



CITY COUNCIL
Tuesday, January 2, 2024, 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=md126c47d4c8ed62fd3a7cc6cddc93fde>

Meeting number: 2631 949 5698 Password: P4Jbn3t8JPA

Join by phone: +1-415-655-0001 US Toll Access code: 263 194 95698

Agenda

- I. Opening of Regular Council Meeting**
 - a. Call to Order
 - b. Pledge of Allegiance
- II. Administer Oath of Office**
 - a. Mayor Letner
 - b. Council Member Crane
 - c. Council Member Fowler
 - d. Council Member Piper
- III. Roll Call**
- IV. Adoption of Agenda**
- V. Motion to Appoint a Vice Mayor**
- VI. Approval of Minutes**
 - a. Approval of December 19, 2023 Regular Meeting Minutes
- VII. Brookville Historical Society - Becky Ditmer**
- VIII. Reports of Municipal Officers**
 - a. City Manager
 - b. Finance Director
 - 1. Fund Balance of December 31, 2023
 - c. Fire Chief
 - d. Police Chief
 - e. Law Director

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



- f. Mayor Chuck Letner

IX. Old Business

- a. Second reading of proposed Resolution No. 23-42 - "A RESOLUTION ENACTING LEGISLATION PROPOSING COOPERATION WITH THE DIRECTOR OF TRANSPORTATION ON THE WOLF CREEK STP RESURFACING PROJECT."
- b. Second reading of proposed Ordinance No. 2023-12 entitled "AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF LOTS 2802 AND 2803 OF THE CITY OF BROOKVILLE, OHIO."

X. New Business

- a. First reading of proposed Resolution No. 23-45 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."

XI. Reports of Boards and Commissions

- a. JD Fowler - Park Board
- b. Curt Schreier - Planning Commission

XII. Public Comments (5 minutes per speaker)

XIII. 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
December 19, 2023

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on December 19, 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, Kristof, 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 Fowler, second by Zimmerlin to adopt the Agenda as presented. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to accept the December 5, 2023 Regular Meeting Minutes as presented. Crane yea, Fowler abstained, Zimmerlin yea, Schreier yea, Wilder abstained, Kristof yea, Letner yea. Motion carried with five yeas and two abstentions.

Motion by Wilder, second by Fowler to approve the December 5, 2023 Work Session Minutes as presented. Fowler abstained, Zimmerlin yea, Schreier yea, Wilder abstained, Kristof yea, Crane yea, Letner yea. Motion carried with five yeas and two abstentions.

Manager Keaton provided Council with information on House Bill 33, which was included in the 2023 biennium budget bill, which provides funds for the Water and Wastewater Infrastructure Grant program. The grant application period is open from November 28, 2023 to January 17, 2024. Manager Keaton stated she applied to construct a 16" water main from the dead end of Calmer Ernst Boulevard to Walker Court via boring under Interstate 70. This project will loop our water distribution within the City. Currently, the area north of Interstate 70 receives water through a single 12" water main. If we encounter any interruption in that line, this leaves no supply for fire protection. This second feed into the area north of I-70 would increase available flow, and permit isolation of system problems without compromising supply. This new water main will also help the areas south of I-70 as the remainder of the distribution system would benefit from being tied into the elevated water tank on Nutrition Way. This connection will significantly improve fire protection across the entire distribution system. Manager Keaton advised the preliminary construction cost estimate for this project is \$1,204,975 and she applied for grant funding totaling \$1,024,975. If the project is approved for grant funding, the City would pay the balance of the construction and engineering costs out of our Water Fund.

Manager Keaton reported she attended the December MVRPC Board Meeting and learned that 11 STP resurfacing projects were submitted in October requesting \$6.8M in funding, and MVRPC has \$5M available for resurfacing projects. The projects are currently being reviewed and scored by MVRPC and will be before the MVRPC Board in March for a vote. Manager Keaton provided Council with a copy of the projects submitted.

Manager Keaton provided a brief update on the Hay Avenue, Phase 2 Project. Bids were opened last Friday. Three of the five bids submitted were below the Engineer's Estimate of \$888,030. Manager Keaton advised we are currently reviewing references of the apparent low bidder. Manager Keaton advised she will bring this back to Council in January for approval.

Manager Keaton reported our Wolf Creek Waterline Replacement loan through Ohio EPA was approved last Thursday. The loan amount is \$482,714, which includes a \$6,430 application fee. The interest rate is 3.11% payable over 25 years. This loan, along with the \$1,007,065 grant received from the Ohio Department of Development, will allow us to replace the 4" and 6" waterline on Wolf Creek from Arlington Road to Western Avenue. That project is scheduled to begin in late February.

Manager Keaton requested Council authorization for Change Order #1 on the City Park Improvements CDBG Walking Path Project at a decrease of \$2,543.75. Change Order #1 is an adjustment to quantities used for the project. The original Contract price was \$134,996.75, and with Change Order #1, the new and final Contract price is \$132,453.00. The City Park Improvements CDBG Walking Path project is now complete.

Motion by Zimmerlin, second by Schreier to approve Change Order #1 on the City Park Improvements CDBG Walking Path Project at a decrease of \$2,543.75, which brings the final Contract price to \$132,453.00. All yeas, motion carried.

