



CITY COUNCIL  
Tuesday, November 5, 2024, 7:30 PM  
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309  
937-833-2135  
[www.brookvilleohio.com](http://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 October 15, 2024 Regular Meeting Minutes

### **IV. Brookville Fire Department - New Officer Installment**

### **V. Reports of Municipal Officers**

- a. City Manager
- b. Finance Director
- c. Fire Chief
- d. Police Chief
- e. Law Director
  - 1. **Executive Session** - O.R.C. 121.22 (G)(3) to consult with an attorney for the public body concerning pending or imminent court action.
- f. Mayor Chuck Letner

### **VI. Old Business**

### **VII. New Business**

- a. First reading of proposed Ordinance No. 2024-14 entitled "AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF SIDEWALK, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO."

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



- b. First reading of proposed Resolution No. 24-21 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ODOT FOR THE W. WESTBROOK ROAD RESURFACING PROJECT."
- c. First reading of proposed Resolution No. 24-22 entitled "A RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY, OHIO TO HOLD A SPECIAL ELECTION IN THE CITY OF BROOKVILLE ON JANUARY 7, 2025 ON THE RECALL OF MAYOR CHARLES LETNER."
- d. First reading of proposed Resolution No. 24-23 entitled "A RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY, OHIO TO HOLD A SPECIAL ELECTION IN THE CITY OF BROOKVILLE ON JANUARY 7, 2025 ON THE RECALL OF COUNCIL MEMBER JAMES ZIMMERLIN."

#### **VIII. Reports of Boards and Commissions**

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

#### **IX. Public Comments (5 minutes per speaker)**

#### **X. 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  
October 15, 2024

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on October 15, 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, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Member Fowler and Finance Director Brandt were absent.

Roll Call by Clerk Duncan.

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

Motion by Zimmerlin, second by Wilder to accept the October 1, 2024 Regular Meeting Minutes as presented. Crane yea, Piper yea, Schreier yea, Wilder yea, Zimmerlin yea, Letner abstained. Motion carried with five yeas and one abstention.

Manager Kuntz reported the Wolf Creek Road resurfacing project should finish up this week. There have been contractor delays due to material availability.

Manager Kuntz reported Kevin Garlitz has accepted an offer to be our Zoning and Code Enforcement Officer. Mr. Garlitz, a Brookville alumni and retired police officer, is coming to Brookville after being the zoning administrator for Clay Township. Mr. Garlitz's background and familiarity with the community should allow him to hit the ground running.

Manager Kuntz announced the Montgomery County Auditor's Office is offering information to reduce property taxes on properties that were damaged in the recent storms. Residents should visit the auditor's website at [www.mcauditor.org](http://www.mcauditor.org) or call 937-225-4326 for more information.

Manager Kuntz reported Ghostly Night Out is this Saturday, October 19 at Golden Gate Park. Manager Kuntz encouraged everyone to attend this event.

Manager Kuntz thanked Chief Jerome, Ronda Dittrick, Officer Wilson and all members of the Brookville Police Department for their recent outreach programs, which include two Coffee with a Cop events, a Cones with Cops event and the upcoming Ghostly Night Out event.

Manager Kuntz welcomed PURE Beauty Bar, 21 Market Street and Mulberry & Main, 130 Main Street to the downtown Brookville community. Manager Kuntz encouraged everyone to consider stopping by the new businesses to say hi and to "Shop Brookville" whenever possible.

Manager Kuntz reported the city's first Age Friendly Lunch and Learn is scheduled for November 14 at the Leiber Center. This program offers seniors and retirees a free lunch with a guest speaker. The guest speaker is Officer Wilson from the Brookville Police Department, who will be discussing ways to stay safe from fraud and identify theft. Interested participants should RSVP by November 6, by calling 937-833-2001 x204 or emailing [rdittrick@brookvilleohio.com](mailto:rdittrick@brookvilleohio.com).

Manager Kuntz announced this year's last Third Thursday event is scheduled for October 17 from 4:00 p.m. until 7:00 p.m. at Gruenig Park on Market Street. Manager Kuntz thanked the Market Street Connection for holding this event each month during the spring and summer months. Manager Kuntz stated he hopes to see this event grow in 2025.

Manager Kuntz thanked Fire Captain Ferguson, Brittany Ferguson and BFD members who put together the Fire Prevention Week activities and the Open House held on Sunday, October 13.

