



CITY COUNCIL
Tuesday, January 16, 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=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 January 2, 2024 Regular Meeting Minutes

IV. 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
- f. Mayor Chuck Letner

V. Old Business

- a. Second reading of proposed Resolution No. 24-01 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY EITHER AT A PUBLIC AUCTION, A PRIVATE SALE, BY INTERNET AUCTION OR BY DONATION TO A GOVERNMENT ENTITY, OR TO A NON-PROFIT ORGANIZATION."

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



- b. Third 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."

VI. New Business

- a. First reading of Ordinance No. 2024-01 entitled "AN ORDINANCE ACCEPTING THE ANNEXATION OF 85.611 ACRES, MORE OR LESS, IN CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF BROOKVILLE, OHIO AND DECLARING AN EMERGENCY."

VII. Reports of Boards and Commissions

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

VIII. Public Comments (5 minutes per speaker)

IX. Motion for Adjournment

Please note: Council welcomes the comments and input of the public during Council Meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council Meeting or Public Hearing.

Any citizen who wishes to address Council should state their name, address and then their comments. Speakers should not approach Council Members without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to other individuals to prevent any potential confusion or disruption.

Brookville City Council
Regular Meeting
January 2, 2024

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on January 2, 2024. 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, Piper, Schreier, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present.

Law Director Stephan administered the Oath of Office to Mayor Letner and Members Crane, Fowler and Piper.

Roll Call by Clerk Duncan.

Manager Keaton reported the approval of the Fund Balance for December 31, 2023 should be removed from the Agenda. It will be presented at the next Council meeting.

Motion by Fowler, second by Zimmerlin to adopt the Agenda with a correction. All yeas, motion carried.

Motion by Crane, second by Piper to nominate Member Zimmerlin to continue as Vice Mayor for a two-year term. All yeas, motion carried.

Motion by Schreier, second by Zimmerlin to accept the December 19, 2023 Regular Meeting Minutes as presented. Fowler yea, Zimmerlin yea, Schreier yea, Wilder yea, Piper abstained, Crane yea, Letner yea. Motion carried with six yeas and two abstentions.

Becky Ditmer, President of the Brookville Historical Society, thanked Council for supporting the Historical Society in 2023. Mrs. Ditmer reported during the past year they sold the old research library, but the proceeds of the sale had to be used to repair the front porch on the Hay Avenue building. They also had a water leak in the attic of the Hay Avenue building, which they just paid to repair. Efforts to raise money were made by participating in the Block and Craft Show put on by the Brookville Library, but they did not sell anything. They have not had a booth at the Community Picnic for several years as they never do more than break even. Membership is down to only 110 members and donations are down significantly this year. They have researched different grant opportunities and found that most grants are for businesses or non-profits much larger than they are. Mrs. Ditmer reported operating expenses for the Historical Society are approximately \$1,527 per month. Mrs. Ditmer requested Council approval of a \$7,500 grant request for operating expenses in 2024.

Member Fowler asked what they are doing right now to increase their revenues?

President Ditmer replied they have had some tours, but they don't really make any money from the tours.

Member Fowler asked if they have reached out to any other service organizations for assistance?

Carolyn Haney, of 202 Beechwood, commented the Optimist Club donated some money to them after the Pumpkin Walk. Mrs. Haney stated people do not usually get interested in the history of Brookville until they reach a certain age, making it hard to increase membership.

Member Fowler inquired if they have cash reserves?

Mrs. Haney replied they do, but it is in an endowment account, which is invested. They do make some money from the interest. This year will be the 50th anniversary of the Spitler House opening. They hope build a fundraiser around this anniversary.

Member Fowler stated he supports the Historical Society and wants them to be prosperous, however, they are the only organization that the City funds. He would like to see them become more self-sufficient and rely less on the City.

Ms. Haney replied they would like nothing more than to do that too.

Manager Keaton commented Council has been provided a copy of the Historical Society's revenues and expenditures from January 1 through November 30 of 2023.

Ms. Haney commented they have not been able to find any grant opportunities for operating expenses.

Motion by Fowler, second by Zimmerlin to approve a \$7,500 grant for the Brookville Historical Society for operating expenses in 2024. All yeas, motion carried.

Manager Keaton stated she is pleased to inform Council that we have increased our General Fund balance by \$458,152. We began 2023 with a balance of \$1,568,924 in our General Fund and 2024 will begin with a balance of \$2,027,076. This is the first time since 2020 that our General Fund beginning balance is above \$2M.

Manager Keaton reported the City sold two surplus items on GovDeals last week, a 2007 Cut Saw for \$340 and a 2002 Pole Saw for \$280.

Manager Keaton reported bids were opened on December 15, 2023 for the Hay Avenue, Phase 2 Reconstruction Project. Council has a copy of the Bid Tabulation sheet. We received five responsive bids. References were checked for M&T Excavating as we are not familiar with that contractor, and the references were favorable. Manager Keaton recommended Council accept the lowest and responsive bid of \$773,930 from M&T Excavating.

Motion by Schreier, second by Crane to accept the lowest and responsive bid of \$773,930 from M&T Excavating for the Hay Avenue, Phase 2 Reconstruction Project. All yeas, motion carried.

Manager Keaton gave a 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. In this case, it was from a different vendor and the pricing was much more competitive. The rate offered by Constellation is \$4.97 per million BTU with a term of 12 months; In August 2022, gas future prices were as high as \$10.18 per million BTU. Constellation's response on why they submitted a proposal for 12 months in lieu of a longer term, and they indicated that we are a large aggregation starting up and there were several unknowns that made their management uncomfortable in offering a longer term. MVCC is scheduling a meeting next week with all communities participating in natural gas aggregation to review the particulars and decide whether to move forward, as Constellation is requesting a contract be in place by January 17. Manager Keaton advised she will provide Council with an update at the next meeting.

Manager Keaton advised proposed 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.

Manager Keaton provided Council with a breakdown of Issue 2 results by precinct as requested at the last Council Meeting. The Yes votes total 1,065 and the No votes total 1,117. Manager Keaton advised the Council packet includes copies of the precinct maps.

Member Zimmerlin thanked Manager Keaton, Finance Director Brandt, Police Chief Jerome, Fire Chief Fletcher and Law Director Stephan for all of their hard work to get the General Fund up from where it was last year.

Finance Director Brandt had no report.

Fire Chief Fletcher reported December of 2023 was their busiest month of the year. This was the second highest month on record in number of calls for the Fire Department. This was a very safe year, with no significant injuries to staff this year. The high dollar loss in 2023 is attributed two commercial fires, one at the KOA campground and the other at Brubaker Grain.

Police Chief Jerome reported a new full-time Police Officer began her training with the Police Department today.

Police Chief Jerome reported the new cruiser ordered in early 2023 is finally being built and the old cruiser with the bad transmission is being stripped down. The process to upfit the cruisers takes four to five months to complete.

Police Chief Jerome reported Police Officer Snell is lucky to be alive after being involved in a serious accident on New Year's Day. Police Officer Snell was not on duty at the time of the accident.

Police Chief Jerome reported he was pleased to meet the new Director of Support Personnel and Transportation Supervisor, Dave Williamson today. Police Chief Jerome wished Jeff Requarth all the best as he retires from this position.

Law Director Stephan reported Planning Commission has made a Final Recommendation for proposed Ordinance No. 2023-12, which establishes the zoning classification of Lots 2802 and 2803 of the City of Brookville. This is for the newly annexed territory of 113.562 acres located on Heckathorn Road, adjacent to the city bikeway, which runs from Westbrook Road to Heckathorn Road. The proposed zoning is R-1A, which is single-family residential zoning. Law Director Stephan advised the first reading and Public Hearing has been completed and requested City Council approve the second reading and dispense with the third reading of proposed Ordinance No. 2023-12.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2023-12. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the second reading, dispense with the third reading and adopt Ordinance No. 2023-12 entitled "AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF LOTS 2802 AND 2803 OF THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Mayor Letner reminded encouraged everyone to attend the Community Prayer Breakfast at the Board of Education building, 75 June Place, on January 11, 2024 at 7:30 a.m.

Mayor Letner advised all elected officials in the State of Ohio, or their appropriate designees, are required to obtain three hours of training approved by the Attorney General once per elected term per Ohio Revised Code Section 109.43. The purpose of this training is to ensure that all employees of public offices are appropriately educated about their obligations under the Public Records Act. The training is intended to enhance officials' knowledge of their duty to provide access to public records, and to provide guidance in updating their offices' public records policies. Compliance with this training program will be audited by the Auditor of State in the course of a regular financial audit. Mayor Letner recommended that Council appoint Clerk Duncan as Council's appropriate designee to attend the certified Public Records training established by the Ohio Attorney General. Mayor Letner asked Council if they would each like to attend a training session, take the training course online, or appoint an appropriate designee?

Motion by Zimmerlin, second by Fowler to appoint Clerk Duncan as Council's appropriate designee to attend the certified Public Records training established by the Ohio Attorney General. All yeas, motion carried.

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

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

Motion by Zimmerlin, second by Piper to read proposed Resolution No. 24-01. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the first reading of proposed Resolution No. 24-01. All yeas, motion carried.

Member Fowler, Park Board Liaison, reported the Christmas in the Park event was a success, stating it is always sad to see the lights come down.

Manager Keaton advised the tear down event is on Friday, January 5 at 10:00 a.m. Park Board would appreciate any assistance if anyone wants to help.

Member Schreier, Planning Commission Liaison, reported Planning Commission made the Final Recommendation to Council for proposed Ordinance No. 2023-12. The other item on the agenda was tabled until the next meeting.