Manager Keaton advised proposed Resolution No. 23-42 is the Final Resolution for the STP N. Wolf Creek Resurfacing Project that runs from Arlington Road to Western Avenue. This project was submitted and approved as a Coronavirus Response and Relief Supplemental Appropriations Act Project through MVRPC in 2021. The sale date for this project is February 8, 2024. Our signed documents and payment need to be submitted to ODOT by January 26, 2024.

Motion by Wilder, second by Fowler to read proposed Resolution No. 23-42. All yeas, motion carried.

Motion by Zimmerlin, second by Kristof to accept the first reading of proposed Resolution No. 23-42. All yeas, motion carried.

Manager Keaton wished everyone a very Merry Christmas and a happy, healthy, and safe 2024!

Finance Director Brandt requested Council authorization to receipt 90% of the revenue received from EMS Billing into the General Fund for operations of the Fire Department and 10% of the revenue from EMS Billing into the Fire Capital Improvement Fund for 2024, as done in 2023.

Motion by Schreier, second by Zimmerlin to authorize Finance Director Brandt to receipt 90% of the revenue received from EMS Billing into the General Fund for operations of the Fire Department and 10% of the revenue from EMS Billing into the Fire Capital Improvement Fund for 2024. All yeas, motion carried.

Finance Director Brandt requested Council authorization to receipt 70% of the revenue received from Fire Contracts into the General Fund for operations of the Fire Department and 30% of the revenue from Fire Contracts into the Fire Capital Improvement Fund for 2024. This is a 5% increase from 2023 to the Capital Fund.

Motion by Zimmerlin, second by Fowler to authorize Finance Director Brandt to receipt 70% of the revenue received from Fire Contracts into the General Fund for operations of the Fire Department and 30% of the revenue from Fire Contracts into the Fire Capital Improvement Fund for 2024. All yeas, motion carried.

Finance Director Brandt requested Council approval to set the labor rate for the Service Department Mechanic at \$50 per hour for 2024, for work performed on the city fleet. This is the same rate as last year.

Motion by Wilder, second by Kristof to set the labor rate for the Service Department Mechanic at \$50 per hour for 2024, for work performed on the city fleet. All yeas, motion carried.

Finance Director Brandt requested Council approval to issue Super Blanket Purchase Order Certificates in 2024 for recurring monthly and quarterly expenditures.

Motion by Zimmerlin, second by Fowler to authorize Finance Director Brandt to issue Super Blanket Purchase Order Certificates in 2024 for recurring monthly and quarterly expenditures. All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading of proposed Resolution No. 23-39, which amends the 2023 Appropriations and Estimated Resources.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 23-39. All yeas, motion carried.

Motion by Kristof, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-39 entitled “A RESOLUTION AMENDING THE 2023 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE, AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW.” All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution No. 23-40 as provided in 4.07(A)(1) of the Charter of the City.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 23-40. All yeas, motion carried.

Motion by Kristof, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-40 entitled “A RESOLUTION TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF BROOKVILLE, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024. All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Ordinance No. 2023-14, which relates to the passage Ohio HB 33, which requires several changes to the income tax ordinance, including an alternative apportionment method supporting remote workers and mandating wording changes regarding filing requirements.

Motion by Wilder, second by Kristof to read proposed Ordinance No. 2023-14. All yeas, motion carried.

Motion by Fowler, second by Kristof to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2023-14 entitled “AN ORDINANCE AMENDING SECTIONS 194.062(A), 194.062(D), 194.062(I), 194.091(A)(1), 194.094 AND 194.10(C)(4) OF THE CODIFIED ORDINANCES OF THE CITY OF BROOKVILLE, CONCERNING REQUIRED UPDATES PASSED IN OHIO HOUSE BILL 33.” All yeas, motion carried.

Member Zimmerlin inquired if this means remote workers will pay where they work?

Law Director Stephan advised the summary of HB 33 states that instead of apportioning payroll sales of property to the remote work location employees, businesses can allocate these amounts to a designated reporting location. The reporting location can be anyplace owned or controlled by the employer. Law Director Stephan stated it appears that it applies to the net profit tax but not to withholding.

Fire Chief Fletcher reported the Fire Department has had a very busy December. If they continue at this pace, they could set a record for the year.

Fire Chief Fletcher reported five employees have successfully completed their paramedic training and are working to pass their state and national certifications.

Police Chief Jerome commended Police Department Administrative Assistant Ronda Dittrick and part-time Administrative Assistant Brittany Ferguson for their work coordinating Christmas meals and gifts from local businesses and individuals for 14 kids and their families who were in need of assistance.

Police Chief Jerome reported the Police Department recently participated in a gingerbread decorating event at the school, sponsored by Barton Mallow.

Police Chief Jerome reported a new full-time Police Officer will begin her employment with the Brookville Police Department on January 2, 2024.

