



CITY COUNCIL
Tuesday, October 1, 2024, 7:30 PM
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309
937-833-2135
www.brookvilleohio.com

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 the September 17, 2024 Regular Meeting Minutes

IV. Reports of Municipal Officers

- a. City Manager
- b. Finance Director
- c. Fire Chief
- d. Police Chief
- e. Law Director
- f. Mayor Chuck Letner

V. Old Business

- a. Second Reading of Resolution No. 24-17 entitled "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR."

VI. New Business

- a. First reading of Resolution No. 24-18 entitled "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR SEASONAL AND/OR TEMPORARY AND PERMANENT PART-TIME HOURLY CITY EMPLOYEES."

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



- b. First reading of Resolution No. 24-19 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ENVISION GROUP LLC TO PERFORM THE CITY'S COMPREHENSIVE LAND USE PLAN UPDATE."

VII. Reports of Boards and Commissions

- a. Member Fowler, Park Board Liaison
- b. Member Schreier, Planning Commission Liaison

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
September 17, 2024

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on September 17, 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, Piper, Schreier, Wilder and Zimmerlin; Manager Kuntz, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Member Fowler was absent.

Roll Call by Clerk Duncan.

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

Motion by Zimmerlin, second by Piper to accept the September 3, 2024 Regular Meeting Minutes as presented. All yeas, motion carried.

Adam Blevins, 260 Doyle Avenue, requested permission for the Brookville Band Association to hold their annual March-a-thon Fundraiser for the Brookville Schools Band on September 28, 2024 from 10:00 a.m. until 12:15 p.m.

Motion by Zimmerlin, second by Wilder to approve the March-a-thon Fundraiser for the Brookville Schools Band on September 28, 2024 from 10:00 a.m. until 12:15 p.m. as presented. All yeas, motion carried.

Manager Kuntz reported the Wolf Creek Resurfacing Project has been delayed due to the availability of materials. The new start date will be communicated to the public as soon as it becomes available.

Manager Kuntz reported the Comprehensive Land Use Plan Steering Committee interviewed four consultants this week. The Steering Committee will be making a recommendation to the City Council at the October 1 meeting on what company they have selected to move forward with this project.

Manager Kuntz advised that Montgomery County is holding their annual Tire Buy Back Event on September 22 from 9:00 a.m. until 1:00 p.m. at the Transfer and Recycling Facility. Participants can receive \$2 per tire, up to 10 tires per vehicle.

Manager Kuntz reminded everyone of the Third Thursday event at Gruenig Park on September 19, 2024 and encouraged everyone to attend.

Manager Kuntz congratulated Finance and HR Director Michelle Brandt for being awarded her fourth Ohio Auditor of State Award earlier this summer from Ohio Auditor of State Keith Faber's office. This award recognizes excellence in financial reporting in accordance with "Generally Accepted Accounting Principles" and compliance with all applicable state laws. The city obviously appreciates Finance and HR Director Brandt's work on everything within the city's finance department to ensure we continue to be responsible stewards of taxpayer resources as well as keeping our finances as transparent as any community within the state.

Finance Director Brandt presented the August 31, 2024 Fund Balance.

Motion by Schreier, second by Zimmerlin to accept the August 31, 2024 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt reported proposed Resolution No. 24-17 is an annual resolution that accepts the amounts and rates as determined by the Montgomery County Budget Commission. The adoption of this Resolution is a formal approval of the rates and yields for the inside millage for the City. It is required by the County Auditor in order to collect real estate tax.

Motion by Piper, second by Zimmerlin to read proposed Resolution No. 24-17. All yeas, motion carried.

Motion by Zimmerlin, second by Wilder to accept the first reading of proposed Resolution No. 24-17. All yeas, motion carried.

Fire Chief Fletcher reported the Fire Department is seeking volunteers for a community project which involves painting fire hydrants.

Fire Chief Fletcher warned of a current scam soliciting funds on behalf of the Brookville Fire Department. The Fire Department does not make phone calls or go door-to-door to solicit funds.

Fire Chief Fletcher advised while there is not a burn ban in our fire district at this time, residents should use caution due to current dry conditions.

Police Chief Jerome reminded everyone of the Homecoming Parade tomorrow evening, beginning at 6:00 p.m.

Police Chief Jerome reported the public safety awareness campaign regarding scooter and bike safety in the Market Street business district is proving to be successful. The Facebook post has reached over 3,800 people and business owners are reporting kids have slowed down or moved to the street to ride.

Police Chief Jerome reported a Facebook post was shared recently claiming that Brookville High School had a threat. The threat was actually in another state. Police Chief Jerome advised people to call the police prior to sharing posts that are not confirmed to be accurate.

Police Chief Jerome reported What's the Scoop will host the Cones with Cops event on September 29. Brookhaven will host a Coffee with a Cop event on October 2 and Scramble by Café 19 will host the Coffee with a Cop event on October 9. The annual Veteran's Day Lunch will be held on November 12 at Rob's Restaurant.

Police Chief Jerome reminded everyone that the city has a golf cart ordinance. Regulations are posted on our website and Facebook page.

Police Chief Jerome reported the Police Department recently received certification from the Ohio Collaborative on the Bias Free Policing and Investigation of Employee Misconduct training module.

Police Chief Jerome reported the Police Department has introduced pepper ball launchers and kits with gas masks for officer safety and preparedness.

Law Director Stephan had no report.

Mayor Letner reported Barton Mallow Company is in the process of completing the demolition of the old bank drive-through owned by the city on Hay Avenue. This is a community project that is being completed at no charge to the city. Mayor Letner thanked Barton Mallow for this generous contribution to the city.

Mayor Letner complimented Damian Kristof, for the joint Brookville Public Library and Historical Society presentation on Market Street last week.

Motion by Zimmerlin, second by Schreier to read proposed Ordinance No. 2024-12. All yeas, motion carried.

Motion by Schreier, second by Wilder to accept the third reading and adopt Ordinance No. 2024-12 entitled “AN ORDINANCE ESTABLISHING BUSINESS REGISTRATION IN THE CITY OF BROOKVILLE, OHIO. All yeas, motion carried.

Member Schreier commended Brookville Schools for their excellent rating that was announced in the newspaper yesterday.

Adam Blevins, 260 Doyle Avenue, reported Park Board has started planning for the annual Christmas in the Park event which begins on December 6 and encouraged citizen participation in setting up for the event. Donations are welcome as well.

Member Schreier, Planning Commission Liaison, had no report.

Damian Kristof, 61 Oak Street, announced the library is also holding a dedication ceremony and reception on September 30 at noon for the new Gold Star Family/Purple Heart parking spot at the library, and encouraged the public to attend.

Bruce Garber, 434 Sycamore Street, expressed concern that City Council tabled the R1 Rural Residential Zoning district proposed by Planning Commission.

Jessica Shelton, 13340 Brookville Pymont Road, commented she submitted a public record request over a month ago and inquired when she can expect to get the requested information.

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

Kimberly Duncan, Clerk

Charles Letner, Mayor

To: Mayor & Council
From: Jack Kuntz, City Manager
RE: Manager's Report
Date: 09/25/2024

A couple of meetings ago, I notified the City Council that code enforcement officer Jim Snedeker had submitted his notice of resignation, effective at the end of October. As a part time code enforcement officer, Jim was responsible for conducting all property maintenance inspections and issuing violations and following up until compliance was obtained. Staff has reviewed the current organizational chart as well as it's current operations and we believe we have an opportunity to hire a new employee to carry out property maintenance inspections, plus conduct zoning inspections which will include all zoning violation and placement inspections. This new hire will be placed in the current slot of the "Building/Zoning" position of the city's organization chart. However, the current organizational chart has this position listed under the Assistant City Manager and this position is currently empty with no plans to fill it. Staff requests this position be renamed "Zoning Code Enforcement Officer" to more accurately reflect the responsibilities and duties assigned to the position and place the position under the Manager's direct supervision. Staff has interviewed a candidate and has extended a conditional offer of employment, specific with the condition the organizational chart is amended, and City Council later adopts the new pay scale as presented by Michelle Brandt in her report. Another condition, which the candidate agreed to, is to work no more than 25 hours a week and his daily work duties will include a combination of code enforcement and zoning inspections, which will assist in the daily development responsibilities currently under Rod. We believe this is a good opportunity to streamline the city's current inspection process in both the code enforcement and zoning operations which assume no additional cost.

The Wolf Creek Road resurfacing project should be starting the week of September 30 and should take no longer than 5-10 business days.

The Brookville Service Department has completed the following projects recently:

- Pothole patched
- Trash in parks/town
- Mow grass in parks/town
- Removed flowerpots from uptown
- Paved Albert Rd, Westbrook, Foothill
- Mowed ditches
- Installed hydrant @ Sycamore and Lisa
- Installed new concrete blocks at North Speedway dead end
- Trimmed trees hanging in roadway
- Built new dump site with concrete blocks at service department
- Hauled gravel
- Trimmed weeds and sprayed parking lot at soccer
- Washed and cleaned all trucks in fleet
- Repaired street sweeper

- Inspecting all job sites
- Trimmed ditch at Salem and Walnut

To: Mayor & Council
From: Jack Kuntz, City Manager
RE: Manager's Report
Date: 09/23/2024

Earlier this year, the City Council authorized staff to submit a grant application to the Montgomery County Land Bank in the amount of \$50,000 to pair with a local match in the same amount and then to be used to update the city's Comprehensive Land Use Plan. This plan was identified by the City Council, the city's Planning Commission, the Brookville area community and staff as a very important project for multiple reasons. After the grant application was successfully awarded to the city, staff worked with staff from the Miami Valley Regional Planning Commission (MVRPC) to prepare a Request for Proposal (RFP) for the specific project and that RFP was subsequently posted on local, state and national planning digital platforms in early July. The RFP was also sent to all local media outlets via a press release. Response proposals were required to be submitted to the city no later than August 23.