Zach Music, Perry Township Trustee, stated he loves this Council and what they have done for the City. He is a big supporter of the growth Brookville is seeing and he 100% supports landowners' autonomy over their land. But that autonomy still has limits and guidelines, for good reason. Mr. Music stated he is not against annexation when it makes sense. Mr. Music stated he is here to speak about the 71 acres petitioned for annexation on Brookville Pymont Road. He provided Council with a copy of Brookville's zoning map, with the property marked on the south side of the map. This property butts up to the corner of the Denlinger's 79 acres off of Westbrook Road. Those two properties, only separated by the roughly 20 feet of road, creates an island of about 28 properties of Perry Township along Westbrook Road, Johnsonville Brookville Road and Brookville Pymont Road. Mr. Music stated he believes this is stretching the limits of not creating an unincorporated area, completely surrounded by the incorporated area, by saying a 20-foot roadway keeps it open. Mr. Music stated it is his understanding that these 71 acres is only step one and is so only to suffice the 5% mandate that 5% of the proposed area to be annexed be touching the incorporated area. That 5% is only 520 feet of the back of Mr. Hughes 13-acre property on Johnsonville Brookville Road, an area not accessible or even visible by the public. Once these 71 acres are approved by the county the remaining 62 acres will have no problem meeting annexation requirements. Mr. Music stated he can only assume this is an attempt to develop the land for housing, which after all of it is annexed could reach upwards of 300 homes stretching all the way to Air Hill Road. He would assume that there would be access off of Airhill Road and Brookville Pymont Road. This would create a scenario where Brookville Police Department would have to travel a half mile into Perry Township on Brookville Pymont Road or a mile out to Air Hill Road through Perry Township on any calls for service. Mr. Music stated he believes this annexation, though barely meeting requirements, is nothing more than legal acrobatics to get it approved. Mr. Music stated he believes the municipal corporation has ultimate authority to accept or reject the annexation and if not, has the right to appeal the decision by the Board of County Commissioners. Mr. Music also believes this Council can present to the Commissioners opposition to it and he urges them to do that. Mr. Music stated Council does not have to accept every petition for growth just because they can or for the sake of growth. It needs to make sense to do so and he does not believe this particular request makes sense. To be clear, this is 7,435 square feet around. The property owner owns 136 acres and there is only 520 feet that touch one side of it as indicated on the map he provided to

Council. Mr. Music stated he is not against housing developments if they make sense, but he believes this is a stretch and creates an island. Mr. Music urged Council to do what they can, if possible, to not see this one through.

Member Fowler commented that he does not mind annexation if a landowner wants it, but this does not mean we have to necessarily approve every builder that comes into the city. Member Fowler stated he is not looking for growth on the south side of our border. We have a lot going on in our north side that far exceeds anything down here. Member Fowler stated he does not know a whole lot about this, only that he heard there is a potential for single-family homes. Law Director Stephan may have more information about this particular piece of property. The city could possibly handle the water run-off and the sewage, but he does not know that we would choose to do so at this point in time.

Member Zimmerlin stated the most important thing to remember is that this has not come before Council yet. Any property owners around the city can petition for annexation and we have an obligation to go through that process. Council and Planning Commission will look at all the factors regarding this annexation or any annexation that comes before them. It is important to remember that everyone is entitled to the same process.

Mayor Letner advised the city does not solicit annexations. Property owners must approach us to seek annexation. For a development to go in that area, our Ordinance requires that they have city water and sewer, which is not paid for by the city. This whole discussion is very preliminary.

Member Fowler commented that he does not know what the landscape is going to look like in 15-20 years but we do have to have growth to sustain ourselves. At this time, this is not a viable plan.

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: 1/12/2024

Request Council authorization to purchase a 2024 F-350 4x4 Regular Cab pickup truck for the Service Department at a cost of \$49,985.00 through Ricart Ford.

We received notification recently that Constellation New Energy withdrew their offer to supply natural gas aggregation for the Miami Valley Communications Council.

We received a refund of \$9,504.15 for the Safe Routes to School Project. The \$9,504.15 receipt will be posted in the Street M&R Fund.

Request Council approval for our membership with the Miami Valley Regional Planning Commission (MVRPC) for 2024, and to appoint Mayor Letner as Member and soon to be City Manager Kuntz as Alternate to the MVRPC Board; and soon to be City Manager Kuntz as Member and Mayor Letner as Alternate to the Technical Advisory Committee for 2024. The dues are \$3,174.17 and are based on the population figures from the 2020 census and are computed at fifty-three cents per capita. I have provided Council with a copy of the 2022 Benefits Report for the City of Brookville. This report shows Brookville received a \$19,079 or 605% return on investment.

Clerk Duncan received two letters of interest for the open Planning Commission seats. Council needs to schedule a Special Meeting to interview the two candidates.

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

- Removed Christmas lights from Market Street and Golden Gate Park
- Collected 1,650 gallons of used oil
- Repaired water main breaks on Doyle and Villa
- Repaired a fire hydrant that was hit on Albert
- Salted streets on January 6, used approximately 8 tons of salt
- Repaired a water service and sanitary lateral on Villa following repair of break
- Restocked gravel and water main materials

Memo

To: Mayor and Council

From: Michelle Brandt, Finance Director

Date: January 16, 2024

Subject: Finance Report

→ Requesting Council accept the December 31, 2023 Fund Balance. Overall for December, MTD Expenses exceeded Revenues by \$495,831.

- General Fund Beginning Balance is down \$57,613 compared to 2022
 - General Fund YTD Revenue is up \$870,743 compared to last December
 - Income Tax is up \$352,384
 - Interest on Investments is up \$114,703
 - Advances in are up \$200,000
 - Fire Contracts are up \$198,235
 - General Fund YTD Expenses are up \$354,978 compared to last December
 - Payroll is up \$182,099
 - Transfers Out are up \$66,945
 - Police Capital is up \$12,320
 - Mun Engineer is up \$12,881
- Street M&R Fund Beginning Balance is down \$82,976 compared to 2022
 - Street M&R Fund YTD Revenue is down \$131,195 compared to last December
 - Misc Sales & Services is up \$86,192
 - OPWC funds are down 378,915
 - Transfers In are up \$150,000
 - Street M&R Fund YTD Expenses are down \$264,909 compared to last December
 - OPWC Funds are down \$399,144
 - Capital is up \$63,052
 - Salt Supply is up \$14,014
 - Auto Repair Parts is up \$12,895
- Park & Rec. Fund Beginning Balance is up \$92,985 compared to 2022
 - Park & Rec. Fund YTD Revenue is down \$104,037 compared to last December
 - Transfers in are down \$100,000
 - Park & Rec. Fund YTD Expenses are up \$57,929 compared to last December
 - Park Capital is up \$72,718
 - Park Building Land Maint is down \$13,731
- Water Fund Beginning Balance is up \$431,577 compared to 2022

- Water Fund YTD Revenues are down \$179,146 compared to last December
 - Water sales are up \$53,877
 - Water Tap Permits are down \$7,500
 - Issue 2 funds are down \$228,026
- Water Fund YTD Expenses are down \$123,101 compared to last December
 - Capital Improvement is down \$107,833
 - City of Dayton Water is up \$73,869
 - OPWC expenses are down \$131,445
- Sewer Fund Beginning Balance is down \$405,067 compared to 2022
 - Sewer Fund YTD Revenue is up \$20,526 compared to last December
 - Sewer sales are up \$20,526
 - Sewer Fund YTD Expenses are down \$537,030 compared to last December
 - Capital Improvement is down \$504,420
 - Municipal Engineer is down \$17,566
 - Sewer M & R is down \$13,067
- Stormwater Fund Beginning Balance is up \$64,637 compared to 2022
 - Stormwater Fund YTD Revenue is down \$146,825 compared to last December
 - Stormwater sales are up \$813
 - Miscellaneous funds are up \$17,331
 - OPWC funds are down \$164,894
 - Stormwater Fund YTD Expenses are down \$168,237 compared to last December
 - OPWC expenses are down \$156,019
 - Capital expenses are down \$14,519
- Refuse Fund Beginning Balance is up \$12,385 compared to 2022
 - Refuse Fund YTD Revenue is up \$247,824 compared to last December
 - Refuse sales are up \$116,502
 - Equipment Sales are up \$133,500
 - Refuse Fund YTD Expenses are up \$66,646 compared to last December
 - Refuse & Recycling Fee is up \$74,757
 - Dumping fees is down \$1,893

→ Requesting Council's authorization to transfer funds from the General Fund to the following funds as appropriated:

- \$200,000 to the Street Fund
- \$92,000 to the Note Retirement Fund
- \$375,800 to the Bond Retirement Fund
- All transfers except for the Bond Retirement Fund are only a portion of the full amount appropriated.

City of Brookville

Statement of Cash Position with MTD Totals

From: 1/1/2023 to 12/31/2023

Include Inactive Accounts: No

Funds: A01 to E10

Page Break on Fund: No

Fund	Description	Beginning Balance	Net Revenue MTD	Net Revenue YTD	Net Expenses MTD	Net Expenses YTD	Unexpended Balance	Encumbrance YTD	Ending Balance
A01	GENERAL FUND	\$1,568,923.70	\$375,402.87	\$5,873,267.23	\$472,276.24	\$5,415,114.65	\$2,027,076.28	\$78,027.55	\$1,949,048.73
B01	STREET M. & R.	\$81,547.05	\$45,330.73	\$1,111,932.38	\$68,485.80	\$1,061,194.91	\$132,284.52	\$46,204.32	\$86,080.20
B04	PARK & RECREATION	\$158,004.58	\$2,960.76	\$210,895.13	\$14,095.47	\$279,876.29	\$89,023.42	\$2,231.53	\$86,791.89
B09	LAND REUTILIZATION	\$39,266.96	\$0.00	\$0.00	\$0.00	\$0.00	\$39,266.96	\$0.00	\$39,266.96
B12	LOCAL FISCAL RECOVERY FUND	\$574,114.17	\$0.00	\$0.00	\$8,380.00	\$398,367.36	\$175,746.81	\$18,610.00	\$157,136.81
B13	LAW ENFORCEMENT	\$5,707.28	\$60.00	\$9,861.77	\$0.00	\$4,754.20	\$10,814.85	\$0.00	\$10,814.85
B14	OHIOONE OPIOID	\$1,872.37	\$0.00	\$4,462.36	\$0.00	\$0.00	\$6,334.73	\$0.00	\$6,334.73
B16	FEMA	\$0.00	\$0.00	\$180,761.90	\$0.00	\$180,761.90	\$0.00	\$0.00	\$0.00
C01	BOND RETIREMENT	\$693.28	\$0.00	\$371,200.00	\$0.00	\$371,800.00	\$93.28	\$0.00	\$93.28
C03	NOTE RETIRE-NORTHBROOK	\$6,130.31	\$0.00	\$88,000.00	\$80,961.86	\$91,168.36	\$2,961.95	\$373.64	\$2,588.31
D03	CAPITAL IMPROVEMENT	\$166,402.27	\$0.00	\$690,245.23	(\$125,000.00)	\$380,945.94	\$475,701.56	\$134,996.75	\$340,704.81
D04	FIRE CAPITAL IMPROVEMENT	\$279,809.14	\$2,926.62	\$427,401.29	\$12,929.38	\$340,201.02	\$367,009.41	\$21,319.32	\$345,690.09
E01	WATER	\$1,046,009.13	\$8,522.20	\$1,480,639.94	\$265,312.29	\$1,105,107.98	\$1,421,541.09	\$176,708.73	\$1,244,832.36
E02	SANITARY SEWER	\$410,279.30	\$2,094.66	\$738,607.31	\$90,087.20	\$586,118.60	\$562,768.01	\$46,130.01	\$516,638.00
E08	STORMWATER	\$96,472.23	\$314.19	\$144,661.51	\$4,381.57	\$58,612.47	\$182,521.27	\$7,538.77	\$174,982.50
E10	REFUSE	\$235,740.16	\$1,633.44	\$712,079.86	\$43,166.88	\$518,516.95	\$429,303.07	\$2,481.35	\$426,821.72
Grand Total:		\$4,670,971.93	\$439,245.47	\$12,044,015.91	\$935,076.69	\$10,792,540.63	\$5,922,447.21	\$534,621.97	\$5,387,825.24