Law Director Stephan reported on December 15, 2023, a petition for annexation of 71.701 acres to the City of Brookville from Perry Township, Ohio was filed with the Montgomery County Board of County Commissioners. Proposed Resolutions Nos. 23-41, 23-43 and 23-44 are before City Council tonight regarding this annexation. Proposed Resolution Nos. 23-41 provides a statement of municipal services to be provided by the City of Brookville to the annexation territory if the annexation is approved. Proposed Resolution Nos. 23-43 requires the establishment of a buffer in the event the annexed territory is zoned by the City of Brookville in a manner that permits uses that are clearly incompatible with uses permitted under existing county or township zoning regulations in adjacent land remaining in the township. Proposed Resolution Nos. 23-44 provides that the City of Brookville consents to the proposed annexation. This annexation is filed as an expedited Type 2 annexation under Ohio Revised Code 709.023. Under ORC 709.023, the annexation territory is not excluded from the township and will remain subject to property taxes to be paid to Perry Township after annexation to the City of Brookville. Law Director Stephan requested that these proposed Resolutions be passed as an emergency to permit timely filing with Board of County Commissioners as required by Ohio Revised Code Section 729.023 for expedited Type 2 annexations.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 23-41. All yeas, motion carried.

Motion by Kristof, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-41 entitled “A RESOLUTION REGARDING MUNICIPAL SERVICES TO BE PROVIDED TO THE TERRITORY CONTAINED IN A PROPOSED ANNEXATION OF 71.701 ACRES, MORE OR LESS, FROM PERRY 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 Zimmerlin, second by Schreier to read proposed Resolution No. 23-43. 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. 23-43 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 71.701 ACRES, MORE OR LESS, FROM PERRY TOWNSHIP TO THE CITY OF BROOKVILLE, OHIO IS APPROVED, AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 23-44. All yeas, motion carried.

Motion by Kristof, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-44 entitled “A RESOLUTION CONSENTING TO THE PROPOSED ANNEXATION OF 71.701 ACRES, MORE OR LESS, FROM PERRY

TOWNSHIP TO THE CITY OF BROOKVILLE, OHIO AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2023-13 will authorize the City Manager to execute a Tax Increment Financing (TIF) Agreement for the Harper Creek Incentive District. Arbor Homes is building single-family homes in the district located on Upper Lewisburg Salem Road and Albert Road. The TIF Agreement provides for payment of a portion of the cost of the public improvements for the project from money deposited into the TIF Fund as a result of payments in lieu of taxes by the property owners in the district. The maximum amount of reimbursements for the developers for infrastructure cost is \$800,000. The city shall not have any obligation to pay this reimbursement from its General Fund. The proposed Ordinance also provides for approval of an economic development plan, which specifies that this project is part of our Comprehensive Land Use Plan and that we do need to construct public infrastructure to successfully build this project. Law Director Stephan requested that Council dispense with the second and third reading and approve this as an emergency in order to make a timely submission to the Ohio Department of Development.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2023-13. All yeas, motion carried.

Motion by Kristof, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2023-13 entitled “AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT AND APPROVING RELATED MATTERS.” All yeas, motion carried.

Mayor Letner thanked the Daniel Cooper Chapter of the Daughters of the American Revolution for placing over 800 wreaths at Arlington Cemetery.

Mayor Letner reported he recently had the pleasure of attending the swearing in ceremony of Trotwood Mayor Yvette Page.

Mayor Letner wished everyone a Merry Christmas and a Happy New Year.

Mayor Letner thanked the Council Members for taking on the task of hiring a new City Manager. Mayor Letner also thanked city staff for a great 2023.

Motion by Fowler, second by Zimmerlin to read proposed Resolution No. 23-38. All yeas, motion carried.

Motion by Kristof, second by Wilder to accept the third reading and adopt Resolution No. 23-38 entitled “A RESOLUTION AUTHORIZING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED IN 2024 FOR TAX YEAR 2023.” All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to approve an Employment Agreement with John Kuntz for the position of City Manager. All yeas, motion carried.

Mayor Letner congratulated Mr. Kuntz and welcomed him to Brookville. Mayor Letner stated this has been extensive process, with 23 applicants. Mayor Letner stated Council and city staff did their due diligence in this hiring process. Mr. Kuntz was the shining star of the pool of applicants. Mayor Letner thanked Mr. Kuntz’s family for attending the meeting.

Mr. Kuntz thanked everyone, stating the future is bright and he is excited to get started in his new position and working with the team.

Member Fowler stated he would like to discuss placing the issue of whether or not we will allow the sale of marijuana on the ballot to see what our citizens want.

Law Director Stephan stated it is conceivable that we could put an initiative Ordinance on whether to authorize permits and place it on the ballot. It may be uncertain territory as this is a new law and it may not fit with how the State Legislature will regulate it going forward.

Member Schreier asked how enforceable this would be?

Law Director Stephan replied we are in a very uncertain situation at this time relating to what the State Legislature may do. The law has allowed local jurisdictions to make the decision as to whether they are going to permit businesses to operate in the community. We have already prohibited medical marijuana dispensaries. We could put an Ordinance on the ballot which would become part of our zoning code, which would allow citizens to vote on whether to allow these types of businesses to operate in the community.

Member Fowler stated he does not want this to be a Council decision. He would like the residents to decide whether or not to allow it.

Member Zimmerlin inquired if we know how our citizens voted on Issue 2?

Manager Keaton replied she can get a breakdown from the Board of Elections website and provide to it Council at the next meeting.

Mayor Letner commented that was one of the reasons we placed the 180-day moratorium on this issue so that we can see how the State Legislature is going to respond before we make a decision.