The city received 6 proposals from companies interested in this project. The names of the companies which submitted are below:

- American Structure Point
- Envision
- McBride Dale Clarion
- McKenna
- MKSK
- Veridus Group

A Selection Steering Committee was created to review the applications and to set up interviews with the potential companies. Included with the Steering Committee was the Chairperson from the Brookville Planning Commission, Mayor Letner representing City Council, a representative from MVRPC, law director/economic development director Rod Stephan and myself. As a group we narrowed down the group to four companies based on the submitted responses. The Steering Committee interviewed the four finalists in the middle of September. Each group was given 15-30 minutes to give a proposal presentation and then answered questions asked by the panel. As a result of the presentations and answers to the prepared questions, the Steering Committee believed there was one clear preference followed by a second company. The Steering Committee then contacted a list of references provided by the top two companies. Both companies received positive reviews from their listed references.

The Steering Committee recommends the City of Brookville enter into an agreement with Envision to perform the city's Comprehensive Land Use Plan Update. The reasons the Steering Committee make this recommendation are below:

- Professional and project experience of Envision's staff,
- Envision's experience with similar sized communities in Ohio experiencing similar development/growth stresses,

- Envision's experience working with small Ohio cities surrounded by rural townships and successfully building consensus on future land use plans,
- Envision's experience in community engagement with a diverse cross section of city and township communities,
- Envision's project scope which included a highest and best use assessment analysis, developing implementation strategies for future city projects, including infrastructure and connectivity projects and identifying priority areas for zoning and development review process improvements and
- Focus Area Concept Plans

Envision's contract agreement with the City of Brookville will be for \$96,100. This is a similar price to all the submittals. Some were higher. Envision's was the third lowest proposal, just slightly higher than the two lowest. The highest proposal was over \$120,000 with the other two proposals around the \$100,000 price point. Upon the completion of the contract agreement, Envision will begin working with staff immediately in creating a Project Steering Committee which will meet with Envision staff, providing direction and feedback throughout the entirety of the project. The Steering Committee will be comprised of approximately 12 individuals who represent a cross section of the Brookville community/stakeholders and will be responsible for attending 4 meetings during this project process to provide feedback and direction to the consultants.

Staff requests the City Council authorize staff to sign all documents with Envision to be the consultant providing planning services for the city's Comprehensive Land Use Plan Update project. All agreements and other associated documents must be reviewed and authorized by the city's law director prior to signature.



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda October 1, 2024

Reportable Incidents

01/01/2023 – 09/25/2023 = 382

01/01/2024 – 09/25/2024 = 364

Citations

01/01/2023 – 09/25/2023 = 301

01/01/2024 – 09/25/2024 = 286

Traffic Stops

September 2023 - 153

September 1, 2024 to date - 104

Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
09/11/2024	07:06 PM	** JUVENILE **	610 RAMBLEWOOD, BROOKVILLE, OH 45309 2151022A: Juvenile - incorrigible, habitually disobedient	2024-00341
09/14/2024	02:20 PM	STEVEN LEN CARRIER	2161 CARDINAL AVE, FAIRFIELD, OH 45014 450702A1: NO OPERATORS LICENSE 451002B6: NON COMPLIANCE SUSPENSION	2024-00345
09/17/2024	07:19 PM	DOMINIQUE MAURICE	115 LINCOLN AVE, SPRINGFIELD, OH 45505 291121: Criminal trespass	2024-00349
09/24/2024	10:30 AM	BRANDON L. WEIDEL	126 CHURCH ST, BROOKVILLE, OH 45309 35: WARRANT ARREST	2024-00371

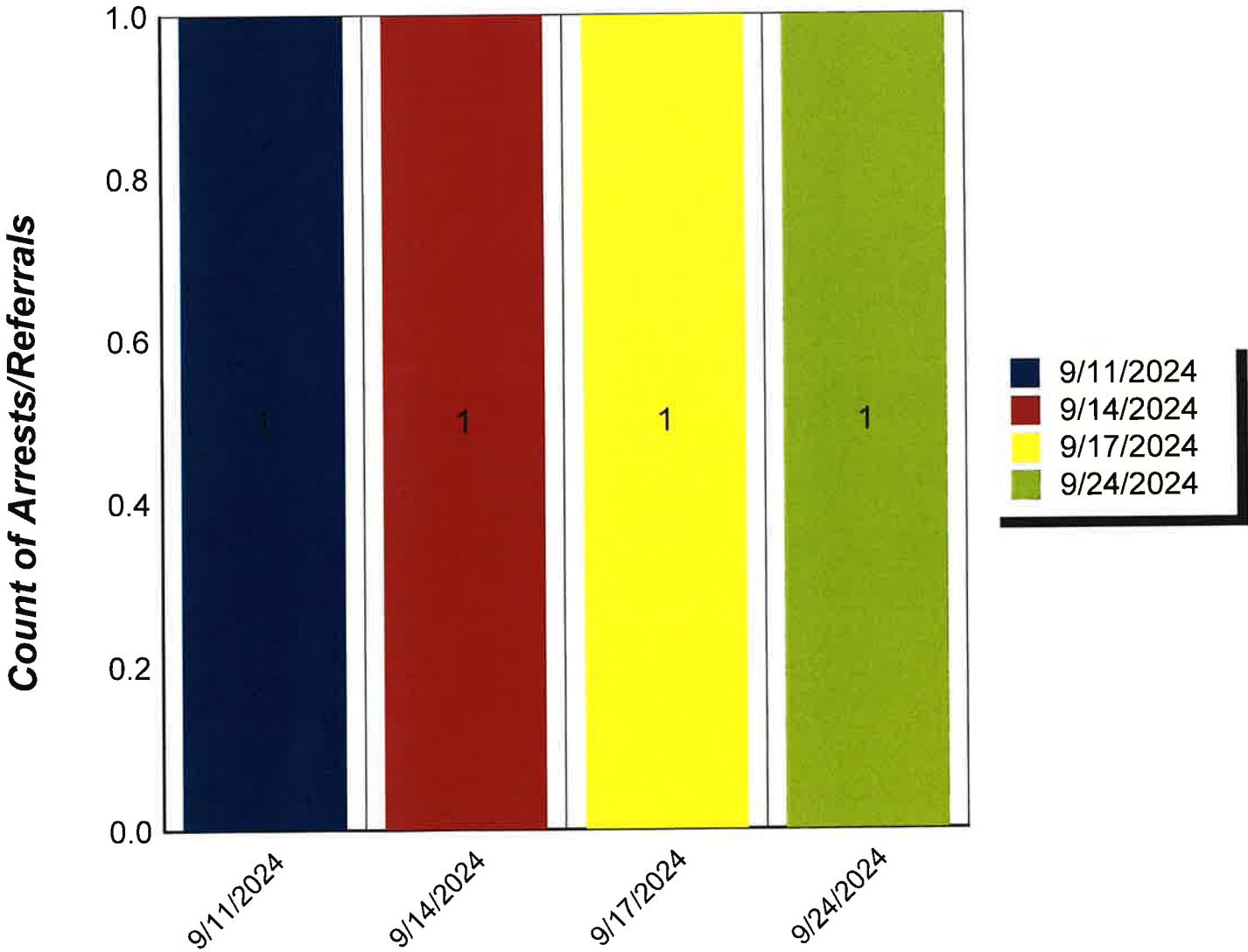
Total Selected = 4

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
September 11, 2024	1
September 14, 2024	1
September 17, 2024	1
September 24, 2024	1
Total Selected = 4	