City of Brookville

Encumbrance Detail by Purchase Order Number

Date Range: 1/1/2023 to 12/31/2023

Account Range: A01-0000-1010 to E10-J100-1910

Purchase Order Range: 0000047151 to B0403B4235

Include Closed Status: No
Include Expense Accounts Only: No

PO Number -Line	Account	Line Description	Line Status	Created Date	Encumbered Balance	Line Amount	Paid Amount
2023000047	MONTGOMERY COUNTY SOLID WASTE			01/06/2023			
2023000047 1	E10-05F2-2392	TIPPING FEES	Open		\$873.39	\$1,000.00	\$126.61
2023000047	Total:				\$873.39	\$1,000.00	\$126.61
2023000115	CHOICE ONE ENGINEERING			01/26/2023			
2023000115 2	B01-06B3-2561	HAY AVE - PHASE II - ENGINE	Open		\$8,672.00	\$37,357.80	\$28,685.80
2023000115 4	E01-05C2-2561	HAY AVE - PHASE II - ENGINE	Open		\$2,428.17	\$10,461.10	\$8,032.93
2023000115 6	E08-05C5-2561	HAY AVE - PHASE II - ENGINE	Open		\$1,899.83	\$8,181.10	\$6,281.27
2023000115	Total:				\$13,000.00	\$56,000.00	\$43,000.00
2023000143	OHIO BUREAU OF WORKERS' COMPENSATION			02/06/2023			
2023000143 1	A01-01A1-2124	2023 WORKER'S COMP	Open		\$21,806.01	\$33,000.00	\$11,193.99
2023000143 2	A01-01B1-2124	2023 WORKER'S COMP	Open		\$13,317.88	\$22,000.00	\$8,682.12
2023000143 3	A01-07A2-2124	2023 WORKER'S COMP	Open		\$6,143.74	\$10,000.00	\$3,856.26
2023000143 4	B01-06B2-2124	2023 WORKER'S COMP	Open		\$1,237.36	\$2,000.00	\$762.64
2023000143 5	B01-06B3-2124	2023 WORKER'S COMP	Open		\$3,818.95	\$7,000.00	\$3,181.05
2023000143 6	B04-03B4-2124	2023 WORKER'S COMP	Open		\$1,200.78	\$2,000.00	\$799.22
2023000143 7	E01-05C2-2124	2023 WORKER'S COMP	Open		\$2,438.69	\$4,000.00	\$1,561.31
2023000143 8	E02-05C3-2124	2023 WORKER'S COMP	Open		\$3,118.76	\$5,000.00	\$1,881.24
2023000143 9	E08-05C5-2124	2023 WORKER'S COMP	Open		\$742.10	\$1,000.00	\$257.90
2023000143 10	E10-05F2-2124	2023 WORKER'S COMP	Open		\$1,582.23	\$2,000.00	\$417.77
2023000143	Total:				\$55,406.50	\$88,000.00	\$32,593.50
2023000199	OHIO FIRST RESPONDERS GRANTS, LLC			02/23/2023			
2023000199 1	A01-01B1-2340	GRANT WRITING	Open		\$1,500.00	\$2,500.00	\$1,000.00
2023000199	Total:				\$1,500.00	\$2,500.00	\$1,000.00
2023000382	MTG SOIL & WATER CONSERVATION DIST			04/21/2023			
2023000382 1	E08-05C5-2340	MS4 COMPLIANCE CONTRACT	Open		\$4,500.00	\$9,000.00	\$4,500.00
2023000382	Total:				\$4,500.00	\$9,000.00	\$4,500.00
2023000486	CHOICE ONE ENGINEERING			05/17/2023			
2023000486 1	B12-06A2-2340	ENGINEERING SERVICES - MA	Open		\$18,610.00	\$63,800.00	\$45,190.00

Encumbrance Detail by Purchase Order Number

PO Number -Line	Account	Line Description	Line Status	Created Date	Encumbered Balance	Line Amount	Paid Amount
2023000486 2	E02-05C3-2346	WETLAND DELINEATION	Open		\$680.00	\$6,800.00	\$6,120.00
2023000486	Total:				\$19,290.00	\$70,600.00	\$51,310.00
2023000561	CHOICE ONE ENGINEERING			06/20/2023			
2023000561 1	E01-05C2-2346	N WOLF CREEK WATERLINE R	Open		\$5,150.00	\$89,400.00	\$84,250.00
2023000561	Total:				\$5,150.00	\$89,400.00	\$84,250.00
2023000636	CHOICE ONE ENGINEERING			07/24/2023			
2023000636 1	B01-06B3-2346	W. WESTBROOK STP RESURF	Open		\$22,555.00	\$39,500.00	\$16,945.00
2023000636	Total:				\$22,555.00	\$39,500.00	\$16,945.00
2023000729	TREASURER, STATE OF OHIO			08/17/2023			
2023000729 1	A01-07A2-2340	2022 AUDIT	Open		\$1,008.60	\$13,530.00	\$12,521.40
2023000729	Total:				\$1,008.60	\$13,530.00	\$12,521.40
2023000855	FISHEL DOWNEY ALBRECHT & RIEPENHOFF LLP			09/28/2023			
2023000855 1	A01-07A2-2340	REVIEW OF PERSONNEL MAN	Open		\$2,550.00	\$7,500.00	\$4,950.00
2023000855	Total:				\$2,550.00	\$7,500.00	\$4,950.00
2023000863	HUSAC PAVING & EXCAVATING INC			10/02/2023			
2023000863 1	D03-07B6-2500	CDBG - PARK WALKING PATH	Open		\$2,543.75	\$134,996.75	\$132,453.00
2023000863	Total:				\$2,543.75	\$134,996.75	\$132,453.00
2023000866	CHOICE ONE ENGINEERING			10/05/2023			
2023000866 1	E02-05C3-2346	MARKET ST CONSTRUCTION	Open		\$36,986.00	\$36,986.00	\$0.00
2023000866	Total:				\$36,986.00	\$36,986.00	\$0.00
2023000899	TRUCKPRO, LLC			10/10/2023			
2023000899 1	B01-06B2-2421	BRAKE DRUMS/SHOES LADDE	Open		\$698.00	\$2,019.38	\$1,321.38
2023000899	Total:				\$698.00	\$2,019.38	\$1,321.38
2023000905	STRYKER			10/24/2023			
2023000905 1	D04-07A5-2520	LUKAS 3 CPR DEVICE	Open		\$21,319.32	\$21,319.32	\$0.00
2023000905	Total:				\$21,319.32	\$21,319.32	\$0.00
2023000951	VANCE OUTDOORS, INC			11/08/2023			
2023000951 1	A01-01A1-2140	BALLISTIC VEST & OUTER CA	Open		\$1,118.90	\$1,118.90	\$0.00
2023000951	Total:				\$1,118.90	\$1,118.90	\$0.00

Encumbrance Detail by Purchase Order Number

PO Number -Line	Account	Line Description	Line Status	Created Date	Encumbered Balance	Line Amount	Paid Amount
2023001012	STRYKER			11/24/2023			
2023001012 1	A01-01B1-2355	ANNUAL MAINTENANCE CONT	Open		\$8,413.20	\$8,413.20	\$0.00
2023001012	Total:				\$8,413.20	\$8,413.20	\$0.00
2023001013	K E ROSE COMPANY			11/27/2023			
2023001013 1	B01-06B2-2421	LIFT GATE	Open		\$4,050.00	\$4,050.00	\$0.00
2023001013	Total:				\$4,050.00	\$4,050.00	\$0.00
2023001110	CITY OF DAYTON			12/27/2023			
2023001110 1	E01-05C2-2392	4TH QUARTER WATER BILL	Open		\$125,933.31	\$125,933.31	\$0.00
2023001110 2	E01-05C2-2392	3RD QUARTER WATER BILL	Open		\$38,799.61	\$38,799.61	\$0.00
2023001110	Total:				\$164,732.92	\$164,732.92	\$0.00
Grand Total:					\$365,695.58	\$750,666.47	\$384,970.89
						* Pending Payment Requests	