Member Zimmerlin commented we are the second exit from the Indiana state line, which means if we allow it, many transients will want to cross the border just to buy marijuana.

Member Fowler, Park Board Liaison, reported he was not able to attend the Park Board meeting.

Manager Keaton reported the Christmas in the Park Kick-off event was a success with \$333 collected in donations. Metronet donated an additional \$500 this week towards next year's event.

Member Schreier, Planning Commission Liaison, had no report.

Ron Ullery, of 560 W. Westbrook Road, stated the Christmas lights at the park look great and he is proud to be a citizen of Brookville.

Member Kristof commented this is the last Council meeting of his term and thanked everyone for the opportunity. Member Kristof stated it has been an honor to serve and wished his successor the best of luck.

Mayor Letner thanked Member Kristof for stepping up to the plate and serving. Mayor Letner stated he appreciates Member Kristof's interest in the City of Brookville, and hopes he continues to serve in some capacity.

Motion by Fowler, second by Zimmerlin 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: 12/29/2023

Resolution No. 24-01 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.

Brief update on the natural gas aggregation program. Palmer Energy issued the RFP to 14 certified retail natural gas service providers and requested term lengths of 12, 24, 36, and 48 months to begin with the May 2024 billing cycle. Palmer Energy again only received one RFP response, and that was from Constellation NewEnergy. The rate offered by Constellation is \$4.97 per million BTU with a term of 12 months. A meeting with participating MVCC cities is scheduled for January 11, 2024.

The Brookville Historical Society requests any consideration for financial assistance that can be granted to them in 2024.

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

- Ran the leaf machine one more time
- Cleaned leaf machine for winter storage
- Removed beaver dam by the north water tower
- Put asphalt grindings in Baker St. alley
- Collected used oil
- Installed two neighborhood watch signs in the Meadows of Brookville
- Washed fleet trucks
- Pothole patching throughout the City



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda January 2, 2024

Reportable Incidents

1/1/2022 – 12/27/2022 = 469

1/1/2023 – 12/27/2023 = 552

Citations

1/1/2022 – 12/27/2022 = 151

1/1/2023 – 12/27/2023 = 467

Traffic Stops

December 2022 - 93

December 27, 2023 to date - 102

Brookville Police Department

Incident Arrest Blotter

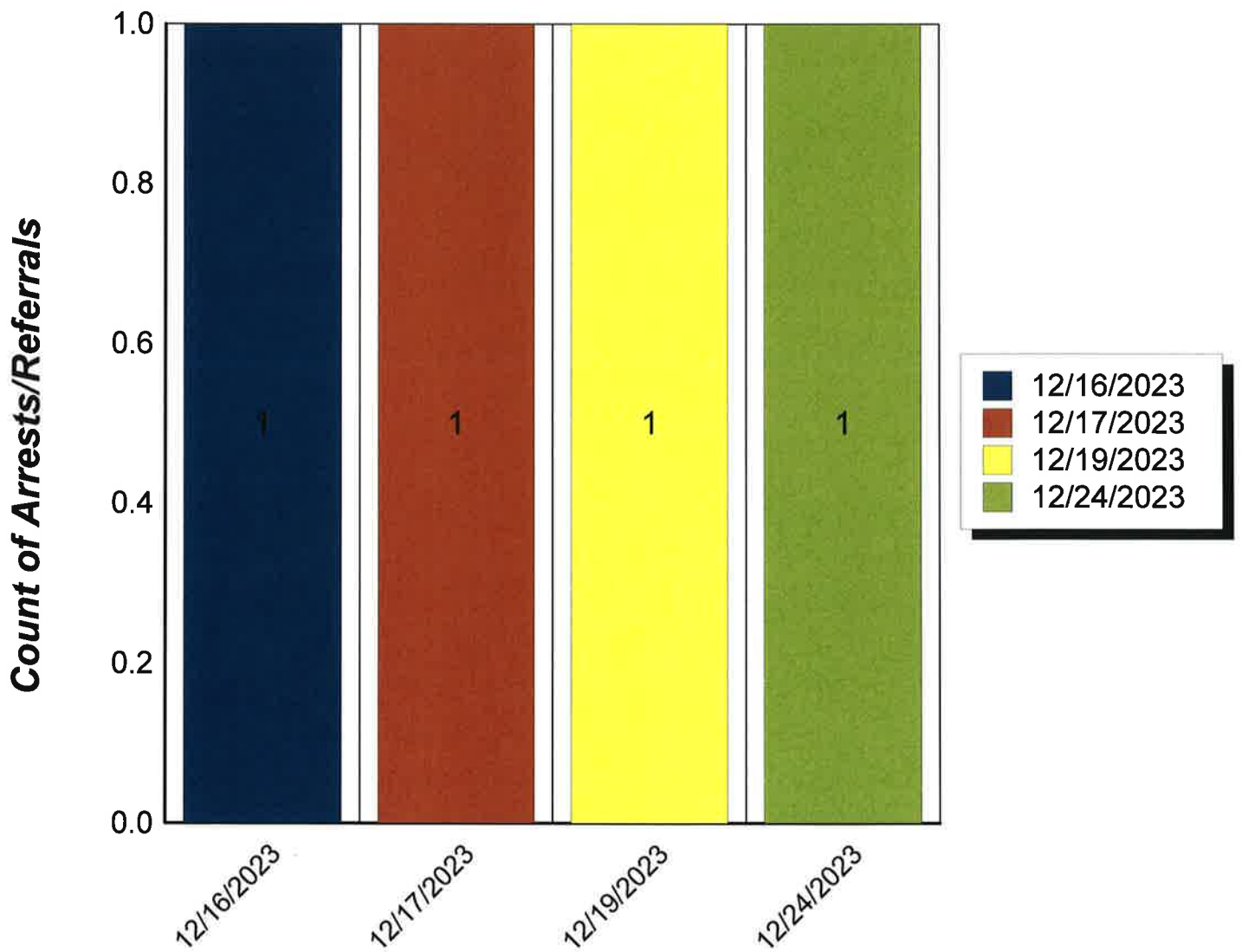
Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
12/16/2023	07:00 PM	JACOB D. BOGGS	170 S. LUTHERAN CHURCH, NEW LEBANON, OH 45345 35: WARRANT ARREST	2023-00062
12/17/2023	08:47 AM	JOE A. LAINHART	12 CORONADO, BROOKVILLE, OH 45309 291121: Criminal trespass 292315: Using weapons while intoxicated 290709: Public indecency	2023-00545
12/19/2023	09:22 AM	TRISHA L. CHASTAIN	403 MARKET ST APT 2, BROOKVILLE, OH 45309 291925A: Domestic violence - knowingly cause physical harm	2023-00549
12/24/2023	10:20 PM	KYLEIGH L. CHALMER	2170 MAPLEVIEW AVE, DAYTON, OH 45420 291925A: Domestic violence - knowingly cause physical harm	2023-00557
Total Selected = 4				

