

Brookville City Council
Regular Meeting
October 17, 2023

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on October 17, 2023. The meeting was held in the City Council Chambers and virtually using the Cisco Webex application. The Pledge of Allegiance was recited. Members Fowler, Kristof, Schreier, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Fire Chief Fletcher, Law Director Stephan, Police Chief Jerome were present. Member Crane and Clerk Duncan were absent.

Roll Call by Finance Director Brandt.

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

Motion by Fowler, second by Zimmerlin to approve the October 3, 2023 Regular Meeting Minutes. Fowler yea, Zimmerlin yea, Schreier yea, Wilder yea, Kristof abstained, Letner abstained. Motion carried with four yeas and two abstentions.

Manager Keaton requested Council approve and 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 is for \$300,000 with a 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. Manager Keaton advised this is the project that she nominated last month as a result of the Infrastructure Investment and Jobs Act that is providing \$1.4 billion to Ohio for water and wastewater projects. The reason for the emergency measure is to insure timely submission of the application to Ohio EPA.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 23-32. All yeas, motion carried.

Motion by Fowler, second by Kristof to accept the first reading, dispense with the second and third reading and adopt 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 AND WWTP ANALYSIS AND EVALUATION PROJECT AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Manager Keaton requested Council adopt and approve 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. This loan amount will be the difference in the total project cost and the \$1,007,065 grant received from the Ohio Department of Development in June. Currently this project is out for bids, with a bid opening scheduled for November 3. The reason for the emergency measure is to insure timely submission of the application to Ohio EPA.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 23-33. All yeas, motion carried.

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

Manager Keaton reported proposed Ordinance No. 2023-10 approves and adopts the 2023 Replacement Pages to our Codified Ordinances. The reason for this Ordinance to be adopted as an emergency measure is for the immediate necessity to approve and distribute current Replacement Pages to the Codified Ordinances to facilitate administration, daily operation and avoid practical and legal entanglements.

Member Zimmerlin noted in section 513.121 of the replacement pages, the word marijuana is spelled incorrectly.

Manager Keaton advised she will contact Walter Drane Company to make the correction.

Motion by Schreier, second by Wilder to read proposed Ordinance No. 2023-10. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2023-10 entitled “AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Amy Cornell, of Flock Cameras, gave a presentation on their license recognition system which is a camera alert system used to solve crime. The system, installed in various locations throughout the city, shows the license plate and make and model of vehicles 24/7, but does not provide facial recognition or personally identifiable information. The goal is to eliminate crime and create a safer community with an easy to use, effective and affordable system. The cameras can be plugged in or can work infrastructure free using solar power. The system is a great law enforcement tool successfully used by law enforcement agencies throughout the country to solve crimes. It is noted that there were technical difficulties with the audio portion of the presentation.

Mayor Letner thanked Ms. Cornell for her presentation.

Manager Keaton reported proposed Ordinance No. 2023-11 adopts revised Construction Standards and Drawings set forth in Chapter 911 of our Codified Ordinances. The Construction Standards and Drawings were first adopted in 1999, and they were recently reviewed and updated by Staff and Choice One Engineering. The reason for this Ordinance to be adopted as an emergency measure is to permit immediate implementation of the revised regulations.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2023-11. All yeas, motion carried.

Motion by Schreier, second by Kristoff to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2023-11 entitled “AN ORDINANCE TO ADOPT REVISED CONSTRUCTION STANDARDS AND DRAWINGS, AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Manager Keaton reported the 35th Annual Miami Valley Planning and Zoning Workshop will be held on December 1, 2023 at Sinclair Community College. Manager Keaton requested Council approval for the City to pay the \$75.00 registration fee for those on Council, Planning Commission, BZA and Staff interested in attending. Last year, six Staff and Board Members attended the event.

Motion by Fowler, second by Zimmerlin to approve the \$75.00 registration fee for those on Council, Planning Commission, BZA and Staff who wish to attend the Planning and Zoning Workshop at Sinclair Community College on Friday, December 1, 2023. All yeas, motion carried.

Manager Keaton reminded everyone that Trick-or-Treat is scheduled for Tuesday, October 31 from 6:00 until 7:30 p.m. Manager Keaton also reminded everyone that Daylight Savings ends, and the clocks fall back one hour on Sunday, November 5.