City of Brookville

Check Report by Check Number

Banks: All

Payment Method: Checks, ACH, EFT

Vendors: A99000 to ZZ0600

Checks: All

Check Dates: 12/1/2023 to 12/31/2023

As Of Check Cashed Date: 1/1/1900 to 12/31/2023

Include Voids: No

Check Status: Cashed And Outstanding

Check Number	Check Date	Vendor Code	Vendor Name	Check Type	Check Status	Cashed Date	Void Amount	Amount
Bank: LCNB - LCNB - LCNB NATIONAL BANK								
	12/04/2023	VV0390	CODE CREDIT UNION	EFT	Outstanding		\$0.00	\$65.00
	12/04/2023	VV0390	CODE CREDIT UNION	EFT	Outstanding		\$0.00	\$560.00
	12/04/2023	VV0390	CODE CREDIT UNION	EFT	Outstanding		\$0.00	\$1,260.79
	12/04/2023	VV0390	CODE CREDIT UNION	EFT	Outstanding		\$0.00	\$209.70
	12/04/2023	FF0290	FIFTH THIRD BANK	EFT	Outstanding		\$0.00	\$188,628.84
	12/11/2023	LL0194	LEXIPOL LLC	Check	Outstanding		\$0.00	\$480.33
	12/19/2023	FF0290	FIFTH THIRD BANK	EFT	Outstanding		\$0.00	\$1,310.89
	12/27/2023	VV0390	CODE CREDIT UNION	EFT	Outstanding		\$0.00	\$256.75
	12/27/2023	VV0390	CODE CREDIT UNION	EFT	Outstanding		\$0.00	\$1,555.84
	12/27/2023	VV0390	CODE CREDIT UNION	EFT	Outstanding		\$0.00	\$442.74
0000000003	12/11/2023	RR0356	RJ PROPERTY HOLDINGS LLC	EFT	Outstanding		\$0.00	\$0.00
0000000004	12/11/2023	OO0366	OHIO WATER DEVELOPMENT AUTHORIT	EFT	Outstanding		\$0.00	\$31,037.33
0000000005	12/11/2023	RR0825	RUMPKE	EFT	Outstanding		\$0.00	\$40,450.14
0000000006	12/11/2023	TT0763	TREASURER, STATE OF OHIO	EFT	Outstanding		\$0.00	\$73,460.68
0000000007	12/11/2023	RR0215	REIMBURSEMENTS	EFT	Outstanding		\$0.00	\$8,044.47
0000000008	12/11/2023	HH0950	HYLANT	EFT	Outstanding		\$0.00	\$3,657.00
0000000009	12/11/2023	SS0745	SUPERFLEET MASTERCARD PROGRAM	EFT	Outstanding		\$0.00	\$8,284.17
0000000010	12/11/2023	AA0641	ANTHEM	EFT	Outstanding		\$0.00	\$28,260.34
0000000011	12/11/2023	OO0319	OHIO CAT	EFT	Outstanding		\$0.00	\$436.18
0000000012	12/11/2023	II0348	INVOICE CLOUD	EFT	Outstanding		\$0.00	\$293.00
0000000013	12/11/2023	TT0327	THOMSON REUTERS - WEST	EFT	Outstanding		\$0.00	\$648.00
0000000014	12/11/2023	LL0035	LCNB NATIONAL BANK	EFT	Outstanding		\$0.00	\$75.00
0000000015	12/11/2023	TT0347	TIME WARNER CABLE	EFT	Outstanding		\$0.00	\$578.96
0000000016	12/11/2023	MM0554	US BANK EQUIPMENT FINANCE	EFT	Outstanding		\$0.00	\$1,191.66
0000000017	12/11/2023	II0347	INTERSTATE BILLING SERVICE, INC	EFT	Outstanding		\$0.00	\$453.48
0000000018	12/11/2023	UU0748	U.S. BANCORP GOVERNMENT LEASING	EFT	Outstanding		\$0.00	\$12,929.38
0000000019	12/11/2023	PP0012	PACE ANALYTICAL SERVICES INC	EFT	Outstanding		\$0.00	\$3,642.60
0000000020	12/11/2023	PP0370	PITNEY BOWES GLOBAL FINANCIAL SER	EFT	Outstanding		\$0.00	\$276.72
0000000021	12/11/2023	AA0545	AMAZON CAPITAL SERVICES	EFT	Outstanding		\$0.00	\$2,361.74
0000000022	12/11/2023	MM0595	MONTGOMERY COUNTY TREASURER	EFT	Outstanding		\$0.00	\$503.76
0000000023	12/11/2023	TT0346	CHARTER COMMUNICATIONS	EFT	Outstanding		\$0.00	\$1,759.15
0000000024	12/11/2023	DD0155	AES	EFT	Outstanding		\$0.00	\$4,132.80
0000000025	12/19/2023	SS0745	SUPERFLEET MASTERCARD PROGRAM	EFT	Outstanding		\$0.00	\$7,222.37
0000000026	12/19/2023	TT0763	TREASURER, STATE OF OHIO	EFT	Outstanding		\$0.00	\$750.30
0000000027	12/19/2023	VV0187	VERIZON WIRELESS	EFT	Outstanding		\$0.00	\$1,005.27

As Of Check Cashed Date: 1/1/1900 to 12/31/2023

Check Number	Check Date	Vendor Code	Vendor Name	Check Type	Check Status	Cashed Date	Void Amount	Amount
0000000028	12/19/2023	LL0035	LCNB NATIONAL BANK	EFT	Outstanding		\$0.00	\$147.89
0000000029	12/19/2023	II0060	IGS ENERGY	EFT	Outstanding		\$0.00	\$4,743.40
0000000029	12/26/2023	RR0825	RUMPKE	EFT	Outstanding		\$0.00	\$753.46
0000000030	12/26/2023	CC0361	CINTAS	EFT	Outstanding		\$0.00	\$228.34
0000000031	12/26/2023	GG0650	GRAINGER	EFT	Outstanding		\$0.00	\$497.96
0000000032	12/26/2023	SS0035	SAM'S CLUB	EFT	Outstanding		\$0.00	\$450.12
0000000033	12/26/2023	NN0004	NAPA AUTO PARTS	EFT	Outstanding		\$0.00	\$1,805.84
0000000034	12/26/2023	AA0700	ARAMARK	EFT	Outstanding		\$0.00	\$199.06
0000000035	12/27/2023	VV0180	CENTERPOINT ENERGY	EFT	Outstanding		\$0.00	\$763.31
0000000036	12/27/2023	AA0641	ANTHEM	EFT	Outstanding		\$0.00	\$26,156.74
0000000037	12/27/2023	LL0440	LOWES BUSINESS ACCT/SYNCB	EFT	Outstanding		\$0.00	\$774.90
0000000038	12/27/2023	GG0650	GRAINGER	EFT	Outstanding		\$0.00	\$25.80
0000000039	12/27/2023	TT0347	TIME WARNER CABLE	EFT	Outstanding		\$0.00	\$578.96
0000000040	12/29/2023	Z99999	KIM CAHILL	EFT	Outstanding		\$0.00	\$6.13
0000000041	12/29/2023	UU0749	U.S. BANK	EFT	Outstanding		\$0.00	\$80,961.86
0000061610	12/06/2023	PAYROL	MUNICIPALITY OF BROOKVILLE	Check	Outstanding		\$0.00	\$119,842.01
0000061611	12/08/2023	AA0028	A BROWN & SONS NURSERY INC	Check	Outstanding		\$0.00	\$400.00
0000061612	12/08/2023	BB0105	BEAU TOWNSEND FORD INC.	Check	Outstanding		\$0.00	\$124.13
0000061613	12/08/2023	BB0500	BLUEPRINT CYBERENGINEERING	Check	Outstanding		\$0.00	\$3,472.60
0000061614	12/08/2023	BB0548	BOB SUMEREL TIRE COMPANY	Check	Outstanding		\$0.00	\$954.48
0000061615	12/08/2023	BB0617	BROOKVILLE LOCAL SCHOOLS	Check	Outstanding		\$0.00	\$43,483.76
0000061616	12/08/2023	BB0627	BROOKVILLE RENTAL & SALES	Check	Outstanding		\$0.00	\$45.00
0000061617	12/08/2023	CC0130	CDW GOVERNMENT	Check	Outstanding		\$0.00	\$158.00
0000061618	12/08/2023	CC0340	CHOICE ONE ENGINEERING	Check	Outstanding		\$0.00	\$38,365.00
0000061619	12/08/2023	EE0556	CITY OF ENGLEWOOD	Check	Outstanding		\$0.00	\$9,583.34
0000061620	12/08/2023	CC0930	CTPM	Check	Outstanding		\$0.00	\$713.35
0000061621	12/08/2023	EE0035	EDISON STATE COMMUNITY COLLEGE	Check	Outstanding		\$0.00	\$4,832.54
0000061622	12/08/2023	EE0553	EMSAR MEDICAL REPAIR INC	Check	Outstanding		\$0.00	\$919.51
0000061623	12/08/2023	EE0715	ESO SOLUTIONS INC	Check	Outstanding		\$0.00	\$14,355.25
0000061624	12/08/2023	II0329	INDIANA OXYGEN	Check	Outstanding		\$0.00	\$172.90
0000061625	12/08/2023	DD0228	J.W. DEVERS & SON INC.	Check	Outstanding		\$0.00	\$290.00
0000061626	12/08/2023	JJ0014	JACKS AUTO WASH	Check	Outstanding		\$0.00	\$399.00
0000061627	12/08/2023	MM0090	MCMAKEN'S IGA	Check	Outstanding		\$0.00	\$37.20
0000061628	12/08/2023	MM0100	MECHANICAL SYSTEMS OF DAYTON	Check	Outstanding		\$0.00	\$1,217.37
0000061629	12/08/2023	MM0606	MIAMI VALLEY LIGHTING, LLC	Check	Outstanding		\$0.00	\$6,547.81
0000061630	12/08/2023	MM0396	MIDWEST SECURITY SERVICES	Check	Outstanding		\$0.00	\$37.90
0000061631	12/08/2023	Z99999	CHERYL KOHLER	Check	Outstanding		\$0.00	\$115.50
0000061632	12/08/2023	MM0025	MOBILE ANALYTICAL SERVICES INC	Check	Outstanding		\$0.00	\$208.50
0000061633	12/08/2023	MM0652	MOTOROLA SOLUTIONS INC	Check	Outstanding		\$0.00	\$1,494.47
0000061634	12/08/2023	MM0826	MUSIC, SHELLY	Check	Outstanding		\$0.00	\$1,200.00
0000061635	12/08/2023	OO0327	OHIO FIRST RESPONDERS GRANTS, LLC	Check	Outstanding		\$0.00	\$1,000.00
0000061636	12/08/2023	OO0647	O'REILLY AUTOMOTIVE, INC	Check	Outstanding		\$0.00	\$61.21
0000061637	12/08/2023	PP0646	PREBLE COUNTY LANDFILL	Check	Outstanding		\$0.00	\$476.85
0000061638	12/08/2023	BB0630	REGISTER-HERALD	Check	Outstanding		\$0.00	\$160.00
0000061639	12/08/2023	SS0200	SEIM'S HARDWARE & WELDING LLC	Check	Outstanding		\$0.00	\$210.40
0000061640	12/08/2023	SS0650	SMARTBILL, LTD.	Check	Outstanding		\$0.00	\$223.40