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
December 16, 2023	1
December 17, 2023	1
December 19, 2023	1
December 24, 2023	1
Total Selected = 4	

Arrest Log by Date

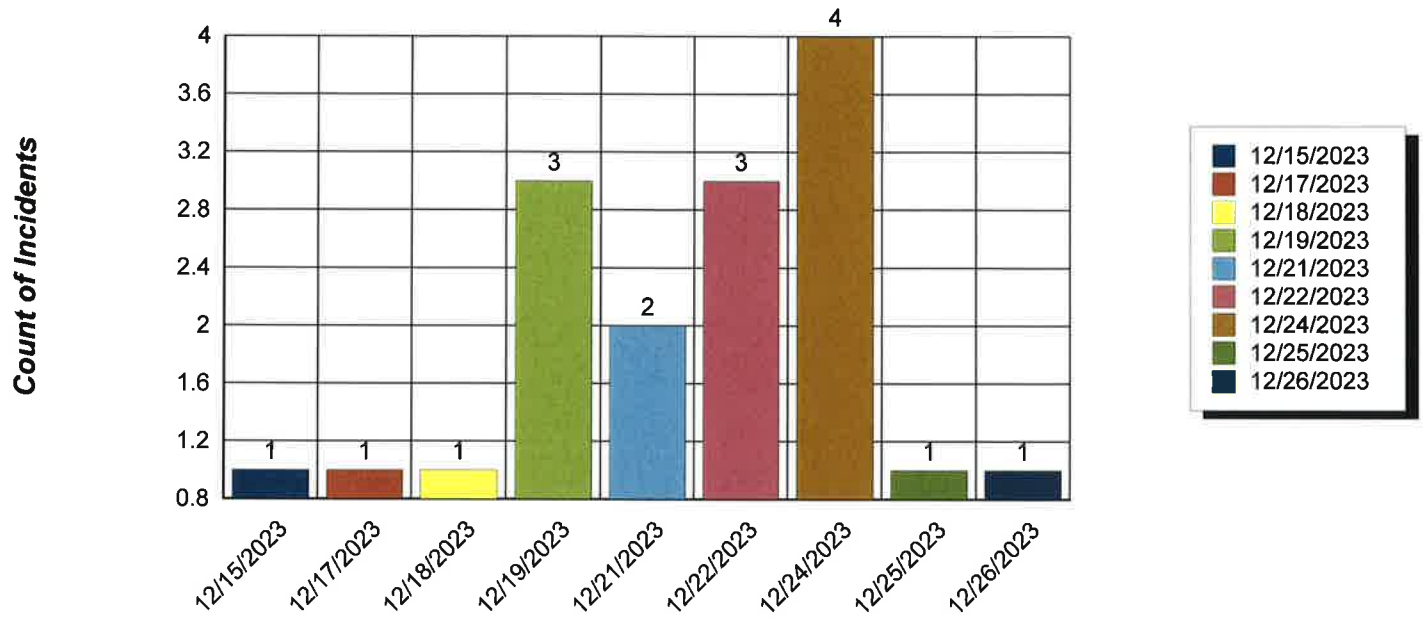


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
12/15/2023	Friday	1
12/17/2023	Sunday	1
12/18/2023	Monday	1
12/19/2023	Tuesday	3
12/21/2023	Thursday	2
12/22/2023	Friday	3
12/24/2023	Sunday	4
12/25/2023	Monday	1
12/26/2023	Tuesday	1
Total Selected = 17		