Arrest Log by Date

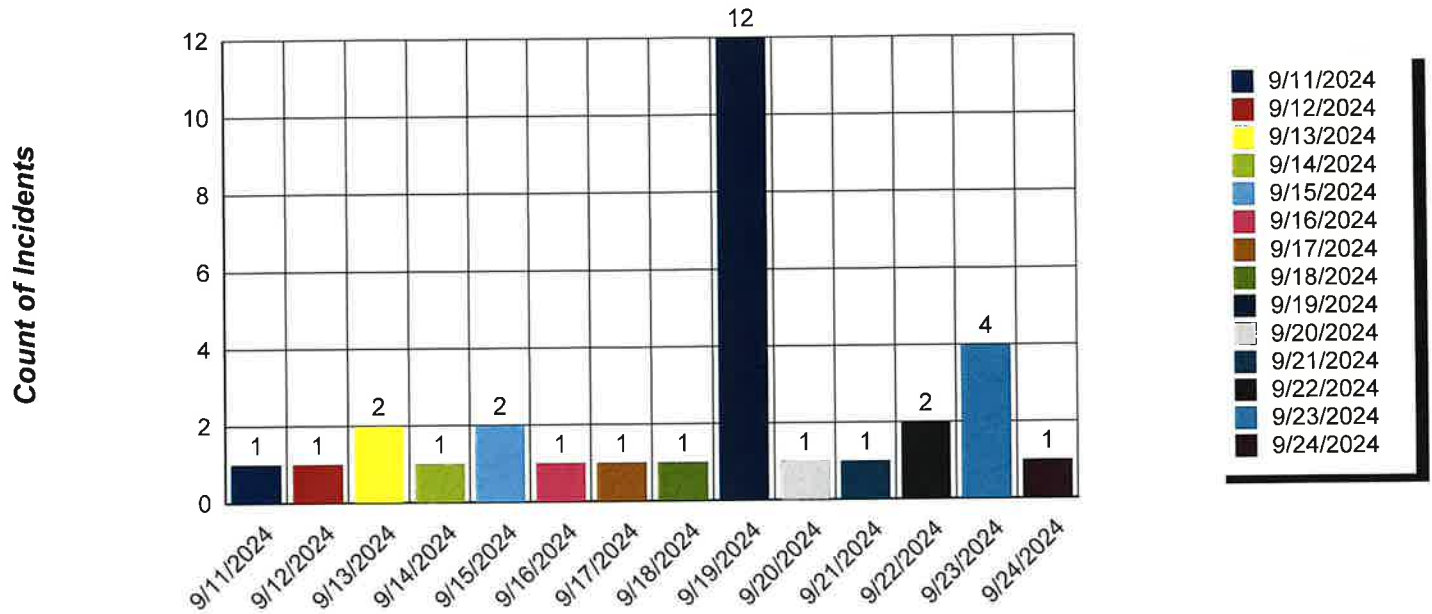


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
09/11/2024	Wednesday	1
09/12/2024	Thursday	1
09/13/2024	Friday	2
09/14/2024	Saturday	1
09/15/2024	Sunday	2
09/16/2024	Monday	1
09/17/2024	Tuesday	1
09/18/2024	Wednesday	1
09/19/2024	Thursday	12
09/20/2024	Friday	1
09/21/2024	Saturday	1
09/22/2024	Sunday	2
09/23/2024	Monday	4
09/24/2024	Tuesday	1
Total Selected = 31		

Incident Log by Date Reported



Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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September 11, 2024

2024-00341	610 RAMBLEWOOD CT BROOKVILLE PD	SIGNAL 46 - UNRULY JUVENILE	09/11/2024	09/11/2024	ARREST
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Offenses UCR Offense Description
1 02 2151022A - Juvenile - incorrigible, habitually disobedient

Total Incidents Reported for Date: 1

September 12, 2024

2024-00342	814 TERRI DR BROOKVILLE PD	SIGNAL 6A - GRAND THEFT	09/04/2024		OPEN CASE
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Offenses UCR Offense Description
1 01 291302A3 - Theft - deception

Total Incidents Reported for Date: 1

September 13, 2024

2024-00343	16 WALNUT BROOKVILLE PD	SIGNAL 260 - DOG AT LARGE	09/13/2024		OPEN CASE
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Offenses UCR Offense Description
1 N/A 50501C - ANIMAL AT LARGE

2024-00344	235 S WOLF CREEK BROOKVILLE PD	SIGNAL 53C - PEDESTRIAN CRASH	09/13/2024	09/13/2024	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 N/A 451146 - PEDESTRIAN ON CROSSWALK HAS RIGHT OF WAY

Total Incidents Reported for Date: 2

September 14, 2024

2024-00345	799 ARLINGTON RD BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	09/14/2024	09/14/2024	ARREST
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Offenses UCR Offense Description
3 N/A 451139 - FAILURE TO SIGNAL
N/A 450702A1 - NO OPERATORS LICENSE
N/A 451002B6 - NON COMPLIANCE SUSPENSION

Total Incidents Reported for Date: 1

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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September 15, 2024

2024-00346	5 Osage St. BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	09/15/2024	09/15/2024	ARREST
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Offenses	UCR	Offense Description
5	02	291925B - Domestic violence - recklessly cause physical harm
	N/A	290318B2 - STRANGULATION
	02	292131 - Obstructing official business
	04	292133A - RESISTING ARREST
	02	291925C - Domestic violence - knowingly force, threat of

2024-00347	251 QUAIL HOLLOW DR BROOKVILLE PD	SIGNAL 26O - TRESPASS	09/15/2024	09/17/2024	ARREST
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Offenses	UCR	Offense Description
2	02	291121 - Criminal trespass
	02	2151022G - Juvenile - unruly

Total Incidents Reported for Date: 2

September 16, 2024

2024-00348	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - APPLICATION FOR EMERGENCY ADMISSION	09/16/2024	09/16/2024	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	5122.10 - APPLICATION FOR EMERGENCY ADMISSION

Total Incidents Reported for Date: 1

September 17, 2024

2024-00349	I-70 EB MM 21 BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	09/17/2024	09/17/2024	ARREST
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Offenses	UCR	Offense Description
1	02	291121 - Criminal trespass

Total Incidents Reported for Date: 1

September 18, 2024

2024-00350	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - OHIO HB4 LE NOTIFICATION LETTER	09/18/2024	09/18/2024	EXCEPTIONALLY CLEARED
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Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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September 18, 2024

Offenses UCR Offense Description
1 02 26I - OHIO HB4 LE NOTIFICATION LETTER

Total Incidents Reported for Date: 1

September 19, 2024

2024-00351	91 ANKARA AVE BROOKVILLE PD	SIGNAL 06B - THEFT	09/19/2024		OPEN CASE
	Offenses UCR Offense Description 2 06 291302 - Theft N/A 54506 - UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS				
2024-00352	272 CROSSWELL AVENUE BROOKVILLE PD	SIGNAL 06A - THEFT	09/19/2024		OPEN CASE
	Offenses UCR Offense Description 1 06 291302A1 - Theft - without consent				
2024-00358	78 CORONADO BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/19/2024	09/19/2024	EXCEPTIONALLY CLEARED
	Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT				
2024-00353	549 CALLIE COURT BROOKVILLE PD	SIGNAL 06B - THEFT	09/19/2024		OPEN CASE
	Offenses UCR Offense Description 1 06 291302A1 - Theft - without consent				
2024-00357	OSTEND @ CROSSWELL BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	09/19/2024	09/19/2024	EXCEPTIONALLY CLEARED
	Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT				
2024-00354	555 CALLIE COURT BROOKVILLE PD	SIGNAL 06A - GRAND THEFT	09/19/2024		OPEN CASE
	Offenses UCR Offense Description 1 06 291302B6 - Theft of Scheduled Drugs				
2024-00356	1 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/19/2024	09/19/2024	EXCEPTIONALLY CLEARED

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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September 19, 2024

Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2024-00355	85 RIDGE ROAD APT 44 BROOKVILLE PD	SIGNAL 06B - THEFT	09/19/2024		OPEN CASE
Offenses UCR Offense Description 1 06 291302A1 - Theft - without consent					
2024-00359	7 VIENNA CT. BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/19/2024	09/19/2024	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2024-00362	RONA PARKWAY @ ARLINGTON BROOKVILLE PD	SIGNAL 55 - TRAFFIC CITATION	09/19/2024	09/19/2024	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 451011 - DRIVING UNDER SUSPENSION					
2024-00360	560 CALLE CT BROOKVILLE PD	SIGNAL 06B - THEFT	09/19/2024		OPEN CASE
Offenses UCR Offense Description 1 06 291302 - Theft					
2024-00361	3 DEGER CT. BROOKVILLE PD	SIGNAL 06A - THEFT	09/19/2024		OPEN CASE
Offenses UCR Offense Description 1 06 291302A1 - Theft - without consent					
Total Incidents Reported for Date: 12					

September 20, 2024

2024-00363	429 MARKET STREET BROOKVILLE PD	SIGNAL 53H&R - HIT AND RUN CRASH	09/20/2024	09/20/2024	EXCEPTIONALLY CLEARED
Total Incidents Reported for Date: 1					

September 21, 2024

2024-00364	462 NORTH WOLF CREEK STREET BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	09/21/2024	09/21/2024	EXCEPTIONALLY CLEARED
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Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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September 21, 2024

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

September 22, 2024

2024-00365 118 KARRLAND DR #15 SIGNAL 26I - TRESPASS WARNING 09/22/2024 09/22/2024
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

2024-00366 SIMMONS SIGNAL 17 - SEXUAL IMPOSITION 09/22/2024 09/22/2024
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 01 290706 - Sexual imposition

Total Incidents Reported for Date: 2

September 23, 2024

2024-00367 272 CROSSWELL AVE SIGNAL 6A - GRAND THEFT 09/23/2024
BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
6 06 291302A1 - Theft - without consent
N/A 54506 - UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS
06 291302A1 - Theft - without consent
N/A 54506 - UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS
06 291302A1 - Theft - without consent
N/A 54506 - UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS

2024-00368 15 N CLAY SIGNAL 07 - AUTO THEFT 09/23/2024
BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
1 07 291302B5 - Auto Theft

2024-00370 904 PLEASANT COURT SIGNAL 26I - INFORMATION REPORT 09/16/2024 09/23/2024
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
September 23, 2024					
2024-00369	545 UPPER LEWISBURG SALEM RD. BROOKVILLE PD	SIGNAL 6B - PETTY THEFT	09/23/2024		OPEN CASE
Offenses					
UCR	Offense Description				
1	06 291302 - Theft				
Total Incidents Reported for Date: 4					
September 24, 2024					
2024-00371	126 CHURCH ST BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	09/24/2024	09/24/2024	ARREST
Offenses					
UCR	Offense Description				
1	N/A 35 - WARRANT ARREST				
Total Incidents Reported for Date: 1					
Total Selected = 31					

MEMORANDUM:

DATE: SEPTEMBER 25, 2024

TO: CITY OF BROOKVILLE CITY COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: ARLINGTON WOODS II SECTION ONE FINAL SUBDIVISION RECORD PLAN

At the September 19, 2024 Planning Commission meeting, Planning Commission approved a preliminary plat for Arlington Woods II Subdivision. A copy of the approved preliminary plat is attached to this memorandum. The plan provides for 64 lots to be developed in three phases. The subdivision is located on Westbrook Road west of the existing Arlington Woods Subdivision. The proposed subdivision is 23.952 acres and included County Auditor Parcels C05 00314 0057 and C05 00314 0063. The property is zoned R-1B Urban Residential District. This property was part of 78.11 acres annexed to the City of Brookville on September 3, 1991. The property was zoned R-1B on December 3, 1991.