As Of Check Cashed Date: 1/1/1900 to 12/31/2023

Check Number	Check Date	Vendor Code	Vendor Name	Check Type	Check Status	Cashed Date	Void Amount	Amount
0000061641	12/08/2023	VV0184	THE VERDIN COMPANY	Check	Outstanding		\$0.00	\$725.00
0000061642	12/08/2023	TT0685	TRIAD TECHNOLOGIES LLC	Check	Outstanding		\$0.00	\$608.35
0000061643	12/08/2023	VV0186	VERIZON CONNECT	Check	Outstanding		\$0.00	\$150.10
0000061644	12/20/2023	PAYROL	MUNICIPALITY OF BROOKVILLE	Check	Outstanding		\$0.00	\$119,477.74
0000061645	12/22/2023	AA0485	ALL AMERICAN STORE LLC	Check	Outstanding		\$0.00	\$7.99
0000061646	12/22/2023	AA0574	AMS SUPPLY	Check	Outstanding		\$0.00	\$213.94
0000061647	12/22/2023	FF0360	ATLANTIC EMERGENCY SOLUTIONS	Check	Outstanding		\$0.00	\$1,322.68
0000061648	12/22/2023	BB0585	BREWPRO INC	Check	Outstanding		\$0.00	\$840.00
0000061649	12/22/2023	CC0294	CHANGE HEALTHCARE	Check	Outstanding		\$0.00	\$2,662.09
0000061650	12/22/2023	VV0034	CITY OF VANDALIA	Check	Outstanding		\$0.00	\$13,281.04
0000061651	12/22/2023	DD0800	DUKE'S ROOT CONTROL, INC	Check	Outstanding		\$0.00	\$3,000.00
0000061652	12/22/2023	FF0291	FIFTH THIRD BANK	Check	Outstanding		\$0.00	\$216.67
0000061653	12/22/2023	FF0378	FISHEL DOWNEY ALBRECHT & RIEPENH	Check	Outstanding		\$0.00	\$100.00
0000061654	12/22/2023	FF0698	FRONTIER	Check	Outstanding		\$0.00	\$470.36
0000061655	12/22/2023	JJ0016	JACKSON-HIRSH INC.	Check	Outstanding		\$0.00	\$148.90
0000061656	12/22/2023	KK0351	KIMBALL MIDWEST	Check	Outstanding		\$0.00	\$314.40
0000061657	12/22/2023	HH0196	MR. CRAIG HEINTZ	Check	Outstanding		\$0.00	\$300.00
0000061658	12/22/2023	MM0725	MSD ENVIRONMENTAL SERVICES, INC	Check	Outstanding		\$0.00	\$1,961.87
0000061659	12/22/2023	NN0188	NEW COMFORT HEATING & COOLING	Check	Outstanding		\$0.00	\$509.00
0000061660	12/22/2023	OO0352	OHIO RURAL WATER ASSOCIATION	Check	Outstanding		\$0.00	\$835.00
0000061661	12/22/2023	RR0576	RONALD L. DELONG, PHD & ASSOCIATE	Check	Outstanding		\$0.00	\$500.00
0000061662	12/22/2023	SS0075	SCHWAAB, INC.	Check	Outstanding		\$0.00	\$82.50
0000061663	12/22/2023	SS0150	SECURITY FENCE GROUP, INC	Check	Outstanding		\$0.00	\$567.52
0000061664	12/22/2023	SS0370	SLADE DIANA	Check	Outstanding		\$0.00	\$200.00
0000061665	12/22/2023	SS0801	STAPLES BUSINESS ADVANTAGE	Check	Outstanding		\$0.00	\$233.66
0000061666	12/22/2023	SS0076	THOMAS SCHIFF	Check	Outstanding		\$0.00	\$1,100.00
0000061667	12/28/2023	AA0642	ANTHEM LIFE	Check	Outstanding		\$0.00	\$481.10
0000061668	12/28/2023	FF0207	FERGUSON WATERWORKS	Check	Outstanding		\$0.00	\$466.00
0000061669	12/28/2023	Z99999	KIM CAHILL	Check	Outstanding		\$0.00	\$175.00
0000061670	12/28/2023	MM0826	MUSIC, SHELLY	Check	Outstanding		\$0.00	\$1,200.00
LCNB - LCNB - LCNB NATIONAL BANK Total:							\$0.00	\$947,571.54

Bank: Payroll - Payroll Bank

0000000465	12/06/2023	II0374	INTERNAL REVENUE SERVICE	EFT	Outstanding		\$0.00	\$15,994.48
0000000466	12/06/2023	OP0190	OHIO DEFERRED COMPENSATION	EFT	Outstanding		\$0.00	\$4,554.86
0000000467	12/06/2023	OP0190	OHIO DEFERRED COMPENSATION	EFT	Outstanding		\$0.00	\$100.00
0000000468	12/20/2023	OP0190	OHIO DEFERRED COMPENSATION	EFT	Outstanding		\$0.00	\$4,375.14
0000000469	12/20/2023	OP0190	OHIO DEFERRED COMPENSATION	EFT	Outstanding		\$0.00	\$100.00
0000000470	12/20/2023	II0374	INTERNAL REVENUE SERVICE	EFT	Outstanding		\$0.00	\$16,422.45
0000049394	12/06/2023	C99002	CODE CREDIT UNION	Check	Outstanding		\$0.00	\$1,884.70
0000049395	12/06/2023	JJ0573	JOHN G. JANSING	Check	Outstanding		\$0.00	\$625.38
0000049396	12/06/2023	O00005	OHIO CHILD SUPPORT PAYMENT CENTR	Check	Outstanding		\$0.00	\$571.05
0000049397	12/20/2023	C99002	CODE CREDIT UNION	Check	Outstanding		\$0.00	\$1,884.70
0000049398	12/20/2023	JJ0573	JOHN G. JANSING	Check	Outstanding		\$0.00	\$625.38
0000049399	12/20/2023	O00005	OHIO CHILD SUPPORT PAYMENT CENTR	Check	Outstanding		\$0.00	\$571.05
Payroll - Payroll Bank Total:							\$0.00	\$47,709.19

As Of Check Cashed Date: 1/1/1900 to 12/31/2023

Check Number	Check Date	Vendor Code	Vendor Name	Check Type	Check Status	Cashed Date	Void Amount	Amount
Grand Total:							\$0.00	\$995,280.73

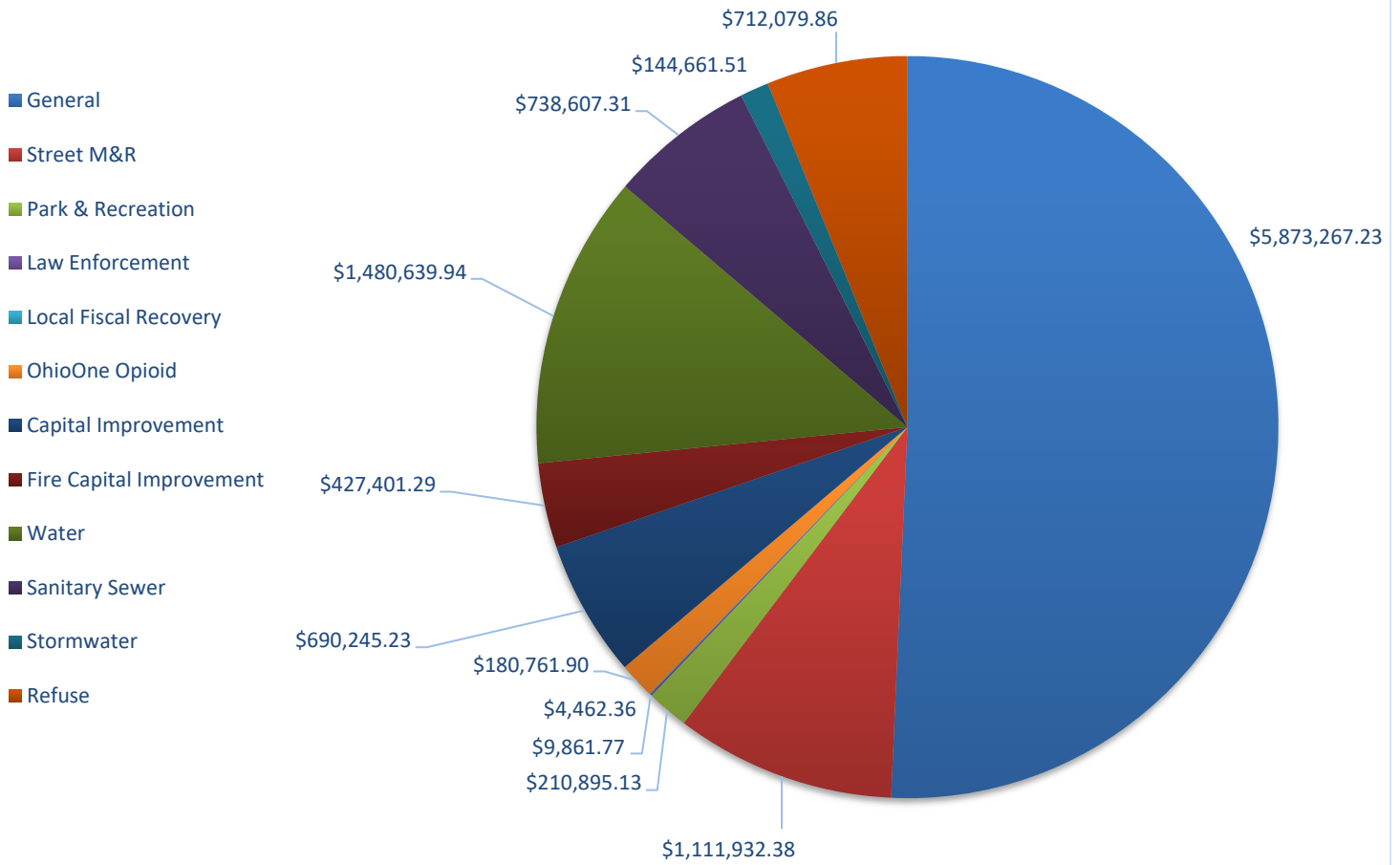
December Budget Comparison

	<u>2022 Y-T-D</u>	<u>2023 Y-T-D</u>	<u>SUM DIFF.</u>	<u>% DIFF.</u>
<u>GENERAL FUND</u>				
Beginning Balance	\$ 1,626,536.21	\$ 1,568,923.70	\$ (57,612.51)	-3.5%
Revenue	\$ 5,002,523.76	\$ 5,873,267.23	\$ 870,743.47	17.4%
Expenses	\$ 5,060,136.27	\$ 5,415,114.65	\$ 354,978.38	7.0%
Unexpended Balance	\$ 1,568,923.70	\$ 2,027,076.28	\$ 458,152.58	29.2%
Real Estate Taxes	\$ 154,171.78	\$ 156,924.66	\$ 2,752.88	1.8%
Income Tax	\$ 3,617,778.10	\$ 3,970,162.47	\$ 352,384.37	9.7%
Motel Tax	\$ 49,580.18	\$ 57,919.91	\$ 8,339.73	16.8%
Local Government	\$ 114,140.03	\$ 117,827.24	\$ 3,687.21	3.2%
EMS Billing	\$ 388,873.55	\$ 386,137.46	\$ (2,736.09)	-0.7%
Zoning Permits	\$ 7,615.00	\$ 9,210.00	\$ 1,595.00	20.9%
Interest on Investments	\$ 48,558.38	\$ 163,261.11	\$ 114,702.73	236.2%
Fire Protection Contract	\$ 396,381.14	\$ 594,616.47	\$ 198,235.33	50.0%
<u>STREET M&R FUND</u>				
Beginning Balance	\$ 164,523.02	\$ 81,547.05	\$ (82,975.97)	-50.4%
Revenue	\$ 1,243,127.78	\$ 1,111,932.38	\$ (131,195.40)	-10.6%
Expenses	\$ 1,326,103.75	\$ 1,061,194.91	\$ (264,908.84)	-20.0%
Unexpended Balance	\$ 81,547.05	\$ 132,284.52	\$ 50,737.47	62.2%
MV, Gas, Highway Taxes	\$ 442,531.74	\$ 460,585.78	\$ 18,054.04	4.1%
<u>PARK & REC. FUND</u>				
Beginning Balance	\$ 65,019.89	\$ 158,004.58	\$ 92,984.69	143.0%
Revenue	\$ 314,932.36	\$ 210,895.13	\$ (104,037.23)	-33.0%
Expenses	\$ 221,947.67	\$ 279,876.29	\$ 57,928.62	26.1%
Unexpended Balance	\$ 158,004.58	\$ 89,023.42	\$ (68,981.16)	-43.7%
Park Permits	\$ 50,499.50	\$ 50,314.25	\$ (185.25)	-0.4%
<u>CAPITAL IMPROV. FUND</u>				
Beginning Balance	\$ 179,245.69	\$ 166,402.27	\$ (12,843.42)	-7.2%
Revenue	\$ 418,929.58	\$ 690,245.23	\$ 271,315.65	64.8%
Expenses	\$ 431,773.00	\$ 380,945.94	\$ (50,827.06)	-11.8%
Unexpended Balance	\$ 166,402.27	\$ 475,701.56	\$ 309,299.29	185.9%
Grant Funds	\$ 412,789.10	\$ 437,467.10	\$ 24,678.00	6.0%
Assessments	\$ 6,140.48	\$ 6,135.45	\$ (5.03)	-0.1%