Incident Log by Date Reported



Brookville Police Department

Arrest Log by Date

December 16, 2023

Suspect's Name: **JACOB D. BOGGS**

Race: White

Sex: Male

DOB: 07/12/1999

Type of Arrest: Warrant Issued

Condition: Normal

Charge(s): 35 - WARRANT ARREST

Incident ID: 2023-00062

Age at Time of Incident: 23

Resisted Arrest: No

Advised of Rights: No

Informed of Charge: No

Fingerprinted: No

Palmprinted: No

NCIC Check: No

Arresting Officers: FJW01 - FOREST WILSON

Total Number of Arrests: 1

December 17, 2023

Suspect's Name: **JOE A. LAINHART**

Race: White

Sex: Male

DOB: 06/15/1965

Type of Arrest: Taken into custody

Booking Station:

Condition: Normal

Charge(s): 291121 - Criminal trespass
292315 - Using weapons while intoxicated
290709 - Public indecency

Incident ID: 2023-00545

Age at Time of Incident: 58

Booking No:

Resisted Arrest: No

Advised of Rights: No

Informed of Charge: Yes

Fingerprinted: No

Palmprinted: No

Photo Taken: Yes

NCIC Check: No

Arresting Officers: CMP01 - CANDACE PRESSON

Total Number of Arrests: 1

December 19, 2023

Suspect's Name: **TRISHA L. CHASTAIN**

Race: White

Sex: Female

DOB: 08/23/1979

Type of Arrest: Taken into custody

Condition: Normal

Charge(s): 291925A - Domestic violence - knowingly cause physical harm

Incident ID: 2023-00549

Age at Time of Incident: 44

Resisted Arrest: No

Advised of Rights: No

Informed of Charge: No

Fingerprinted: No

Palmprinted: No

NCIC Check: No

Arresting Officers: CMP01 - CANDACE PRESSON

Total Number of Arrests: 1

December 24, 2023

Brookville Police Department

Arrest Log by Date

Suspect's Name: KYLEIGH L. CHALMERS

Resisted Arrest: No

Race: White

Incident ID: 2023-00557

Advised of Rights: No

Sex: Female

Informed of Charge: Yes

DOB: 05/29/2004

Age at Time of Incident: 19

Fingerprinted: No

Type of Arrest: Taken into custody

Palmprinted: No

Condition: Normal

NCIC Check: No

Charge(s): 291925A - Domestic violence - knowingly cause physical harm

Arresting Officers: TJB01 - TIMOTHY BEAVER

Total Number of Arrests: 1

Total Selected = 4

FINAL RESOLUTION

The following Final Resolution enacted by the City of **Brookville**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the **18th day of April 2023**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of improvements to Wolf Creek Street from Arlington Road to Western Avenue, including pavement planing, pavement repair, resurfacing, and pavement markings, lying within the City of Brookville; and

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

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Eighty-Seven Thousand Nine Hundred Twelve and - - - 00/100 Dollars, (\$87,912.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum, of **Eighty-Seven Thousand Nine Hundred Twelve and - - - 00/100 Dollars, (\$87,912.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that the **City Manager** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____, 20____, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 20____.

Legislative Authority of the
City of **Brookville**, Ohio

City Manager

SEAL
(If Applicable)

Clerk (Secretary Ex-Officio)

FISCAL OFFICER'S CERTIFICATE
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$87,912.00** required for the payment of the cost other than that thereof assumed by the **Federal** Government, for the improvement of that portion of **Wolf Creek Street**, lying within the corporate limits of the City of **Brookville**, more particularly described as follows:

The project consists of improvements to Wolf Creek Street from Arlington Road to Western Avenue, including pavement planing, pavement repair, resurfacing, and pavement markings, lying within the City of Brookville; and

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the City of **Brookville**, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

Legislative Authority's Journal, Volume _____, at Page _____,

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this _____ day of _____, 20_____.

(Fiscal Officer's Seal)
(If Applicable)

Fiscal Officer of the City of
Brookville, Ohio

CONTRACT
(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of **Brookville**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

WHEREAS, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

SECTION I: **RECITALS**

The foregoing recitals are hereby incorporated as a material part of this contract.

SECTION II: **PURPOSE**

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: LEGAL REFERENCES

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of improvements to Wolf Creek Street from Arlington Road to Western Avenue, including pavement planing, pavement repair, resurfacing, and pavement markings, lying within the City of Brookville.

SECTION V: FINANCIAL PARTICIPATION

1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
2. The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of **Eighty-Seven Thousand Nine Hundred Twelve and - - - 00/100 Dollars, (\$87,912.00).**
5. **The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.**
6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION VI: RIGHT-OF-WAY AND UTILITIES

1. 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.
2. 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, including that:
 - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
 - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
 - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
2. The LPA agrees:
 - A. To keep said highway open to traffic at all times;
 - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto,

- C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
- D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;
- E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

SECTION IX: NOTICE

Notice under this contract shall be directed as follows:

City of Brookville
301 Sycamore Street, P.O. Box 10
Brookville, Ohio
45309

Ohio Department of Transportation
Office of Contract Sales & Estimating
1980 West Broad Street, MS 4110
Columbus, Ohio 43223

SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.