Planning Commission also approved at the September 19, 2024 meeting the final subdivision record plan for the first phase of Arlington Woods II Subdivision. Arlington Woods II Section One Final Subdivision Plan contains 25 lots for single family housing that will be built in the first phase of this project. The Arlington Wood II Section One Final Subdivision Plan also provides for the completion of the extension of Meadow Glen Ave. to Westbrook Rd. The record plan is consistent with the preliminary plat for this subdivision that Planning Commission approved at the September 19, 2024 meeting.

The builder in this subdivision will be Arcon Builders located in Arcanum, Ohio. They will be building single family homes that will have a minimum of 1800 sq. ft. of living area. The covenants and restrictions on the subdivision will be substantially the same as those covenants and restrictions in the original Arlington Woods subdivision that abuts the east side of this new subdivision. It is requested that City Council approve the final subdivision record plan for Arlington Woods II Section One.



DISCLAIMER

This map is a visual presentation of data to be used as a public resource of general information and is provided strictly as a courtesy. The Montgomery County Auditors Office makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any information provided herein. Furthermore, The Montgomery County Auditors Office shall assume no liability for:

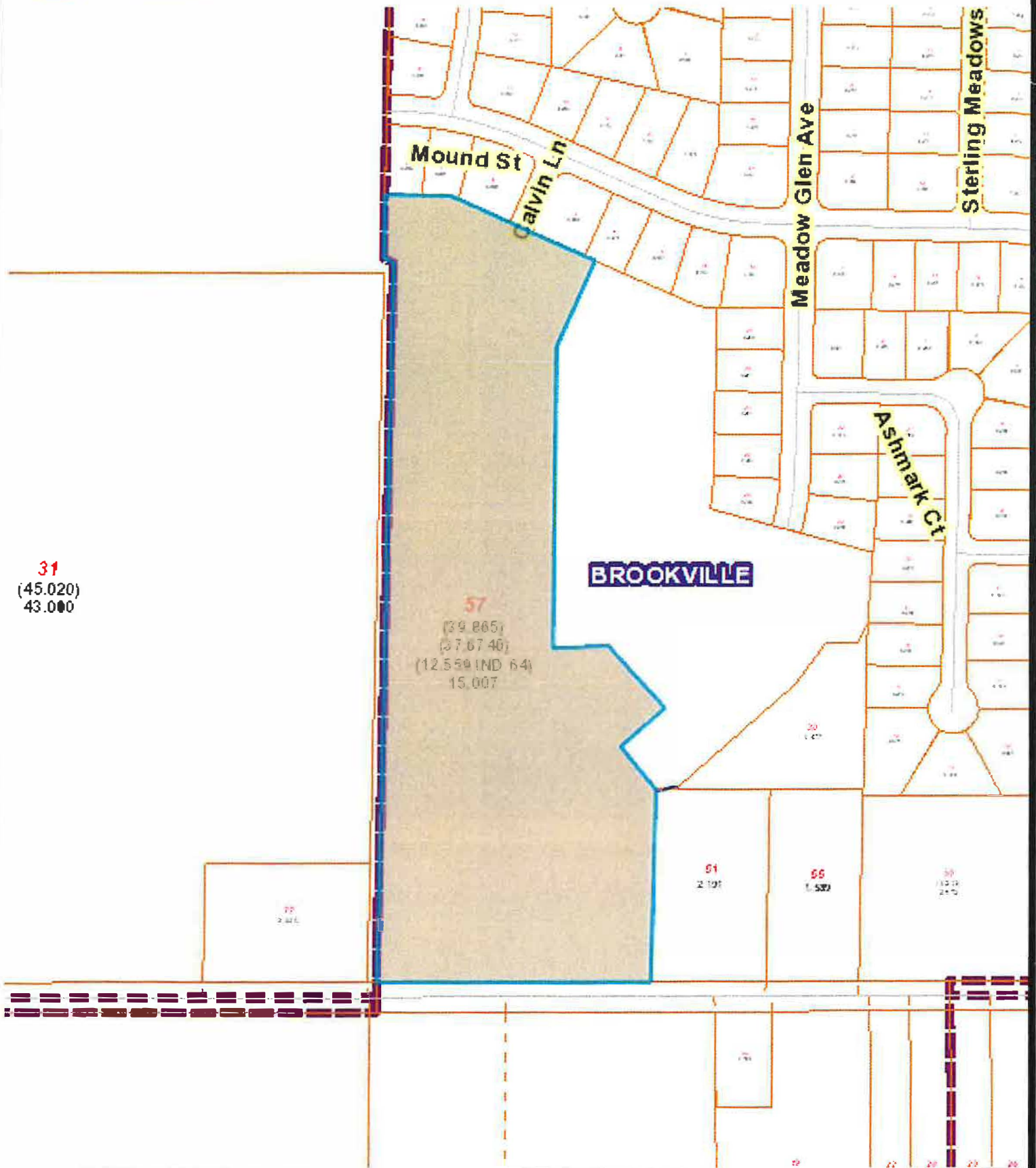
1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused; or
2. Any decision made or action taken or not taken by the reader in reliance upon any information furnished hereunder.

Note: Exact property boundaries must be derived by a legal survey of the property.

1 inch = 289 ft

GIS DEPARTMENT





DISCLAIMER

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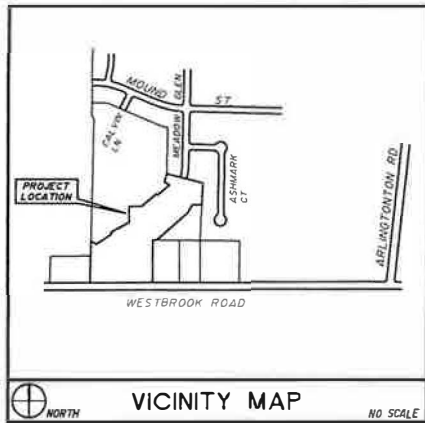
1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused; or
2. Any decision made or action taken or not taken by the reader in reliance upon any information furnished hereunder.

Note: Exact property boundaries must be derived by a legal survey of the property.

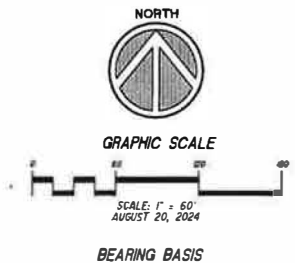
1 inch = 350 ft

GIS DEPARTMENT





- LEGEND:**
- IRON PIN FOUND - SIZE INDICATED
 - IRON PIN SET W/AL CAP - 5/8"
 - IRON PIPE FOUND - SIZE INDICATED
 - R/W SPUR FOUND
 - R/W SPUR SET
 - PK W/L SET
 - STONE FOUND
 - MONUMENT FOUND
 - MONUMENT SET
 - CONCRETE NOT MONUMENTED



OCCUPATION STATEMENT
OCCUPATION LINES ARE IN GENERAL AGREEMENT WITH TITLE LINES

SUPERIMPOSED NOTE:
ALL LANDS OF THE DEDICATOR ARE SHOWN ON PG. 2 OF THIS PLAT.

CORRELATED TO THE SOUTH LINE OF SECTION 33 & CENTERLINE OF W. WESTBROOK RD AS N 88°41'56" E PER "WELING LOT 2643 PLAT" AS RECORDED IN P.B. 230, PG. 52

RECORD PLAN OF ARLINGTON WOODS II SECTION ONE

BEING A REPLAT OF PT. LOT 1713 OF THE CONSECUTIVE LOT NUMBER OF THE CITY OF BROOKVILLE SE QUARTER SECTION 33, TOWN 6, RANGE 4 EAST MONTGOMERY COUNTY, OHIO

10.366 AC

PREPARED BY:

PROFESSIONAL ASSOCIATES, INC.
516 PATRICIA FAYE CT., BROOKVILLE, OHIO 45309
PH: (937) 238-1677 (c)



NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD DIRECTION	CHORD LENGTH
C-1	47°45'22"	300.00	250.05	152.80	N 75°27'00" E	242.87
C-2	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-3	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-4	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-5	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-6	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-7	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-8	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-9	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37
C-10	05°54'45"	505.55	51.73	25.80	N 44°23'49" E	51.73
C-11	09°06'18"	505.55	80.32	40.26	N 36°54'51" E	80.32
C-12	09°06'18"	505.55	80.32	40.26	N 77°48'40" E	80.32
C-13	09°05'12"	505.55	80.18	40.17	N 18°42'59" E	80.18
C-14	47°45'22"	270.00	225.05	152.80	N 75°27'00" E	242.87
C-15	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-16	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-17	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-18	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-19	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-20	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-21	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-22	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37
C-23	05°54'45"	505.55	51.73	25.80	N 44°23'49" E	51.73
C-24	09°06'18"	505.55	80.32	40.26	N 36°54'51" E	80.32
C-25	09°06'18"	505.55	80.32	40.26	N 77°48'40" E	80.32
C-26	09°05'12"	505.55	80.18	40.17	N 18°42'59" E	80.18
C-27	47°45'22"	270.00	225.05	152.80	N 75°27'00" E	242.87
C-28	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-29	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-30	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-31	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-32	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-33	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-34	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-35	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37
C-36	05°54'45"	505.55	51.73	25.80	N 44°23'49" E	51.73
C-37	09°06'18"	505.55	80.32	40.26	N 36°54'51" E	80.32
C-38	09°06'18"	505.55	80.32	40.26	N 77°48'40" E	80.32
C-39	09°05'12"	505.55	80.18	40.17	N 18°42'59" E	80.18
C-40	47°45'22"	270.00	225.05	152.80	N 75°27'00" E	242.87
C-41	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-42	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-43	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-44	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-45	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-46	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-47	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-48	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37
C-49	05°54'45"	505.55	51.73	25.80	N 44°23'49" E	51.73
C-50	09°06'18"	505.55	80.32	40.26	N 36°54'51" E	80.32
C-51	09°06'18"	505.55	80.32	40.26	N 77°48'40" E	80.32
C-52	09°05'12"	505.55	80.18	40.17	N 18°42'59" E	80.18
C-53	47°45'22"	270.00	225.05	152.80	N 75°27'00" E	242.87
C-54	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-55	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-56	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-57	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-58	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-59	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-60	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-61	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37
C-62	05°54'45"	505.55	51.73	25.80	N 44°23'49" E	51.73
C-63	09°06'18"	505.55	80.32	40.26	N 36°54'51" E	80.32
C-64	09°06'18"	505.55	80.32	40.26	N 77°48'40" E	80.32
C-65	09°05'12"	505.55	80.18	40.17	N 18°42'59" E	80.18
C-66	47°45'22"	270.00	225.05	152.80	N 75°27'00" E	242.87
C-67	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-68	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-69	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-70	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-71	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-72	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-73	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-74	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37
C-75	05°54'45"	505.55	51.73	25.80	N 44°23'49" E	51.73
C-76	09°06'18"	505.55	80.32	40.26	N 36°54'51" E	80.32
C-77	09°06'18"	505.55	80.32	40.26	N 77°48'40" E	80.32
C-78	09°05'12"	505.55	80.18	40.17	N 18°42'59" E	80.18
C-79	47°45'22"	270.00	225.05	152.80	N 75°27'00" E	242.87
C-80	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-81	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-82	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-83	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-84	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-85	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-86	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-87	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37
C-88	05°54'45"	505.55	51.73	25.80	N 44°23'49" E	51.73
C-89	09°06'18"	505.55	80.32	40.26	N 36°54'51" E	80.32
C-90	09°06'18"	505.55	80.32	40.26	N 77°48'40" E	80.32
C-91	09°05'12"	505.55	80.18	40.17	N 18°42'59" E	80.18
C-92	47°45'22"	270.00	225.05	152.80	N 75°27'00" E	242.87
C-93	33°09'19"	475.55	275.09	141.57	N 30°45'02" E	278.37
C-94	12°40'43"	200.00	44.26	22.22	N 36°19'57" W	44.17
C-95	04°07'30"	225.00	16.20	15.00	N 32°03'28" W	16.20
C-96	01°58'19"	270.00	9.28	4.64	N 00°33'26" E	9.28
C-97	80°52'24"	15.00	23.79	15.23	N 45°53'32" W	23.79
C-98	20°18'26"	270.00	95.70	48.36	N 8°44'45" E	95.70
C-99	20°18'27"	270.00	95.70	48.36	N 32°00'00" E	95.70
C-100	03°10'19"	270.00	24.37	12.67	N 44°44'33" E	24.37

ACREAGE SUMMARY

TOTAL PROJECT AREA: 10.366 AC
TOTAL ACREAGE IN LOTS: 7.464 AC
TOTAL ACREAGE IN R/W: 2.359 AC
RESERVE AREAS: 0.543 AC

APPROVALS:

APPROVED FOR DESCRIPTION

BY:

MONTGOMERY COUNTY ENGINEER

DATE

FILE NO.

DESCRIPTION:

THE WITHIN PLAT IS A SUBDIVISION OF 10.366 ACRES LOCATED IN THE COUNTY OF MONTGOMERY, STATE OF OHIO, CITY OF BROOKVILLE, AND BEING A REPLAT OF PART LOT No. 1713 OF THE CONSECUTIVE NUMBERED LOTS OF THE CITY OF BROOKVILLE AND BEING PART OF LANDS HERETOFORE CONVEYED TO TERRA NOVA DEVELOPMENT GROUP, LLC BY DEED RECORDED IN I.R. DEED 24-

DEDICATION:

WE, THE UNDERSIGNED, BEING ALL OF THE OWNERS AND LIENHOLDERS OF THE LAND HEREIN SUBDIVIDED, DO HEREBY ACKNOWLEDGE AND VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO HEREBY RESERVE THE EASEMENTS AS SHOWN, AND DEDICATE THE STREETS AND ROADS TO THE PUBLIC USE.

EASEMENTS SHOWN ON THIS PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, OR REMOVAL OF WATER, GAS, ELECTRIC, TELEPHONE, OR OTHER UTILITY LINES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES, SHRUBS OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES, AND FOR PROVIDING OF INGRESS TO AND EGRESS FROM THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

OWNER: TERRA NOVA DEVELOPMENT GROUP LLC, AN OHIO LIMITED LIABILITY COMPANY

WITNESS

TIM SHELLABARGER, MANAGING MEMBER

NAME PRINTED

WITNESS

NAME PRINTED

STATE OF OHIO, S.S.:

BE IT REMEMBERED ON THIS ____ DAY OF _____, 2024, BEFORE THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME THE SAID TERRA NOVA DEVELOPMENT GROUP, LLC BY TIM SHELLABARGER, ITS MANAGING MEMBER, TO ME KNOWN AND ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE THEIR VOLUNTARY ACT AND DEED INTESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND NOTARIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES:



STATE OF OHIO, S.S.:

TIM SHELLABARGER, AS MANAGING MEMBER OF TERRA NOVA DEVELOPMENT GROUP, LLC, BEING DULY SWORN SAYS THAT ALL PERSONS AND CORPORATIONS, TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION, EITHER AS OWNERS, OR AS LIENHOLDERS HAVE UNITED IN ITS EXECUTION.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES:



APPROVALS:

CITY OF BROOKVILLE

COUNCIL

DATE:

PLANNING COMMISSION

DATE:

MAYOR: CHUCK LETNER

CHAIRPERSON: RYAN HENDERSON

ACTING CLERK: MICHELLE BRANDT

ACTING CLERK: MICHELLE BRANDT

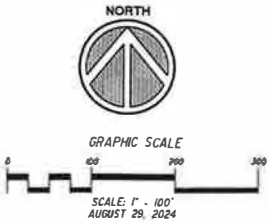
SURVEYOR'S CERTIFICATION:

I, MICHAEL L. OXNER, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF OHIO, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733-37 STANDARDS FOR PLAT OF SURVEY AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 STANDARDS FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK IN APRIL 2024. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN CURVED DISTANCES ARE MEASURED ON THE ARC, IRON PINS TO BE SET AT ALL CORNERS.



MICHAEL L. OXNER, REG. PROF. SURVEYOR, NO 6209
STATE OF OHIO
AUGUST 2024

PROFESSIONAL ASSOCIATES, INC.
CIVIL ENGINEERS, PLANNERS & SURVEYORS
516 PATRICIA FAYE CT., BROOKVILLE, OH 45309
PH: 937-238-1677(c) prodigynet



RECORD PLAN
OF
ARLINGTON WOODS II
SECTION ONE

BEING A REPLAT OF PT. LOT 1713 OF THE CONSECUTIVE LOT NUMBER OF THE CITY OF BROOKVILLE
SE QUARTER SECTION 33, TOWN 6, RANGE 4 EAST
MONTGOMERY COUNTY, OHIO