Manager Kuntz thanked the Service Department for their work cleaning up the storm debris and helping Barton Malow complete the Hay Avenue bank demolition. Manager Kuntz stated the Service Department is often performing jobs we take for granted and we appreciate their effort in responding and addressing circumstances before they become issues.

Manager Kuntz reported there are numerous terms expiring at the end of the year on our Boards and Commissions and asked Council to consider whether they would like to invite these individuals to serve another term or if they want to advertise the open seats for additional candidates.

Manager Kuntz thanked the Brookville Corvette Club for donating \$500 to the Park Fund.

Manager Kuntz reported residents can rake leaves curbside for leaf pickup beginning this week.

Manager Kuntz announced Carolyn Haney has resigned from the Park Board. Ms. Haney has served as a Park Trustee since 2016. Manager Kuntz thanked her for her service to the city and its residents. Manager Kuntz added that the inception of our annual Christmas in the Park event can be attributed to Ms. Haney.

Manager Kuntz announced Beggar's Night is scheduled for October 31 from 6:00 p.m. until 7:30 p.m. and advised this is a rain, snow, or shine event.

Mayor Letner called for a motion to approve the September 30, 2024 Fund Balance as submitted in Finance Director Brandt's report.

Motion by Zimmerlin, second by Schreier to approve the September 30, 2024 Fund Balance as submitted.

Motion by Piper, second by Zimmerlin to read proposed Resolution No. 24-20. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-20 entitled "A RESOLUTION AMENDING THE 2024 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE, AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW." All yeas, motion carried.

Fire Chief Fletcher reported the BFD Open House was well attended and thanked Chad and Brittany Ferguson for organizing the event.

Fire Chief Fletcher announced BFD is hosting a blood drive on October 22 at the Fire House.

Police Chief Jerome reported the Police Department is recognizing October as Breast Cancer Awareness month by wearing pink badges.

Police Chief Jerome reported stolen vehicles and thefts from vehicles continue to be a problem in Brookville, and thieves are enabled by unlocked vehicles and keys left inside vehicles. Fingerprints were used to clear some cases and charge individuals. Police are working diligently, but the problem persists and requires a lot of manpower. Police Chief Jerome continued to encourage the public to follow the 9pm lock up routine.

Law Director Stephan had no report.

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

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

Motion by Piper, second by Schreier to accept the third reading and adopt 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.” All yeas, motion carried.

Member Schreier, Planning Commission Liaison, had no report.

Wilbur Meyer, 11080 Baltimore Phillipsburg Road, stated he owns the property which the current referendum on the ballot refers to. Mr. Meyer stated he is a seventh generation Clay Township farmer. He inherited his family farm along with seven figures in debt. His family purchased the property in question at public auction as a potential investment. Mr. Meyer stated his plan is to sell the property in order to purchase more land to pass on to his son, which in turn will help keep the area rural. Mr. Meyer stated the Keep It Rural group is stripping him of his rights and hurting other farmers like him who are trying to make the most of potential land and reinvest to stay in farming.

Jared Leford, 441 Meadow Glen, stated the Issue 2 argument is between keeping the property zoned as it is or making changes. Voting yes means no immediate impact on property, voting no will bring the issue back to Council for more discussion. Regardless of what happens, there will be no immediate impact on the property as it could be years before it is developed. Mr. Leford stressed that we should each care about individuals property rights as much as our own.

Bruce Garber, 434 Sycamore Street, stated he sympathizes with Mr. Meyer’s situation but if he just owned different land, he would not be in this situation. If everyone follows suit and wants to annex into Brookville, there will be no more farmland.

Mr. Meyer asked the public to consider the aging farming population of this township and help them. Mr. Meyer stated there will be a lot more land coming up for auction in the near future.

Rob Rutherford, 39 Wilderness Cove, stated financing farmland is difficult. Loans are riskier, limiting expansion opportunities for farmers. Mr. Rutherford cited a recent case in Ohio where precedent has been set in favor of the landowner’s property rights. Mr. Rutherford stated Mr. Garber is spreading a misconception by alluding to unlimited farmland that could be annexed into the city.

Dave Kindell, 526 Meadow Glen, compared Brookville to surrounding communities, such as Huber Heights, Clayton or Englewood. Brookville would have to grow by over 7,000 people and based on average household size, 3,100 homes would have to be built to even get close to the size of Clayton. Mr. Kindell stated there is not enough land around us to make this much growth possible.

Steve Berk, 9901 Wengerlawn Road, commented the Farmland Preservation Program, which administers a conservation easement program, is a tool for farmers to use as an incentive to keep farmland, but it will never compensate a farmer at the same rate as marketing it for development.