Manager Keaton encouraged everyone to exercise their constitutional right to vote during the November election to elect our Council and School Board leaders and express their opinions through the democratic process.

Finance Director Brandt had no report.

Fire Chief Fletcher reported the Fire Prevention Open House went well and was well attended. Captain Ferguson will finish up the Fire Prevention school programs this week with the preschoolers.

Fire Chief Fletcher reported the weather warning siren at the rear of the Fire House has been repaired.

Fire Chief Fletcher reported the Fire Department will hold a blood drive on October 26, 2023 from 3:00 p.m. until 6:00 p.m.

Police Chief Jerome commented that the Flock Camera company has mapped the city and estimated that 14 cameras should be placed throughout the city. Police Chief Jerome commented that this is the only company he is aware of in our area and related some of the search capabilities he has seen demonstrated by the Flock Camera system. It has been used to find children in Amber Alerts, apprehend murder suspects and many other crime suspects. The cost is approximately \$3,000 per camera and requires a two-year agreement.

Member Zimmerlin inquired if any of the surrounding townships would be willing to share the cost of the system?

Police Chief Jerome replied the agencies surrounding Brookville are on tight budgets and some are trying to pass police levies so it would be unlikely that they would be able to partner with us. Police Chief Jerome advised there are very limited grant opportunities available but he continues to search for them.

Discussion followed regarding the camera system, capabilities and how many we need in Brookville.

Police Chief Jerome reported the Brookville Police Officers are wearing pink badges for Breast Cancer Awareness month.

Police Chief Jerome encouraged everyone to attend Ghostly Night Out on October 21 from 6:00 p.m. until 9:30 p.m. at Golden Gate Park.

Law Director Stephan reported Casey's Marketing Company is considering constructing a Casey's General Store for food and gas at the corner of Arlington Road and West Campus Boulevard. 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. Law Director Stephan advised Casey's has submitted a TREX transfer application to the City of Brookville for approval. 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. Law Director Stephan requested Council

authorization to sign the TREX application approving Casey's TREX transfer as an economic development project.

Motion by Fowler, second by Zimmerlin to authorize Law Director Stephan to sign the TREX application approving Casey's TREX transfer as an economic development project. All yeas, motion carried.

Law Director Stephan requested Council adopt proposed Resolution No. 23-34, which accepts the annexation of 113.562 acres, more or less, from Perry Township to the City of Brookville. This annexation has been approved by the Montgomery County Board of County Commissioners on August 1, 2023. The annexation was certified by the Clerk of the Montgomery County Board of County Commissioners and our Clerk of Council on August 4, 2023. Sixty days have now expired and we are permitted by Ohio law to accept the annexation. Law Director Stephan requested Council approve this Resolution as an emergency so that we can timely accept the annexation and provide services to the area.

Motion by Fowler, second by Zimmerlin to read proposed Resolution No. 23-34. All yeas, motion carried.

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

Mayor Letner thanked Vice Mayor Zimmerlin for filling in for him at the last Council meeting.

Mayor Letner reminded everyone that it is harvest season, so please be courteous and share the road with farm equipment.

Member Fowler, Park Board Liaison, reported Park Board is busy planning the Christmas in the Park event. The Boy Scouts have opted to move the location of the proposed amphitheater to directly behind Waffle House, because of the parking and the potential for additional parking in the future.

Manager Keaton reported in the process of installing the rubber curbs and mulch at Ward Park, they found that there was not enough room around the toddler swing set to put the borders in according to the required specifications. It was removed and a new one toddler swing ordered as the old one was deteriorated. In the meantime, one of the toddler swings was moved to the large swing set.

Member Schreier, Planning Commission Liaison, had no report.

Ken Claggett, of 338 Sycamore Street, inquired whether Flock Cameras would take intermittent snapshots and continuous video.

Police Chief Jerome replied the proposed camera system takes a snapshot when motion is detected.

Member Fowler commented the continuous footage is available but that is not what was quoted.

Motion by Fowler, second by Zimmerlin to go into Executive Session per O.R.C. 121.22(G)(1) to consider the appointment of a Public Official.

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

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



Michelle Brandt, Acting Clerk



Charles Letner, Mayor