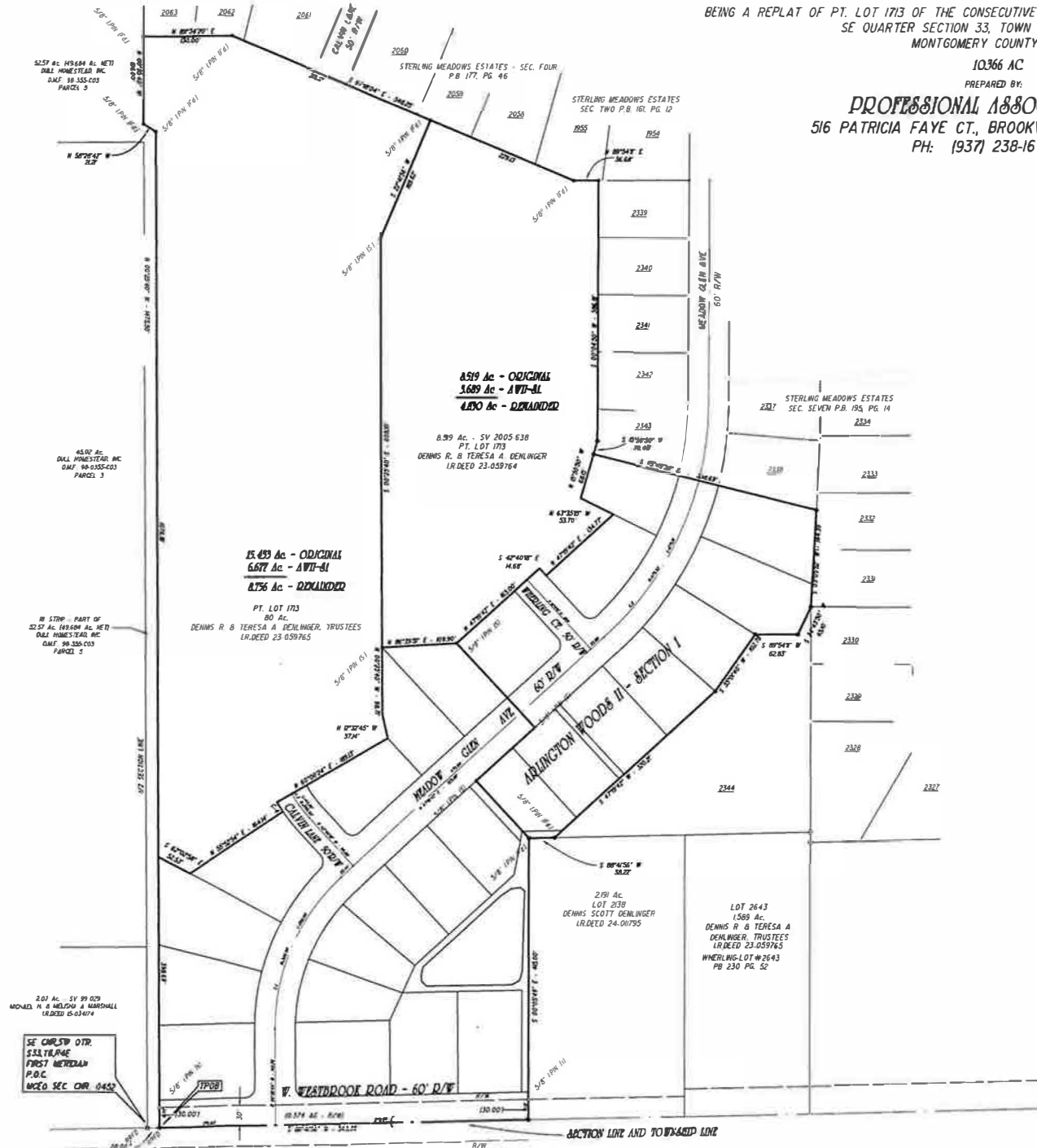
10.366 AC

PREPARED BY:

PROFESSIONAL ASSOCIATES, INC.
516 PATRICIA FAYE CT., BROOKVILLE, OHIO 45309
PH: (937) 238-1677 (c)

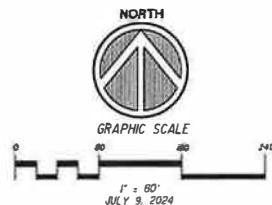
**ARLINGTON WOODS II SUBDIVISION
PROTECTIVE COVENANTS & RESTRICTIONS**

1. THESE COVENANTS AND RESTRICTIONS ARE FOR THE BENEFIT OF ALL LOT OWNERS AND ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2044, AT WHICH TIME SAID COVENANTS AND RESTRICTIONS SHALL BE EXTENDED FOR SUCCESSIVE PERIODS OF 20 YEARS UNLESS A MAJORITY OF LOT OWNERS AGREE TO CHANGE SAID COVENANTS AND RESTRICTIONS IN WHOLE OR PART.
2. INVALIDATION OF ANY ONE OF THESE COVENANTS AND RESTRICTIONS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OTHER OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
3. ALL LOTS IN THIS SUBDIVISION SHALL BE KNOWN AS AND DESCRIBED AS RESIDENTIAL LOTS. NO STRUCTURE SHALL BE ERRECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE FAMILY DWELLING NOT TO EXCEED TWO AND ONE-HALF STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT LESS THAN TWO CARS, NOR MORE THAN THREE CARS.
4. ALL BUILDINGS SHALL CONFORM TO ZONING ORDINANCES OF THE CITY OF BROOKVILLE, OHIO.
5. NO NOXIOUS OR OFFENSIVE TRADE SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING THEREON WHICH MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
6. NO FENCE, WALL, OR HEDGE SHALL BE PERMITTED TO EXTEND NEARER TO THE FRONT LOT LINE THAN THE MINIMUM BUILDING SETBACK LINE. EXCEPT ANY FENCE OR HEDGE WHICH DOES NOT EXCEED THREE FEET IN HEIGHT AND WHICH IS AT LEAST 50% OPEN TO LIGHT AND AIR PASSING THROUGH IT. NO DOG RUNS SHALL BE PERMITTED. NO CHAIN LINK FENCES SHALL BE PERMITTED UNLESS APPROVED BY THE DEVELOPER. ALL PROPOSED FENCES TO BE INSTALLED SHALL REQUIRE THE WRITTEN APPROVAL OF THE DEVELOPER. SUCH APPROVAL MUST BE GIVEN IN WRITING AND IN ADVANCE OR ELSE ANY FENCE, WALL, OR HEDGE MUST BE REMOVED BY THE PROPERTY OWNER. A DUTY WHICH MAY BE ENFORCED BY THE ARLINGTON WOODS II HOMEOWNER'S ASSOCIATION HAVING THE RIGHT TO ENTER ON THE PROPERTY TO DO SO AND TO LEVY THE COST OF SUCH REMOVAL AS A SPECIAL INDIVIDUAL LOT ASSESSMENT UNDER THE DECLARATION.
7. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT A SIGN OF NOT MORE THAN SIX SQUARE FEET IN AREA ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY THE BUILDER TO ADVERTISE THE PROPERTY FOR SALE DURING THE CONSTRUCTION AND SALES PERIOD.
8. NO ANIMALS, LIVESTOCK OR POULTRY SHALL BE RAISED, BRED, OR KEPT ON ANY LOT; EXCEPT DOMESTICATED DOGS, CATS OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT ALLOWED OR BY RESOLUTIONS OF THE LOCAL GOVERNMENT AND THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR COMMERCIAL PURPOSES.
9. THE TOTAL FLOOR (LIVING) AREA OF THE MAIN STRUCTURE SHALL NOT BE LESS THAN 1800 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE NOR LESS THAN 2000 SQUARE FEET IN THE CASE OF A ONE AND ONEHALF OR TWO STORY STRUCTURE, AND 2300 SQUARE FEET IN THE CASE OF A TRILEVEL STRUCTURE.
10. EASEMENTS SHOWN ON THE PLAT ARE RESERVED FOR UTILITY INSTALLATION, MAINTENANCE, AND SURFACE WATER DRAINAGE. ANY IMPROVEMENTS MADE ON ANY EASEMENT BY THE LOT OWNER ARE MADE AT HIS/HER OWN RISK.
11. NO TV ANTENNA, RADIO TOWER OR SATELLITE DISH, EXCEPT THOSE PROVIDED BY DIRECT TV, DISH NETWORK AND OTHER SUCH SIMILAR PROVIDER, SHALL BE PERMITTED UNLESS APPROVED BY THE DEVELOPER.
12. THE PARKING OR STORING OF ANY TRAILER, BOAT, RECREATIONAL VEHICLE, MOBILE HOME OR INOPERABLE VEHICLE IS PROHIBITED ON ANY LOT IN THIS SUBDIVISION FOR ANY MORE THAN 21 DAYS IN ANY CALENDAR YEAR WITH PART DAY TO COUNT AGAINST THE TOTAL, UNLESS KEPT IN AN ENCLOSED GARAGE.
13. NO SWIMMING POOL THAT EXTENDS ABOVE GRADE LEVEL IS PERMITTED. POOLS MAY NOT BE COVERED WITH AIR INFLATED BUBBLE OR RIGID COVER SO AS TO BE USABLE IN COLD WEATHER.
14. ADE LEVEL?????P ALL APPURTENANCES INCLUDING BUT NOT LIMITED TO SWIMMING POOLS AND TENNIS COURTS WILL NOT BE CONSTRUCTED WITHOUT THE WRITTEN CONSENT OF THE DEVELOPER.
15. NO IMPROVEMENTS OF ANY KIND OR CHARACTER WHATSOEVER SHALL BE ERRECTED OR BEGUN, OR CHANGE MADE IN THE EXTERIOR DESIGN THEREOF AFTER ORIGINAL CONSTRUCTION, ON ANY RESIDENTIAL LOT IN THIS SUBDIVISION UNTIL THE COMPLETE PLANS AND SPECIFICATIONS AND A PLOT PLAN SHOWING THE LOCATION OF THE IMPROVEMENTS HAS BEEN APPROVED BY THE DEVELOPER. THIS APPROVAL AND ALL OTHER APPROVALS OR CONSENTS OF THE DEVELOPER SHALL BE BASED UPON THE FOLLOWING PROCEDURES:
 - A. TWO COMPLETE SETS OF PLANS AND SPECIFICATIONS DEPICTING ALL ASPECTS OF WHATEVER ITEM NEEDS APPROVAL OR CONSENT BY THE DEVELOPER SHALL BE DELIVERED TO THE DEVELOPER. THE APPROVAL OR CONSENT SHALL BE THAT THE FENCE, ANTENNA, APPURTENANCE OR OTHER IMPROVEMENT INCLUDING ITS QUALITY OF EVERY OTHER ASPECT OF EXTERIOR APPEARANCE) MUST T BE IN HARMONY WITH ALL ASPECTS OF EXTERIOR DESIGN AND EXTERIOR APPEARANCE AND LOCATION OF EXISTING OR APPROVED STRUCTURES AND IMPROVEMENTS WITHIN THIS SUBDIVISION.
 - B. IF NO ACTION IS TAKEN ON PLANS AND SPECIFICATIONS WITHIN THIRTY DAYS AFTER THEIR DELIVERY TO THE DEVELOPER, THEY SHALL BE CONSIDERED TO BE APPROVED ON THE THIRTY FIRST DAY AFTER SUCH DELIVERY WHEN THE LAST LOT IN THIS SUBDIVISION IS CONVEYED BY THE DEVELOPER TO ANOTHER OWNER, ALL REFERENCES TO CONSENT OR APPROVAL OF THE DEVELOPER SHALL THEREAFTER BE DEEMED TO MEAN CONSENT OR APPROVAL OF THE ARLINGTON WOODS II HOMEOWNER'S ASSOCIATION.
 - C. ALL EXTERIOR FINISHES SHALL BE FULLY OR A COMBINATION OF BRICK, EFIS, STONE, OR CEMENT OR COMPOSITE SIDING
16. NO STORAGE SHED SHALL BE CONSTRUCTED OR PLACED ON ANY LOT.
17. CABANAS, GAZEBO'S, SWIMMING POOL HOUSES AND HOT TUB ENCLOSURES MAY BE BUILT WITH THE APPROVAL OF THE DEVELOPER.
18. THE DEVELOPER SHALL ESTABLISH A HOMEOWNERS ASSOCIATION, WHICH SHALL BE RESPONSIBLE TO MAINTAIN AND OPERATE ANY STORMWATER DETENTION BASINS AND ANY UNDEVELOPED PARK AND LANDSCAPE AREAS IN THE SUBDIVISION. THIS WILL BE ACCOMPLISHED BY THE CREATION OF PERMANENT EASEMENTS PROVIDED UPON AFFECTED AREAS THROUGHOUT THE SUBDIVISION. THE HOMEOWNERS'S ASSOCIATION SHALL ALSO BE RESPONSIBLE FOR MAINTAINING AND OPERATING THE FOLLOWING IMPROVEMENTS INSTALLED BY THE DEVELOPER IN THE SUBDIVISION: FORMAL ENTRYWAYS, FENCING, LIGHTING (NOT INCLUDING STREET LIGHTING MAINTAINED AND OPERATED BY THE CITY OF BROOKVILLE), THE LANDSCAPED BUFFER AREA ALONG WESTBROOK ROAD, AND ALL TREES, SHRUBS AND OTHER PLANTINGS TOGETHER WITH ASSOCIATED IRRIGATION SYSTEMS. ALL LOT OWNER SHALL BE REQUIRED TO JOIN SAID HOMEOWNERS ASSOCIATION AND TO PAY AN ANNUAL FEE FOR THE OPERATION AND MAINTENANCE OF THE ABOVE DESCRIBED IMPROVEMENTS.
19. THE WITHIN SUBDIVISION IS FURTHER SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (AND TO THE ARTICLES OF INCORPORATION AND BY-LAWS OF ARLINGTON WOODS II HOMEOWNER'S ASSOCIATION), BOTH OF WHICH ARE ATTACHED AS EXHIBITS TO THAT DECLARATION AS RECORDED IN LR DEED NO 24- WITH THE RECORDER OF MONTGOMERY COUNTY, OHIO.



