A. Weaver as conveyed in IR Deed 20-066819;

thence, South 00°28'16" West, 56.11 feet, along the east line of said Weaver tract to an iron pin with cap set;

thence, South 61°16'29" East, 363.47 feet, along the south line of said Weaver tract to an iron pin with cap set on the south line of a tract of land owned by A.E.I. II LLC as conveyed in IR Deed 07-103844;

thence, North 28°46'52" East, 23.00 feet, along the south line of said A.E.I. II LLC tract to an iron pin with cap set;

thence, South 61°16'29" East, 3035.81 feet, along the south line of said A.E.I. II LLC to an iron pin found on the east line of said Section 2 and on the centerline of Heckathorn Road;

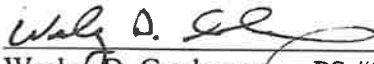
thence, South 00°37'27" West, 888.67 feet, along the east line of said Section 2 and centerline of Heckathorn Road to the place of beginning.

Containing 113.562 acres more or less and all being subject to any legal highways and easements of record.

The bearing of North 89°52'11" West along the centerline of Westbrook Road was based on NAD 83 CORS 2011 adjustment, Ohio South Zone, ODOT VRS CORS Network.

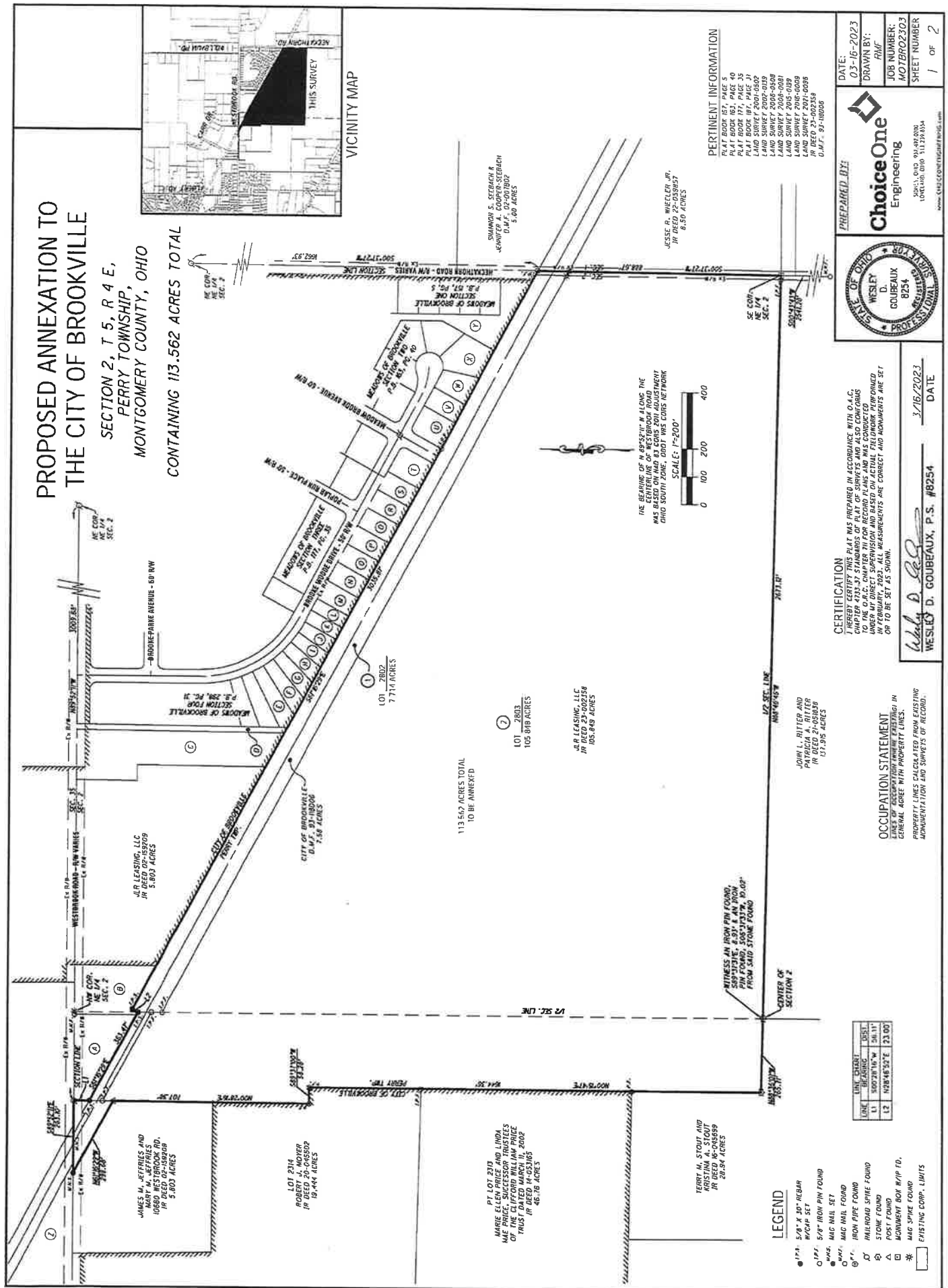
The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated March 16, 2023.