2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

SECTION XI: GENERAL PROVISIONS

1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.

6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

SECTION XII: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

IN WITNESS THEREOF, the parties hereto have caused this contract to be duly executed in duplicate.

SEAL
(If Applicable)

**OHIO DEPARTMENT OF
TRANSPORTATION**

LOCAL PUBLIC AGENCY
City of **Brookville**

Director of Transportation

City Manager

Date

Approved:
Dave Yost
Attorney General of Ohio

By: _____
Corinna Efke
Unit Coordinator, Transportation
Executive Agencies Section

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-12 Passed , 20

AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF LOTS 2802 AND 2803 OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, the City of Brookville City Council accepted the annexation of 113.562 acres located in Perry Township to the City of Brookville on October 17, 2023; and

WHEREAS, the annexed territory of 113.562 acres is described in the annexation legal description and map attached hereto as Exhibits "A" and "B" and incorporated herein by reference; and

WHEREAS, City of Brookville Lot Numbers 2802 and 2803 were assigned to parcels within the annexation territory; and

WHEREAS, Section 1117.04 (c) of the Code of Ordinances provides that within three months after the effective date of an annexation, Planning Commission shall recommend the appropriate permanent zoning districts for the annexed land; and

WHEREAS, after public hearing on the establishment of a zoning classification of the annexed property as required by Section 4.11 of the Charter, and upon recommendation of Planning Commission, Council of the City of Brookville hereby adopts this Ordinance to establish the zoning classification for the annexed land.

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

SECTION I: The zoning classification of the annexed land, being City of Brookville Lots 2802 and 2803, as set forth and described in the annexation legal description in Exhibit "A" and the annexation map attached hereto as Exhibit "B", shall be R-1A Suburban Residential District.

SECTION II: As required by Ohio Revised Code Section 709.023, Council has determined that the owner of the annexed territory shall provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. The term "buffer" in Ohio Revised Code Section 709.023 includes open space, landscaping, fences, walls, and other structured elements, streets and street right-of-way, and bicycle and pedestrian paths and sidewalks.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED THIS day of 2024.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2023-12 Passed _____, 20____

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-12, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____, 2024.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No, 2023-12 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 _____ 2024 to the _____ day of _____ 2024, both days inclusive.

Kimberly Duncan, 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

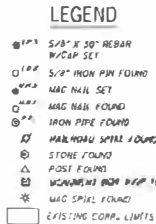


03/16/2023
Date

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

A map of the study area showing the location of the survey. The map includes labels for 'Cape de', 'MYSTROPOD RD', 'MISTROPOD RD', and 'THIS SURVEY'. A black triangle indicates the survey area.

EXHIBIT B



LINE CHART		
LINE	BEARING	DIST
L1	S00°28'16"W	56.11
L2	N26°46'53"E	23.00

OCCUPATION STATEMENT

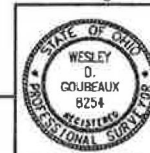
PROPERTY LINES CALCULATED FROM EXISTING
ADJUDICATION AND SURVEYS OF RECORD.

CERTIFICATION

THESE CERTIFY THIS PLAN WAS PREPARED IN ACCORDANCE WITH D.A.C. CHAPTER 1253 BY STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS TO THE D.A.C. CHAPTER 111 FOR RECORD PLANS AND PLAT CANCELSION UNDER DISTRICT SUPERVISION AND BASED ON ACTUAL TYPING PERFORMED IN FEBRUARY, 2023. ALL MEASUREMENTS ARE ESTIMATES AND MONUMENTS ARE NOT TO BE SET AS SHOWN.

WESLEY D. COUBEUX, P.S. #8254

3/16/2023
DATE



PREPARED BY:

ChoiceOne ✓
Engineering

ADAMS, L. D. 927-497-0200
LOVELAND, OHIO 511 215 8354

DATE
03-16-2023

JOB NUMBER:

NO78RQ2102

SHEET NUMBER

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

MARK A. WEIHER
1435 WESTBROOK RD.
BROOKVILLE, OH 45309
IN DEED 20-06693
155-027-02-0018

A.C.J. ILLIC
10522 WESTBROOK RD.
BROOKVILLE, OH 45309
IN DEED 07-103844
155-027-02-0018

JLR LEASING, LLC
354 CARR DR.
BROOKVILLE, OH 45309
IN DEED 18-051307
105-005-14-0001

CLIFFORD E. SMITH &
DEENA E. SMITH
10328 WESTBROOK RD. #3
BROOKVILLE, OH 45309
IN DEED 14-0007

LOT 1009
JLR LEASING, LLC
354 CARR DR.
BROOKVILLE, OH 45309
IN DEED 23-002358
154-005-14-0003

LOT 2157
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0001

LOT 2156
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0003

LOT 2155
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0009

LOT 2154
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0008

LOT 2153
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0007

LOT 2152
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0006

LOT 2151
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0005

LOT 2150
MARTIN F. HUMMEL &
JOAN M. HUMMEL
428 ABERDEEN AVE.
OAKWOOD, OH 45419
IN DEED 21-064567
154-005-28-0004

LOT 2137
SCOTTIE OSBORN
85 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 21-084229
154-006-09-0021