SUPERIMPOSED AREA

PROFESSIONAL ASSOCIATES, INC.
CIVIL ENGINEERS, PLANNERS & SURVEYORS
516 PATRICIA FAYE CT. BROOKVILLE OH 45309
PH: 937-238-1677(c) prolassocinc@prodigy.net



DEVELOPER:

TERRA NOVA DEVELOPMENT GROUP, LLC
TIM SMELLABARGER ET AL
7824 ALT. ST. RT. 49
ARCANUM, OH 45304
PH. 937-692-6330

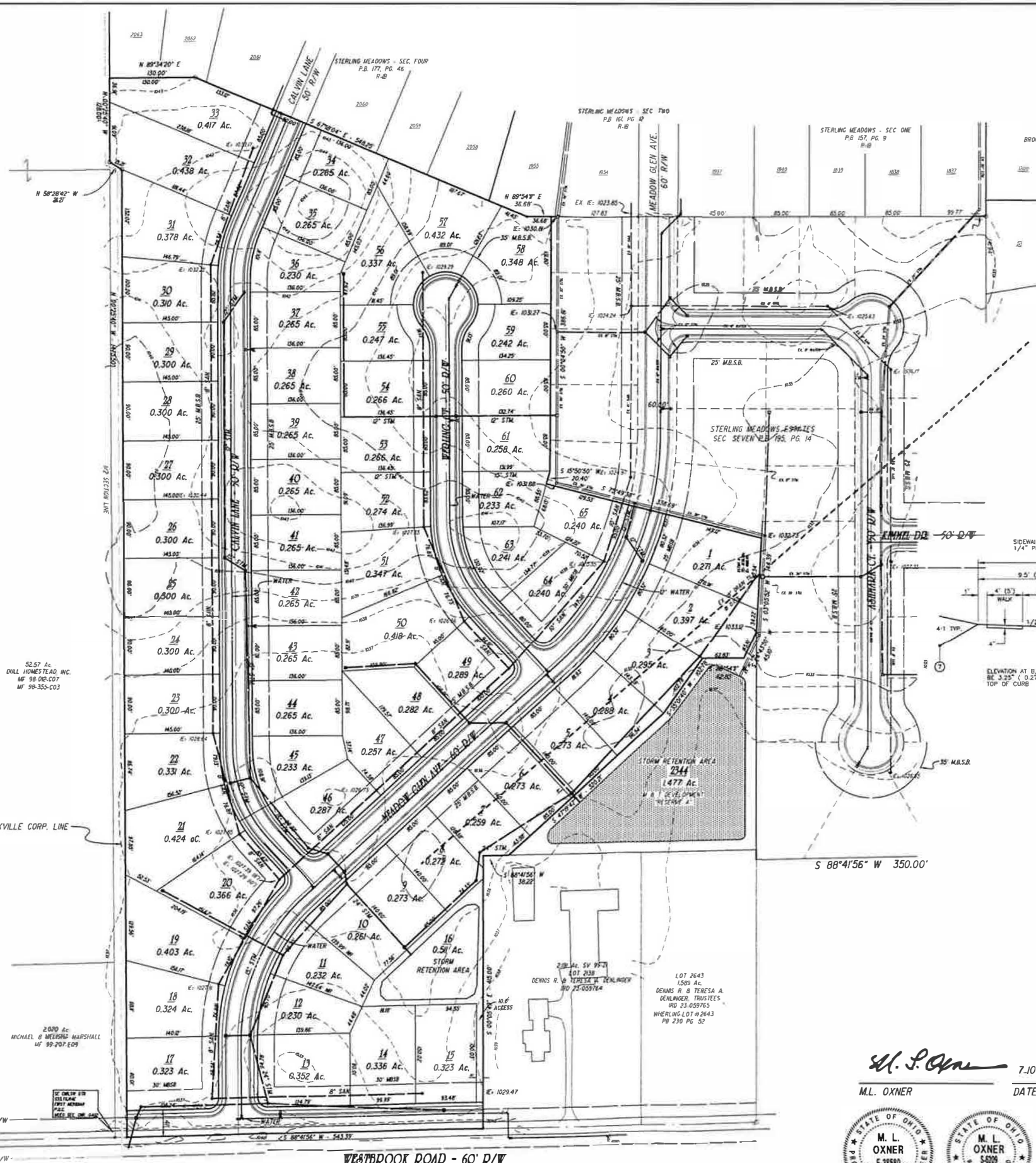
OWNER:

DENNIS R. & TERESA A. DENLINGER
15377 LITTLE RICHMOND RD
NEW LEBANON, OH 45345
PH. 937-371-8047
dennis.denlinger@rcis.com

PROJECT DATA:

EXISTING ZONING R-1B
MIN. LOT AREA 10,000 S.F.
MIN. LOT WIDTH 85'
MIN. FRONT YARD 25'
MIN. SIDE YARD 10'
MIN. REAR YARD 40'
PROJECT AREA 23,952 Ac.
TOTAL RES. LOTS 94
STORM RETENTION AREA 0.482 Ac.