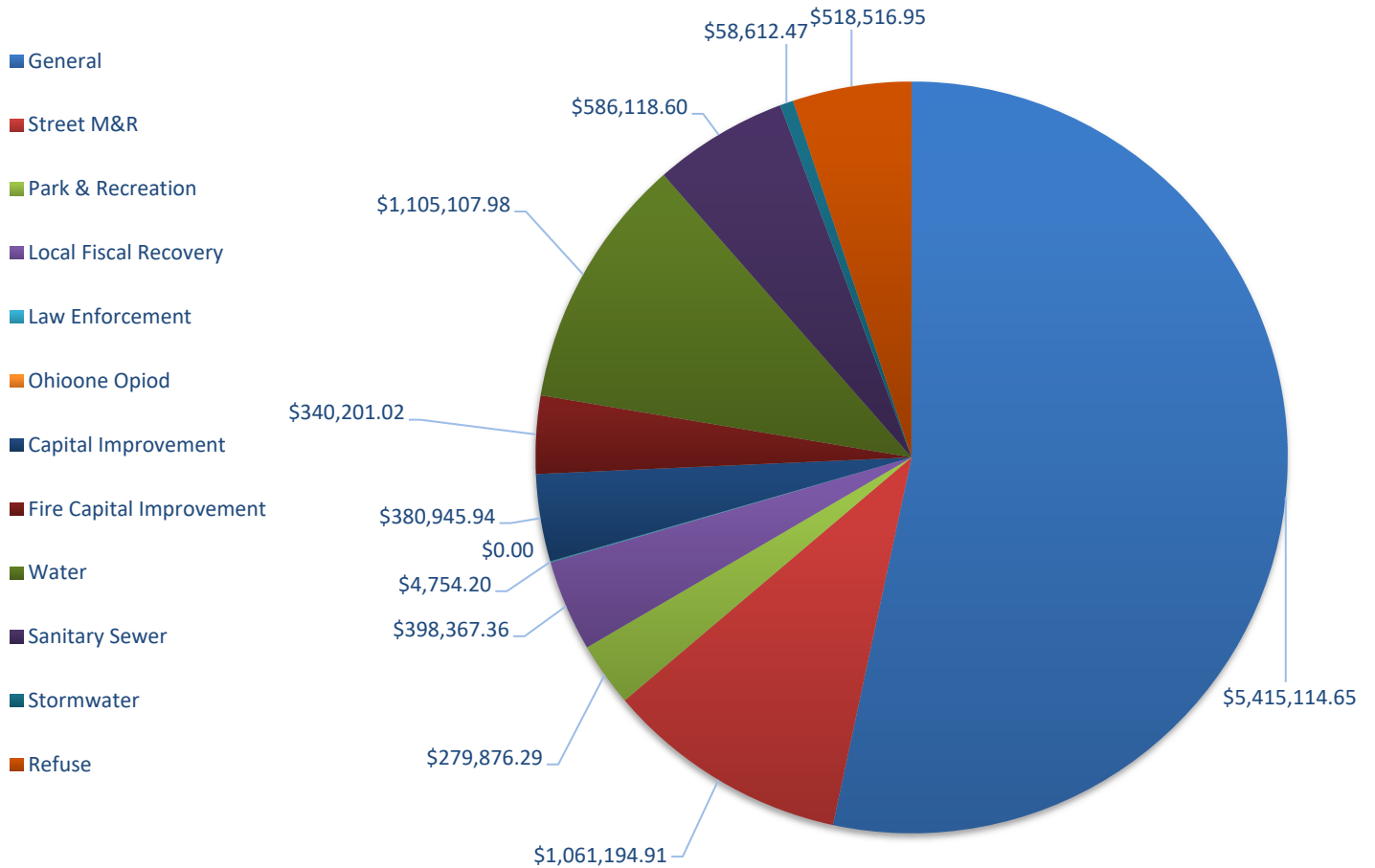
December Budget Comparison

	<u>2022 Y-T-D</u>	<u>2023 Y-T-D</u>	<u>SUM DIFF.</u>	<u>% DIFF.</u>
<u>FIRE CAP. IMPR. FUND</u>				
Beginning Balance	\$ 184,697.10	\$ 279,809.14	\$ 95,112.04	51.5%
Revenue	\$ 190,349.48	\$ 427,401.29	\$ 237,051.81	124.5%
Expenses	\$ 95,237.44	\$ 340,201.02	\$ 244,963.58	257.2%
Unexpended Balance	\$ 279,809.14	\$ 367,009.41	\$ 87,200.27	31.2%
EMS Billing	\$ 43,207.98	\$ 42,904.30	\$ (303.68)	-0.7%
Misc. Grants	\$ -	\$ -	\$ -	#DIV/0!
<u>WATER FUND</u>				
Beginning Balance	\$ 614,432.48	\$ 1,046,009.13	\$ 431,576.65	70.2%
Revenue	\$ 1,659,785.72	\$ 1,480,639.94	\$ (179,145.78)	-10.8%
Expenses	\$ 1,228,209.07	\$ 1,105,107.98	\$ (123,101.09)	-10.0%
Unexpended Balance	\$ 1,046,009.13	\$ 1,421,541.09	\$ 375,531.96	35.9%
Water Sales	\$ 1,351,968.55	\$ 1,405,845.64	\$ 53,877.09	4.0%
Tap Permits	\$ 55,500.00	\$ 48,000.00	\$ (7,500.00)	-13.5%
<u>SEWER FUND</u>				
Beginning Balance	\$ 815,346.32	\$ 410,279.30	\$ (405,067.02)	-49.7%
Revenue	\$ 718,081.14	\$ 738,607.31	\$ 20,526.17	2.9%
Expenses	\$ 1,123,148.16	\$ 586,118.60	\$ (537,029.56)	-47.8%
Unexpended Balance	\$ 410,279.30	\$ 562,768.01	\$ 152,488.71	37.2%
Sewer Sales	\$ 642,002.05	\$ 685,968.65	\$ 43,966.60	6.8%
Tap Permits	\$ 56,167.50	\$ 45,000.00	\$ (11,167.50)	-19.9%
<u>STORMWATER FUND</u>				
Beginning Balance	\$ 31,835.27	\$ 96,472.23	\$ 64,636.96	203.0%
Revenue	\$ 291,486.26	\$ 144,661.51	\$ (146,824.75)	-50.4%
Expenses	\$ 226,849.30	\$ 58,612.47	\$ (168,236.83)	-74.2%
Unexpended Balance	\$ 96,472.23	\$ 182,521.27	\$ 86,049.04	89.2%
Stormwater Sales	\$ 126,121.25	\$ 126,934.58	\$ 813.33	0.6%
<u>REFUSE FUND</u>				
Beginning Balance	\$ 223,354.77	\$ 235,740.16	\$ 12,385.39	5.5%
Revenue	\$ 464,256.16	\$ 712,079.86	\$ 247,823.70	53.4%
Expenses	\$ 451,870.77	\$ 518,516.95	\$ 66,646.18	14.7%
Unexpended Balance	\$ 235,740.16	\$ 429,303.07	\$ 193,562.91	82.1%
Refuse Sales	\$ 460,136.22	\$ 576,637.74	\$ 116,501.52	25.3%
Sales & Service	\$ 495.81	\$ 469.65	\$ (26.16)	-5.3%

YTD-Fund Revenues - 12/31/2023



YTD-Fund Expenditures - 12/31/2023





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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda January 16, 2024

Reportable Incidents

1/1/2023 – 1/12/2023 = 12

1/1/2024 – 1/12/2024 = 14

Citations

1/1/2023 – 1/12/2023 = 15

1/1/2024 – 1/12/2024 = 26

Traffic Stops

January 2023 - 129

January 1, 2024 to date - 84

Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
12/27/2023	06:46 PM	BEAU CHRISTOPHER	421 MARKET ST, BROOKVILLE, OH 45309 451119A: DUI - alcohol/drugs 451119: DUI - ALCOHOL OR DRUGS	2023-00561
12/29/2023	02:11 PM	NICA R. WISSEL	32 WESTERN AVE, BROOKVILLE, OH 45309 292511: Drug abuse - obtain, possess, use controlled subst	2023-00564
12/29/2023	02:28 PM	PEIGHTON C. JONES	AT LARGE, OH 291311: Passing bad checks	2023-00565
01/02/2024	05:00 PM	DORIEN B. WOOD	312 ARCADIA ST, MIDDLETOWN, OH 45044 35: WARRANT ARREST	2024-00004
01/02/2024	06:00 PM	TODD N. OSBORNE	418 S. DIAMOND MILL RD, NEW LEBANON, OH 45345 35: WARRANT ARREST	2024-00005
01/06/2024	01:05 PM	ETHAN A. BERING	5110 KEENER RD, BROOKVILLE, OH 45309 35: WARRANT ARREST	2024-00010
01/06/2024	02:25 PM	NICA R. WISSEL	32 WESTERN AVE, BROOKVILLE, OH 45309 35: WARRANT ARREST	2024-00011