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


Wesley D. Goubeaux, PS #8254



03/16/2023
Date



PROPOSED ANNEXATION TO
THE CITY OF BROOKVILLE

SECTION 2, T 5, R 4 E,
PERRY TOWNSHIP,
MONTGOMERY COUNTY, OHIO

CONTAINING 113.562 ACRES TOTAL

ADJOINING OWNERS INDEX & TAX MAILING ADDRESS

- ① MARK A. WEAVER
1855 WESTBROOK RD.
BROOKVILLE, OH 45309
IR DEED 07-101444
L55-027-02-0018
- ② A.E.L. II, LLC
10312 WESTBROOK RD.
BROOKVILLE, OH 45309
L55-027-02-0019
- ③ J.R. LEASING, LLC
354 CARR DR.
BROOKVILLE, OH 45309
IR DEED 18-657507
L05-005-14-0001
- ④ CLIFFORD E. SMITH &
DELA E. SMITH
10320 WESTBROOK RD. #3
BROOKVILLE, OH 45309
D.M.F. 14-143066
L54-005-14-0002
- ⑤ J.R. LEASING, LLC
354 CARR DR.
BROOKVILLE, OH 45309
IR DEED 18-657507
L54-005-14-0003
- ⑥ MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0001
- ⑦ MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0001
- ⑧ MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0004

- ⑨ LOT 2155
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0009
- ⑩ LOT 2154
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0008
- ⑪ LOT 2153
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0007
- ⑫ LOT 2152
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0006
- ⑬ LOT 2151
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0005
- ⑭ LOT 2150
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IR DEED 21-044587
L54-005-28-0004

- ⑮ LOT 2149
ELISA A. LITTLEJOHN
177 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 20-008301
L54-006-09-0022
- ⑯ LOT 2148
MICHAEL J. ORRHOOD, TRUSTEE
177 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 20-008301
L54-006-09-0021
- ⑰ LOT 2147
THOMAS R. BRANDT &
KARIN S. BRANDT
183 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 01-022281
L54-006-09-0020
- ⑱ LOT 2146
MATTHEW G. ENBERG &
SHIRILL L. ENBERG
183 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 16-068664
L54-006-09-0019
- ⑲ LOT 2145
JENNIFER L. WALLACE
207 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 19-017721
L54-006-09-0018

- ⑳ LOT 1899
GARY A. LUKER &
219 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 06-034859
L54-006-09-0017
- ㉑ LOT 1898
JAMES R. BROWN &
219 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 06-034859
L54-006-09-0016
- ㉒ LOT 1897
ELIZABETH J. KNAPP
219 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 01-022281
L54-006-09-0015
- ㉓ LOT 1896
ALVA LEE WRIGHT
219 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 16-068664
L54-006-09-0014
- ㉔ LOT 1895
GREGORY L. RANDALL &
SANDRA L. RANDALL
219 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 06-034859
L54-006-09-0013

- ㉕ LOT 1894
TERRY M. STOUT &
KRISTINA A. STOUT
1722 WOLF CREEK PIKE
BROOKVILLE, OH 45309
IR DEED 16-045889
L55-027-02-0017
- ㉖ LOT 1893
MARIE ELLEN PRICE, TRUSTEE &
LINDA MAE PRICE, TRUSTEE
5608 N. DIAMOND MILL RD.
BROOKVILLE, OH 45309
IR DEED 14-053306
L56-008-19-0001
- ㉗ LOT 1892
JOHN L. RITTER &
PATRICIA A. RITTER
183 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 21-050928
L55-027-02-0013
- ㉘ LOT 1891
JESSE R. WHEELER, JR.
1023 CAMELL ST.
JACKSON, TN 38301
IR DEED 22-050957
L55-027-01-0005
- ㉙ LOT 1890
SHAMON S. SEEMACH &
5878 WICKATHORN RD.
BROOKVILLE, OH 45309
D.M.F. 02-007802
L55-027-01-0070
- ㉚ LOT 1889
JAMES R. BROWN &
219 BROOKNE WOODS DR.
BROOKVILLE, OH 45309
IR DEED 06-034859
L54-006-09-0011

- ㉛ LOT 1888
JOHN J. BOOTH &
10721 WESTBROOK RD.
BROOKVILLE, OH 45309
COT-006-19-0015
- ㉜ LOT 1887
JAMES M. JEFFRIES &
JOHN M. JEFFRIES
10860 WESTBROOK RD.
BROOKVILLE, OH 45309
IR DEED 02-059209
L55-027-02-0013
- ㉝ LOT 1886
ROBERT J. MOYER
8345 TURNING LEAF CROSSING
SPRINGBORO, OH 45066
D.M.F. 02-059202
L55-006-19-0002