LOT 2136
ELISA A. LITTLEJOHN
171 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 20-008991
154-006-09-0022

LOT 2135
MICHAEL J. OAKWOOD, TRUSTEE
117 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 22-044642
154-006-09-0021

LOT 2134
THOMAS A. BRANDT &
KAREN S. BRANDT
83 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 03-002581
154-006-09-0020

LOT 2133
SHERRI L. EEBERG &
MATTHEW G. EEBERG
201 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 15-068964
154-006-09-0019

LOT 2132
JENNIFER L. WALLACE
707 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 18-031121
154-006-09-0018

LOT 2131
TIMOTHY F. NELSON &
REBECCA M. NELSON
213 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 03-048311
154-006-09-0017

LOT 1830
GARY A. LAUVER &
RACHEL D. LAUVER
213 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 06-044958
154-006-01-0012

LOT 1829
JAMES P. BROOK &
MARY ANNE BROOK
201 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 09-262101
154-006-01-0011

LOT 1828
JAMES L. FRIPP &
ELIZABETH J. FRIPP
201 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 18-073503
154-006-01-0010

LOT 1821
DAVID A. WRIGHT &
OLYA LEE WRIGHT
213 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 06-010009
154-006-01-0009

LOT 1820
GREGORY L. RANDALL &
SANDRA L. RANDALL
213 BROOK WOOD DR.
BROOKVILLE, OH 45309
IN DEED 06-025711
154-006-01-0008

CITY OF BROOKVILLE
201 SYCAMORE ST.
BROOKVILLE, OH 45309
IN DEED 22-043469
154-006-17-0011

LOAN J. BOOTH &
JESSICA D. BOOTH
73727 WESTBROOK RD.
BROOKVILLE, OH 45309
IN DEED 18-044084
104-208-16-0033

SHANNON S. SEEBACH &
JENNIFER A. COOPER-SEEBACH
5678 WICKATHORN AC.
BROOKVILLE, OH 45309
IN DEED 02-001002
155-027-01-0010

JESSE R. WHEELER, JR.
1072 CANDELL ST.
SUITE 104
JACKSON, MI 48401
IN DEED 22-050827
155-027-01-0005

JOHN L. BITTIER &
PATRICIA A. BITTIER
2211 4TH HILL RD.
BROOKVILLE, OH 45309
IN DEED 21-051819
155-027-02-0013

TERRY H. STOUT &
MASTINE A. STOUT
1221 WOLF CREEK PIKE
BROOKVILLE, OH 45309
IN DEED 18-045899
156-027-02-0017

MARIE ELLAN PRICE, TRUSTEE &
LINDA MAE PRICE, TRUSTEE
5628 N STANFORD HILL RD.
BROOKVILLE, OH 45309
IN DEED 14-051865
156-008-19-0001

ROBERT J. MOYER
8345 TURNING LEAF CROSSING
SPRINGBORO, OH 45066
IN DEED 20-085302
138-026-19-0002

JAMES W. JEFFRIES &
MARY W. JEFFRIES
10660 WESTBROOK RD.
BROOKVILLE, OH 45309
IN DEED 02-153269
155-027-02-0003

ANNEXATION OWNERS INDEX

- 1 CITY OF BROOKVILLE
201 SYCAMORE ST.
BROOKVILLE, OH 45309
D.M.F. 33-118006
155-027-02-0028
- 2 JLR LEASING, LLC
354 CARR DR.
BROOKVILLE, OH 45309
IN DEED 23-002358
155-027-02-0003

Wesley D. Goubeaux, P.S. #8254

3/15/2023
DATE



PREPARED BY:
ChoiceOne
Engineering
3407 S. 2ND ST. #12200
LOVELAND, OH 43127-2551
www.choiceoneengineering.com

DATE:
03-16-2023
OR APP BY:
RMF
JOB NUMBER:
MOTBRO2303
SHEET NUMBER
2 OF 2

RESOLUTION NO. 24-01

No. _____

Passed _____

Yr. _____

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.

WHEREAS, the City of Brookville, Ohio has accumulated surplus property; and

WHEREAS, the City of Brookville, Ohio no longer needs these items; and

WHEREAS, it would be uneconomical under the circumstances to maintain these items and would not be in the best interest of the citizens of the City of Brookville, Ohio to keep this equipment under the circumstances.

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

SECTION I: The City Manager is hereby authorized to place all such surplus items for sale at either a public auction, a private sale, or by Internet auction. The sale price is to be determined at the sole discretion of the City Manager as well as the method of sale. The City Manager may also donate the surplus items to a government entity or to a non-profit organization. The City Manager shall provide a report to City Council within thirty (30) days after the disposal of surplus property that specifies the surplus property, the method of disposal and any funds generated from the sale of the surplus property and the name and address of the buyer or donee.

SECTION II: This Resolution shall therefore take effect and be in force from and after its passage as provided in the Charter of the City of Brookville, Ohio.

PASSED this _____ day of _____ 2024.

ATTEST:

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 Resolution No. 24-01, passed by the Council of said City on the _____ day of _____ 2024.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio hereby certifies that the foregoing Resolution No. 24-01 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 _____ 2024 to the _____ day of _____ 2024 both days inclusive.

Kimberly Duncan, Clerk