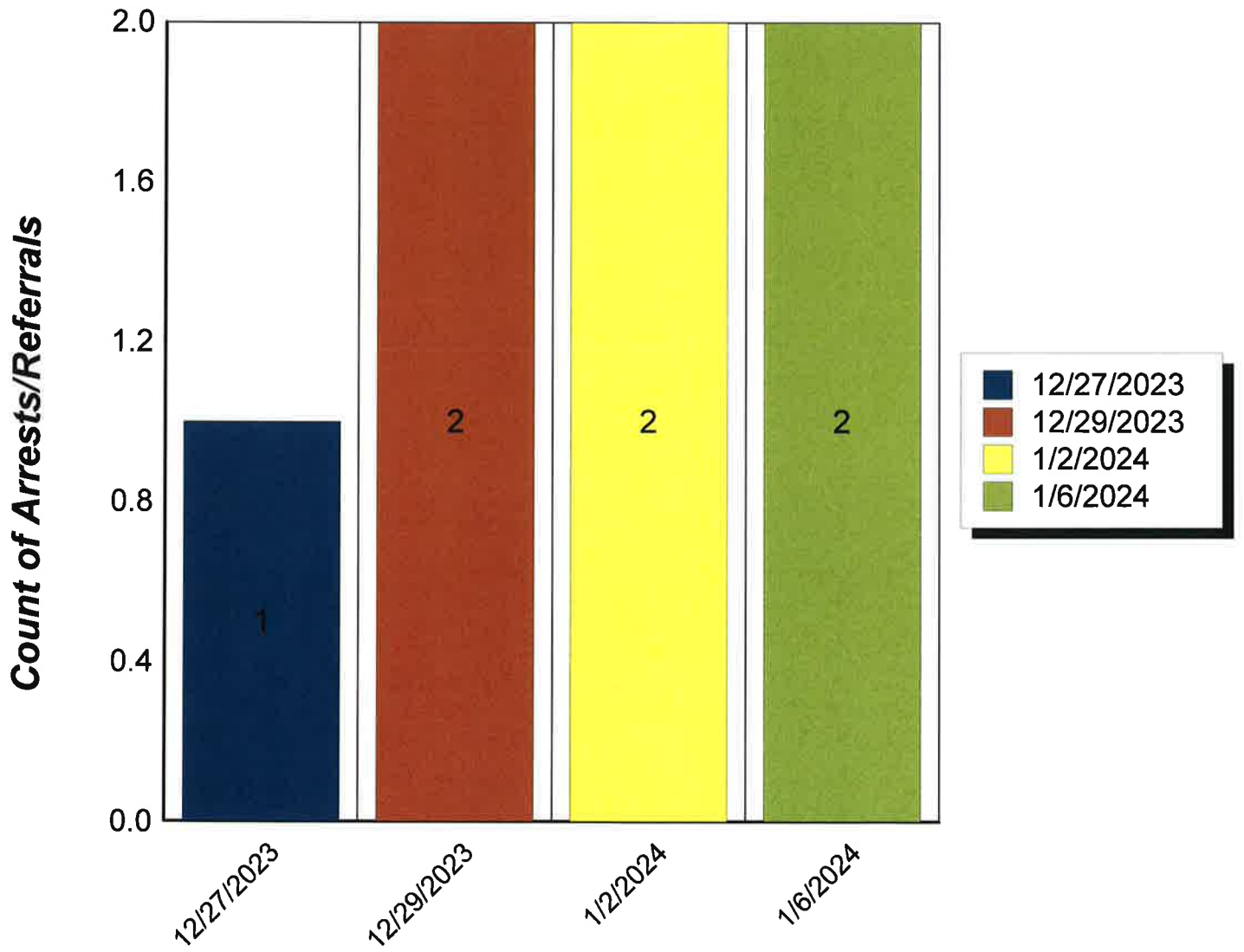
Total Selected = 7

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
December 27, 2023	1
December 29, 2023	2
January 02, 2024	2
January 06, 2024	2
Total Selected = 7	

Arrest Log by Date

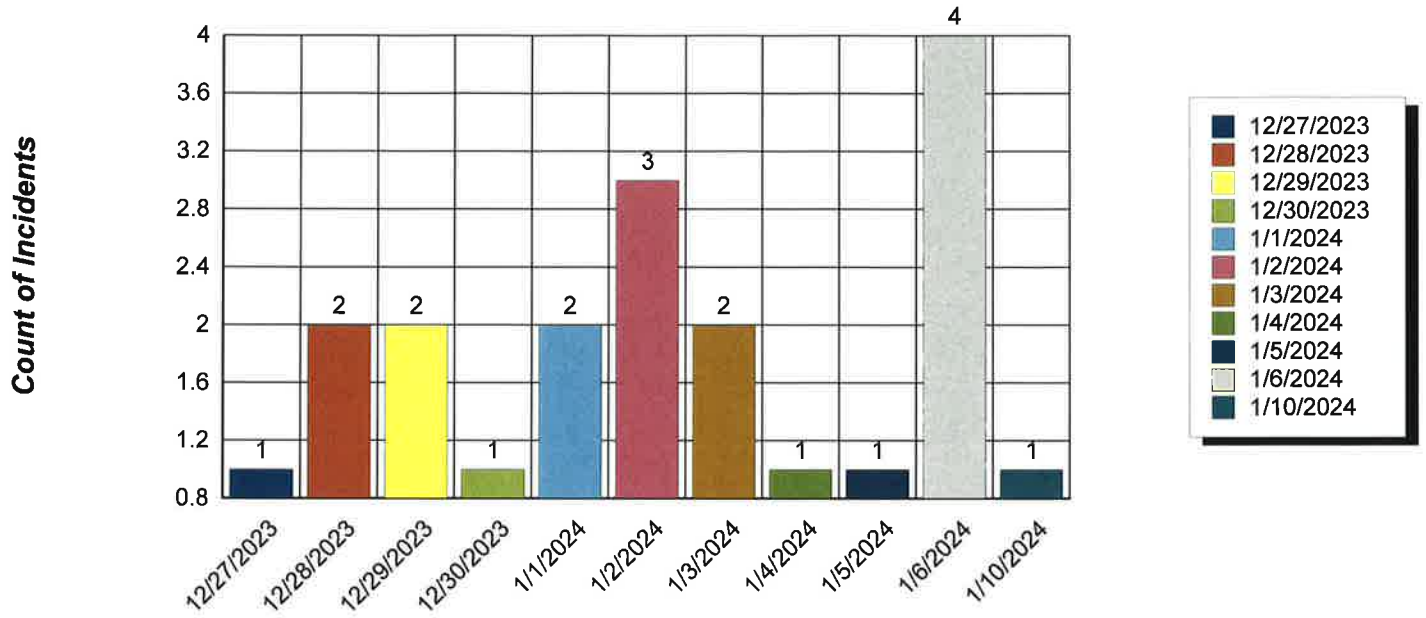


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
12/27/2023	Wednesday	1
12/28/2023	Thursday	2
12/29/2023	Friday	2
12/30/2023	Saturday	1
01/01/2024	Monday	2
01/02/2024	Tuesday	3
01/03/2024	Wednesday	2
01/04/2024	Thursday	1
01/05/2024	Friday	1
01/06/2024	Saturday	4
01/10/2024	Wednesday	1
Total Selected = 20		

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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December 27, 2023

2023-00561	ARLINGTON & TRIGGS BROOKVILLE PD	SIGNAL 21 - OVI	12/27/2023	12/27/2023	ARREST
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Offenses	UCR	Offense Description
3	02	451119A - DUI - alcohol/drugs
	02	451119 - DUI - ALCOHOL OR DRUGS
	N/A	451305 - NO TAIL LIGHTS; REAR PLATE LIGHT

Total Incidents Reported for Date: 1

December 28, 2023

2023-00562	715 ARLINGTON RD BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	12/28/2023	12/28/2023	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
2	N/A	451011 - DRIVING UNDER SUSPENSION
	N/A	451112 - OBEYING TRAFFIC CONTROL DEVICES

2023-00563	295 UPPER LEWISBURG SALEM BROOKVILLE PD	SIGNAL 06B - PETTY THEFT	12/28/2023		OPEN CASE
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Offenses	UCR	Offense Description
1	06	291302A1 - Theft - without consent

Total Incidents Reported for Date: 2

December 29, 2023

2023-00564	32 WESTERN BROOKVILLE PD	SIGNAL 18 - POSSESSION OF DRUGS	12/29/2023	12/29/2023	ARREST
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Offenses	UCR	Offense Description
1	01	292511 - Drug abuse - obtain, possess, use controlled subst

2023-00565	225 UPPER LEWISBURG SALEM BROOKVILLE PD	SIGNAL 11 - FRAUD PASSING BAD CHECKS	12/29/2023		OPEN CASE
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Offenses	UCR	Offense Description
1	01	291311 - Passing bad checks

Total Incidents Reported for Date: 2

December 30, 2023

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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December 30, 2023

2023-00566	769 ABLERT ROAD BROOKVILLE PD	SIGNAL 06B - PETTY THEFT	12/30/2023		OPEN CASE
Offenses UCR Offense Description 1 06 291302A1 - Theft - without consent					
Total Incidents Reported for Date: 1					

January 01, 2024

2024-00001	58 CHURCH ST BROOKVILLE PD	SIGNAL 260 - CRIMINAL TRESPASS WARNING	01/01/2024	01/01/2024	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 291121A1 - Criminal trespass - land/premises of another					
2024-00002	430 N WOLF CREEK BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	01/01/2024	01/01/2024	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 4511202 - REASONABLE CONTROL					
Total Incidents Reported for Date: 2					

January 02, 2024

2024-00003	504 HAY AVE BROOKVILLE PD	SIGNAL 260 - CRIMINAL TRESPASS WARNING	01/02/2024	01/02/2024	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 291121A - Criminal trespass					
2024-00004	1 DONHAM PLAZA BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	01/02/2024	01/02/2024	ARREST
Offenses UCR Offense Description 1 N/A 35 - WARRANT ARREST					
2024-00005	10 MARKET STREET BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	01/02/2024	01/02/2024	ARREST
Offenses UCR Offense Description 1 N/A 35 - WARRANT ARREST					
Total Incidents Reported for Date: 3					

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
January 03, 2024					
2024-00007	BROOKVILLE PD		01/11/2024		OPEN CASE
2024-00006	370 ALBERT BROOKVILLE PD	SIGNAL 14 - CRIMINAL DAMAGE	01/03/2024	01/03/2024	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 01 290906 - Criminal damaging/endeangering					
Total Incidents Reported for Date: 2					
January 04, 2024					
2024-00008	301 SYCAMORE ST BROOKVILLE PD	SIGNAL 26I - OHIO HB4 LE NOTIFICATION LETTER	01/04/2024		OPEN CASE
Offenses UCR Offense Description 1 02 26I - OHIO HB4 LE NOTIFICATION LETTER					
Total Incidents Reported for Date: 1					
January 05, 2024					
20242315	BROOKVILLE PD		01/05/2024		OPEN CASE
Total Incidents Reported for Date: 1					
January 06, 2024					
2024-00009	12 MAIN ST APT 4 BROOKVILLE PD	SIGNAL 26I - APPLICATION FOR EMERGENCY ADMISSION	01/06/2024		OPEN CASE
Offenses UCR Offense Description 1 N/A 26I - APPLICATION FOR EMERGENCY ADMISSION					
2024-00010	40 TRIGGS RD BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	01/06/2024	01/06/2024	ARREST
Offenses UCR Offense Description 1 N/A 35 - WARRANT ARREST					
2024-00011	32 WESTERN BROOKVILLE PD	SIGNAL 35F - WARRANT ARREST	01/06/2024	01/06/2024	ARREST

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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January 06, 2024

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

2024-00012	151 BRUNS BROOKVILLE PD	SIGNAL 26O - AGGRAVATED MENACING	01/06/2024		OPEN CASE
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Offenses UCR Offense Description
1 04 290321 - Aggravated menacing

Total Incidents Reported for Date: 4

January 10, 2024

2024-00013	55 ROBERT WRIGHT DR BROOKVILLE PD	SIGNAL 26DB - DEAD BODY	01/08/2024	01/10/2024	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 02 26DB - DEAD BODY

Total Incidents Reported for Date: 1

Total Selected = 20

MEMORANDUM

DATE: JANUARY 12, 2024

TO: CITY OF BROOKVILLE COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: ORDINANCE 2024-01 ACCEPTING ANNEXATION OF 85.611 ACRES

Ordinance 2024-01 is on the agenda to accept the annexation of 85.611 acres from Clay Township to the City of Brookville. The property is located on Upper Lewisburg-Salem Road. A map of annexation territory is attached. The Montgomery County Board of County Commissioners approved this annexation on October 31, 2023. Sixty days from the date of delivery of the record of annexation proceedings to the City Clerk has now expired, and City Council can now act to accept the annexation. It is requested that the Ordinance be passed in emergency to provide for the immediate delivery of city services to the annexed territory.