ANNEXATION OWNERS INDEX

- ① CITY OF BROOKVILLE
BROOKVILLE, OH 45309
D.M.F. 94-18005
L55-027-02-0028
- ② J.R. LEASING, LLC
354 CARR DR.
BROOKVILLE, OH 45309
IR DEED 23-002358
L55-027-02-0005

PREPARED BY:

ChoiceOne
Engineering
10943 Ohio 832-412089
LOVELAND, OHIO 51278-8154
www.CHOICEONEENGINEERING.com



DATE:
03-16-2023
DRAWN BY:
RMF
JOB NUMBER:
MO1802303
SHEET NUMBER
2 OF 2

Wesley D. Goubeaux
WESLEY D. GOUBEAUX, P.S. #8254
DATE
3/16/2023

RECORD OF ORDINANCES

Ordinance No. 2023-10 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 CITY OF BROOKVILLE, OHIO THAT:

SECTION I: The ordinances of the City of Brookville, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2023 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.

Traffic Code

- 303.081 Impounding Vehicles on Private Residential or Agricultural Property. (Amended)
- 303.082 Private Tow-Away Zones. (Amended)
- 303.083 Impounding Vehicles on Public Property. (Amended)
- 303.991 Committing an Offense While Distracted Penalty. (Amended)
- 331.35 Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Amended)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
- 333.09 Electronic Wireless Communication Device Use Prohibited While Driving. (Amended)
- 335.07 Driving Under Suspension or License Restriction. (Amended)
- 335.071 Driving Under OVI Suspension. (Amended)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Amended)
- 335.073 Driving Without Complying With License Reinstatement Requirements. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
- 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)
- 337.22 Windshield and Windshield Wiper; Sign or Poster Thereon. (Amended)
- 341.01 Commercial Drivers Definitions. (Amended)
- 351.04 Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2023-10

Ordinance No. _____ Passed _____, 20_____

General Offenses Code

- 501.01 General Provisions and Penalty Definitions. (Amended)
- 501.99 Penalties for Misdemeanors. (Amended)
- 505.071 Cruelty to Companion Animals. (Amended)
- 505.12 Coloring Rabbits or Baby Poultry; Sale or Display of Poultry. (Amended)
- 509.04 Disturbing a Lawful Meeting. (Amended)
- 509.09 Impeding Public Passage of an Emergency Service Responder. (Added)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marihuana Drug Paraphernalia. (Amended)
- 517.08 Raffles. (Amended)
- 521.12 Spreading Contagion. (Added)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
- 529.02 Sales to and Use By Underage Persons; Securing Public Accommodations. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.01 Obscenity and Sex Offenses Definitions. (Amended)
- 533.06 Voyeurism. (Amended)
- 533.08 Procuring; Engagement in Sexual Activity for Hire. (Amended)
- 537.03 Assault. (Amended)
- 537.06 Menacing. (Amended)
- 537.07 Endangering Children. (Amended)
- 537.15 Temporary Protection Order. (Amended)
- 537.19 Hazing Prohibited. (Added)
- 545.05 Misdemeanor Theft. (Amended)
- 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)

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 City, 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 City of Brookville, Ohio.

PASSED this _____ day of _____ 2023.

ATTEST:

Michelle Brandt, Acting Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2023-10

Ordinance No. _____ Passed _____, 20_____

CERTIFICATE

The undersigned, Acting Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-10, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2023.

Michelle Brandt, Acting Clerk

CERTIFICATE OF POSTING

The undersigned, Acting Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2023-10 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.

Michelle Brandt, Acting Clerk

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-11 Passed , 20

AN ORDINANCE TO ADOPT REVISED CONSTRUCTION STANDARDS AND DRAWINGS, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City of Brookville desires to amend and revise its Construction Standards and Drawings as set forth in Chapter 911, Construction Standards; and

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

SECTION I: The Construction Standards and Drawings prepared by Choice One Engineering in 1999 and revised in 2023 on file in the office of Clerk of the City of Brookville, are hereby adopted and approved by reference and attached hereto as Exhibit "A".

SECTION II: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, or welfare of the City and its residents, and to permit timely implementation of these regulations, said Ordinance shall become effective immediately upon its passage by at least two-thirds of the members of Council pursuant to the Charter of the City of Brookville, Ohio.

PASSED this day of 2023.

ATTEST:

Michelle Brandt, Acting Clerk Charles Letner, Mayor

CERTIFICATE

The undersigned, Acting Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-11, passed by the Council of the City of Brookville, Ohio, on the day of 2023.

Michelle Brandt, Acting Clerk

CERTIFICATE OF POSTING

The undersigned, Acting Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2023-11 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.

Michelle Brandt, Acting Clerk