LOT BREAKDOWN BY SECTION:



23,952 AC - 64 RES. LOTS
PRELIMINARY PLAN
OF:
ARLINGTON WOODS II SUBDIVISION
SECTIONS ONE-TWO-THREE

TERRA NOVA DEVELOPMENT GROUP, LLC

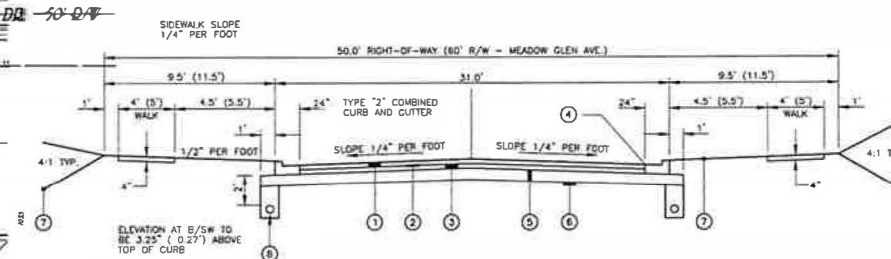
LOCATED IN:
S.E. QUARTER, SECTION 33, TOWN 6, RANGE 4 EAST
CITY OF BROOKVILLE
MONTGOMERY COUNTY, OHIO

APPROVALS:
CITY OF BROOKVILLE

PLANNING COMMISSION:

CHAIRPERSON: _____

DATE: _____



- ITEM 441 TYPE 1: ASPHALT CONCRETE (1-1/4" SURFACE COURSE) TO BE APPLIED 9 MONTHS AFTER 441 COURSE IS APPLIED.
- ITEM 407: TACK COAT @ 0.1 GAL./S.Y.
- ITEM 441 TYPE 2: ASPHALTIC CONCRETE (1-3/4" LEVELING COURSE) AT END OF 5 DAYS AFTER 408 (2-3/4" - RECD FOR MEADOW GLEN AVE.)
- ASPHALT CEMENT ON FACE OF CURB PRIOR TO ASPHALT PLACEMENT AND SEAL BETWEEN CURB AND PAVEMENT AFTER PLACEMENT OF ITEM 441 ASPHALT.
- ITEM 304: AGGREGATE BASE (2-5" COURSES)
- ITEM 203: SUBGRADE (COMPACTED)
- ITEM 650: SEEDING AND MULCHING - CLASS 1
- ITEM 605: 6" PIPE UNDERDRAIN NON-PERFORATED

- NOTES:
- ITEM 441 ASPHALT CONCRETE SURFACE COURSE SHALL NOT BE APPLIED UNTIL LEVELING COURSE HAS BEEN IN PLACE AT LEAST 9 MONTHS. ANY ITEM 441 OVERLAYMENT OR SETTLEMENT THAT HAS DEVELOPED DURING THIS PERIOD SHALL BE REMOVED AND REPLACED BEFORE THE ITEM 404 COURSE IS APPLIED.
 - ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE IN CONFORMANCE WITH THE CURRENT EDITION OF THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, CONSTRUCTION AND MATERIAL SPEC.
 - ALL TRENCHES WITHIN THE RIGHT-OF-WAY MUST BE BACKFILLED WITH COMPACTED GRANULAR MATERIAL ODOT 703.11 TYP OR 3.
 - ALL 441 ASPHALT CONCRETE SHALL CONTAIN ALL NEW MATERIALS.

TYPICAL STREET SECTIONS

PROJECT BENCHMARK:
Montgomery County GPS Benchmark No. 1029, located @ the NE corner of the intersection of Westbrook and Arlington roads.
ELEVATION: 1034.94

M. L. Oxner 7-10-2024
M.L. OXNER DATE:



PREPARED BY:
PROFESSIONAL ASSOCIATES INC.
ENGINEERS, PLANNERS & SURVEYORS
516 PATRICIA FAYE CT. BROOKVILLE, OH 45309
PH. 937-238-1677

NOTE:
RETENTION BASINS TO BE MAINTAINED BY
ARLINGTON WOODS II HOMEOWNER'S ASSOCIATION

RESOLUTION 24-17

Tax Year 2024/2025

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(City Council)

Revised Code, Secs, 5705.34 - 5705.35

The Council of the City of Brookville, Montgomery County,
Ohio met in Regular session on the _____ day of _____ 2024, at the office
of City of Brookville with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Montgomery County, Ohio, has certified
its action thereon to this Board, together with an estimate by the County Auditor of the
rate of each tax necessary to be levied by this Council, and what part thereof is without,
and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Brookville
Montgomery County, Ohio, that the amounts and rates, as determined by the Budget
Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City
the rate of each tax necessary to be levied within and without the ten mill limitation as
follows:

City of Brookville - Tax Year 2024/2025

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
City of Brookville - Tax Year 2024/2025	Column I	Column II	III	IV
General Fund C05, L54.....	231,807		1.30	
General Fund L56.....	398		0.65	
General Fund C04-1.....	116		0.71	
TOTAL	232,321	0	2.66	0.00

City of Brookville - Tax Year 2024/2025

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION

Carry to Sch A

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)	
SPECIAL LEVIES:			

RESOLUTION 24-17

Tax Year 2024/2025

and be it further

RESOLVED, That the Clerk of the Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____,
_____,
_____,
_____,
_____,

Adopted the _____ day of _____, 2024.

Kimberly Duncan, Clerk of Council

Brookville City

Montgomery County, Ohio

RESOLUTION 24-17

Tax Year 2024/2025

CERTIFICATE OF COPY

Original On File

The State of Ohio, Montgomery County,

I, Kimberly Duncan, Clerk of this Council of Brookville
City, in said County, and in whose custody the Files and Records of said Board required
by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken
and copied from the original minutes _____ now on file with said
Council, that the foregoing has been compared by me with said original document, and
that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 2024.

Kimberly Duncan, Clerk of Council

Brookville City

Montgomery County, Ohio

RESOLUTION 24-17

Tax Year 2024/2025

No:

COUNCIL OF THE CITY OF
MONTGOMERY COUNTY, OHIO

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
AUDITOR.

(City Council)

Adopted _____, 2024

Kimberly Duncan, Clerk of Council

Filed _____, 2024

County Auditor

By _____
Deputy

RESOLUTION NO. 24-18

A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR SEASONAL AND/OR TEMPORARY, AND PERMANENT PART-TIME HOURLY CITY EMPLOYEES.

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

SECTION I: The following constitutes the wage scale for seasonal and/or temporary hourly employees of the City of Brookville, Ohio and shall take effect the pay period that includes January 1, 2024:

	<u>STEPS</u>				
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Seasonal and/or Temporary	\$10.75	\$11.23	\$11.74	\$12.27	\$12.82

SECTION II: The following constitutes the wage scale for permanent part-time hourly employees of the City of Brookville, Ohio, including City of Brookville Fire Department employees staffing a fire station Sunday through Saturday from 0000-2400 hours and shall take effect the pay period that includes January 1, 2024:

	<u>STEPS</u>				
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Part-time I	\$11.52	\$12.04	\$12.58	\$13.15	\$13.74
Part-time II	\$14.37	\$15.02	\$15.69	\$16.39	\$17.13
Part-time III	\$17.89	\$18.70	\$19.54	\$20.42	\$21.34

SECTION III: The following constitutes the wage scale for part-time hourly Zoning and Code Enforcement Officer of the City of Brookville, Ohio and shall take effect the pay period that includes October 21, 2024:

	<u>STEPS</u>				
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Zoning & Code Enforcement Officer	\$20.32	\$21.28	\$22.29	\$23.34	\$24.45

SECTION IV: All seasonal and/or temporary, and permanent part-time will be placed according to their training, qualifications and experience into one of the step “levels” based on the Department Head’s decision and approved by the City Manager. Any progression from any step to another step, will be based upon satisfactory performance evaluation, and the need for such step level as determined by the Department Head and approval by the City Manager.

SECTION V: City of Brookville Fire Department variable hour employees participating in voluntary activities, such as details, meetings, community activities and supervisory positions (Officer Pay), shall be eligible to receive a quarterly stipend for their volunteer service.

The quarterly stipend for all activities, not including Officer Pay, shall not exceed \$270 per quarter, per employee.

The Supervisory stipend, Officer Pay, shall not exceed \$175.00 quarterly for any Captain, or \$135.00 quarterly for any Lieutenant.

SECTION VI: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION VII: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

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. 24-18 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 Resolution No. 24-18 was posted at the City Building, U.S. Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____ day of _____ 2024 to the _____ day _____ 2024 both days inclusive.

Kimberly Duncan, Clerk

RESOLUTION NO. 24-19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ENVISION GROUP LLC TO PERFORM THE CITY'S COMPREHENSIVE LAND USE PLAN UPDATE AND DECLARING IT AN EMERGENCY.

WHEREAS, the City of Brookville City Council, Planning Commission, and staff has identified the Comprehensive Land Use Plan Update as an important and necessary project for the City of Brookville; and

WHEREAS, the City of Brookville prepared and advertised a Request for Proposal (RFP) for the specific project and the RFP was posted on local, state and national planning digital platforms; and

WHEREAS, a Selection Steering Committee was formed and the Selection Steering Committee recommends the City of Brookville enter into an agreement with Envision Group LLC to perform the City's Comprehensive Land Use Plan Update.

WHEREAS, it is in the best interest of the City of Brookville to enter into an agreement with Envision Group LLC to perform the City's Comprehensive Land Use Plan Update.

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

SECTION I: The City Manager is hereby authorized to enter into an agreement with Envision Group LLC in an amount not to exceed \$96,100.

SECTION II: This Resolution is hereby declared to be an emergency measure that is necessary to meet an emergency in the government of the City in order to immediately commence the Comprehensive Land Use Plan Update as provided by Section 4.07 (A) (5) of 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, does hereby certify that the foregoing is a true and correct copy of Resolution No. 24-19, 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 Resolution No. 24-19 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