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

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. 2024-01 Passed , 20

AN ORDINANCE ACCEPTING THE ANNEXATION OF 85.611 ACRES, MORE OR LESS, IN CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO TO THE CITY OF BROOKVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, a petition for annexation of 85.611 acres, more or less, in Clay 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 September 28, 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 23-1421 adopted on October 31, 2023, the Board of County Commissioners of Montgomery County, Ohio approved the annexation of that 85.611 acres in Clay 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 85.611-acre annexation, delivered to the City Clerk on November 7, 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 ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

SECTION I: The annexation of 85.611 acres in Clay Township, 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 23-1421 on October 31, 2023, 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 ordinance 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 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 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.

RECORD OF ORDINANCES

BEAR GRAPHICS 600-325-8094 FORM NO. 30043

Ordinance No. _____ Passed _____, 20____

PASSED this _____ day of _____, 2024.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2024-01, 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. 2024-01 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 85.611 ACRES TO THE CITY OF BROOKVILLE, OHIO

SITUATE IN THE NORTHEAST, NORTHWEST AND SOUTHEAST QUARTERS OF SECTION 27 AND THE NORTHEAST QUARTER OF SECTION 34, TOWN 6, RANGE 4 E, CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing for reference at a monument box with iron pin found at the southwest corner of the southeast corner of Section 27 and being on the centerline of East Upper Lewisburg Salem Road;

thence, North 89°36'11" East, 485.56 feet, along the south line of said Section 27 and centerline of East Upper Lewisburg Salem Road to a Mag nail set at the southeast corner of a 30.00-acre tract of land owned by Beverly J. Shank and David L. Shank as described in D.M.F 94-0139C05;

thence, North 00°38'31" West, 30.00 feet, along the east line of said Shank tract to an iron pin found on the north right-of-way line of East Upper Lewisburg Salem Road and being the principal place of beginning of the tract herein conveyed;

thence, North 00°38'31" West, 2658.74 feet, along the east line of said Shank tract to an iron pin found;

thence, North 89°42'56" West, 485.36 feet, along the north line of said Shank tract to an iron pin with cap set at the northeast corner of Lot 1899 as shown on Record Plat Book 159, Page 43 and being owned by HJW Holdings I, LLC as described in IR Deed 20-031085;

thence, South 89°41'29" West, 248.63 feet, along the north line of said Lot 1899 to an iron pin with cap set at the southeast corner of a 0.75-acre tract of land owned by HJW Holdings I, LLC as described in IR Deed 21-088908;

thence, North 00°40'43" West, 196.34 feet, along the east line of said 0.75-acre HJW Holdings tract to an iron pin with cap set on the south limited access right-of-way line of Interstate 70;

thence, along a curve to the right, with a radius of 5529.58 feet, a curve length of 884.50 feet, a delta angle of 09°09'54" and a chord bearing North 60°03'07" East, 883.56 feet, along the south limited access right-of-way line of Interstate 70 to an iron pin with cap set;

thence, North 62°23'22" East, 513.56 feet, along the south limited access right-of-way line of Interstate 70 to an iron pin with cap set at the northwest corner of a tract of land owned by Alexander J. Clericus and Jennifer M. Clericus as described in IR Deed 19-036540;

thence, South 00°40'40" East, 879.02 feet, along the west line of said Clericus tract to an iron pin with cap set;

thence, South 89°42'56" East, 666.37 feet, along the south line of said Clericus tract to an iron pin found at the northwest corner of Lot 2749 as shown on Plat Book 240, Page 4 and being owned by WLW, LLC as described in IR Deed 09-038959;

thence, South 00°04'26" West, 2705.00 feet, along the west line of said WLW tract to an iron pin found;

thence, South 89°36'11" West, 252.92 feet, to a Mag nail set;

thence, North 00°28'32" East, 60.01 feet, to an iron pin with cap set on the north right-of-way line of East Upper Lewisburg Salem Road;

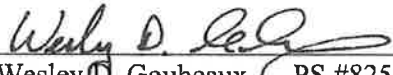
thence, South 89°36'11" West, 875.45 feet, along the north right-of-way line of East Upper Lewisburg Salem Road to the principal place of beginning.

Containing 85.611 acres more or less and all being subject to any legal highways and easements of record. With 85.434 acres being within Section 27 and 0.174 acres being within Section 34.

The bearing of North 89°-36'-11" East along the centerline of East Upper Lewisburg Salem Road was based on NAD 83 CORS 2011 adjustment, Ohio South Zone, ODOT VRS CORS Network.

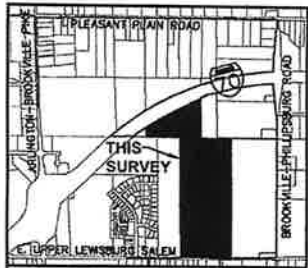
The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated March 29, 2023.

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


Wesley D. Goubeaux, PS #8254



03/29/2023
Date



VICINITY MAP

PROPOSED ANNEXATION TO THE CITY OF BROOKVILLE

SECTION 27, TOWN 6, RANGE 4 E
SECTION 34, TOWN 6, RANGE 4 E
CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO

85.611 ACRES TOTAL

THE BEARING OF N 89°36'11" E ALONG THE
CENTERLINE OF EAST UPPER LEWISBURG SALEM
ROAD WAS BASED ON NAD 83 CORRS 98
ADJUSTMENT, OHIO SOUTH ZONE,
COORD VRS CORRS NETWORK

SCALE: 1"=200'
0 200 400

ANNEXATION PLAT TO
THE CITY OF BROOKVILLE
REC. P.B. 159, PG. 43

HJW HOLDINGS I, LLC
IR DEED 21-008908
0.75 ACRES

LOT 1899
HJW HOLDINGS I, LLC
IR DEED 20-031065

CURVE DATA
R=5529.53'
Δ=99°09'54"
AL=684.50'
CL=553.50'
CB=N60°03'07"E

W. MEYER FARMS, LLC.
IR DEED 20-077995
15.47 ACRES

LOT 2800
15.588 ACRES

ALEXANDER J. CLERICUS &
JENNIFER M. CLERICUS
IR DEED 19-036540

ADJOINING OWNERS INDEX & TAX MAILING ADDRESS

W. MEYER FARMS, LLC.
11150 BALTIMORE-PHILLIPSBURG PIKE
BROOKVILLE, OH 45309
IR DEED 20-077995
C04-006-03-0008

ALEXANDER J. CLERICUS &
JENNIFER M. CLERICUS
7445 BROOKVILLE PHILLIPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 19-036540
C04-006-03-0021

CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009391
(2.735 AC. DEED)
C03-001-08-0032

MARK HAWORTH
10352 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45308
IR DEED 18-048521
C03-001-08-0015

BEVERLY J. SHANK &
DAVID L. SHANK
10427 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45308
D.B. 2276, PG. 487
C04-006-03-0010

JAY S. KINSLEY &
MONICA R. KINSLEY
10316 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45309
D.M.F. 82-092203
C04-006-10-0010

MARK HAWORTH
10352 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45308
IR DEED 08-025130
C04-006-10-0018

THOMAS R. HEMMERICK &
TORIA R. HEMMERICK
10368 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45309
IR DEED 05-037417
C03-001-08-0032

JENA R. EAGLE &
COREY B. EAGLE
10394 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45308
IR DEED 03-101461
C04-006-10-0028

JAMES L. FOSLEY &
KATHLEEN P. FOSLEY
10446 UPPER LEWISBURG SALEM RD.
BROOKVILLE, OH 45308
D.M.F. 97-0407811
C04-006-10-0012

HJW HOLDINGS I, LLC.
6043 GEORGETOWN-VERONA RD.
LEWISBURG, OH 45338
IR DEED 20-031065 &
IR DEED 21-008908
C03-005-06-0011
C04-006-03-0070

W.M. LLC.
6043 GEORGETOWN-VERONA RD.
LEWISBURG, OH 45338
IR DEED 08-038959
C04-006-03-0007

ANNEXATION OWNERS INDEX

- 1 CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009391
(2.735 AC. DEED)
C03-001-08-0032
- 2 W. MEYER FARMS, LLC.
11150 BALTIMORE-PHILLIPSBURG PIKE
BROOKVILLE, OH 45309
IR DEED 20-077995
C04-006-03-0008
- 3 W. MEYER FARMS, LLC.
11150 BALTIMORE-PHILLIPSBURG PIKE
BROOKVILLE, OH 45309
IR DEED 20-077995
C04-006-03-0004

ANNEXATION NOTE:

PERIMETER OF ANNEXATION AREA=10425.83 FT.
CONTIGUOUS BOUNDARY WITH CITY=3206.68 FT.

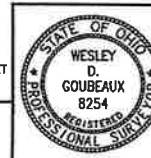
PERTINENT INFORMATION

PLAT BOOK 214, PAGE 16A
PLAT BOOK 240, PAGE 4
LAND SURVEY 2003-0657
LAND SURVEY 2006-0570
LAND SURVEY 2007-0363
LAND SURVEY 2011-0204
LAND SURVEY 2021-0138

CERTIFICATION

I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C.
CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS
TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED
UNDER MY DIRECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED
IN NOVEMBER, 2022. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET
OR TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC.

Wesley D. Goubeaux, P.S. #8254
DATE 3/29/2023



PREPARED BY:

ChoiceOne
Engineering

SUNNY, OHIO 937-497-0206
LOVELAND, OHIO 513.239.8554
www.CHOICEONEENGINEERING.com

DATE:
03-29-2023

DRAWN BY:
RMF
JOB NUMBER:
MOT-BRO-2215
SHEET NUMBER
1 OF 1

EXHIBIT "B"