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

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Kimberly Duncan, Clerk

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Charles Letner, Mayor

**To:** Mayor & Council  
**From:** Jack Kuntz, City Manager  
**RE:** Manager's Report  
**Date:** 10/29/2024

At the last City Council meeting, staff brought up the expiring terms on the city's various boards. Hearing no dissenting opinions, staff reached out to all the members with expiring terms and as of 10/29/24, all but one person has responded and requested to volunteer for another term. Staff would request City Council approve the following residents with their new board terms starting in January 2025 (board term periods listed and set forth by City of Brookville Charter):

- Kenneth Claggett – Planning Commission (3-year term)
- Ryan Henderson – Planning Commission (3-year term)
- Tony Perry – Board of Zoning Appeals (5-year term)
- Loren Wilson – Park Board (4-year term)
- Shari Fowler – Board of Tax Review (2-year term)

Also at the previous City Council meeting, staff announced the resignation of Carloyn Haney from the Park Board. Park Board President Adam Blevins has nominated Brookville resident Jared Ledford to replace Carolyn and serve the remainder of her term, which expires at the end of 2026. Staff would request City Council approve this nomination.

Staff have received a couple of liquor permit applications from the Ohio Department of Commerce, Division of Liquor Control. The first application is a transfer of a C1 and C2 license from Brookville Drive Thru LLC to Nick Price Enterprises, Inc., DBA The Red Barn Drive Thru, located at 408 Main Street. The second application is for a new D2 & D3 liquor license for Topsy Treats at the Scoop LLC, 230 Market Street. If the City Council would like to object, request a hearing or file a 30-day extension to make that decision we must notify the state within 30 days of the "mailed" date of both notices. Please let staff know if the City Council has any objections or a desire to request a hearing or extension.

The annual Downtown Brookville Tree Lighting event, hosted by the Brookville Area Chamber of Commerce is right around the corner, scheduled for December 4, 6-8 pm at Gruenig Park. The proposed "Special Event" application also lists the downtown area will be blocked on Market Street from O'Riley's to Sycamore and Mulberry and Walnut Streets between Market and Hay. City staff will work with the Chamber to ensure everything is done in a safe and appropriate manner. Staff is requesting approval of the Special Event application.

City Council and all zoning boards have received an email invitation from Kim Duncan for the annual Miami Valley Planning & Zoning Workshop being held at Sinclair Community College on December 6. If you are interested in attending, please let Kim know ASAP and she'll get you registered.

Thank you to the Brookville Police Department and all the volunteers and vendors who came out for the Ghostly Night Out event. It was an awesome crowd, and everyone seemed to have a great time throughout the evening. Also, big thanks to the Brookville Optimist Club for organizing and hosting the annual Pumpkin Walk on November 2. This is a great event which is always enjoyed by the entire Brookville community, and we greatly appreciate all the time and effort spent by the volunteers to make it a reality.

The city's first Age Friendly Lunch and Learn is scheduled for November 14 at the Leiber Center. This program offers seniors and retirees a free lunch with a guest speaker. November's guest speaker is Officer Wilson from the Brookville Police Department and he'll be discussing ways to make sure the community can stay safe from fraud and identify theft. Interested participants need to RSVP by November 6, by calling Ronda at 937-833-2001 x 4 or emailing at [Rdittrick@brookvilleohio.com](mailto:Rdittrick@brookvilleohio.com). You must RSVP by the deadline, so we have an accurate head count to order food.

Finally, the Service Department has been very busy with assisting all the various outreach programs over the past several weeks. In addition to those projects, they've also successfully done the following work items over the past few weeks:

- Asphalted and poured new curb for the new fire hydrant at the corner of Sycamore and Lisa,
- Cleaned up parks and chipped throughout town after the storm,
- Collected used oil for the shop,
- Repaired broken wood at the castle playground,
- Repaired watermain break on Arlington Rd.,
- Mowed parks and areas in town,
- Removed damaged swing set from ward park,
- Started leaf pickup,
- Finished tearing down old bank on Hay Ave and temporarily fixed parking lot,
- Collected trash in parks and up town,
- Fixed sewer at the PD upstairs restroom,
- Mowed 10 acres at the industrial campus,
- Repaired and graded alley behind Joanna St apartments,
- Removed damaged metal from the shelter at soccer complex from the windstorm, and
- Trimmed trees in the alley off Baker St.

## Memo

**To:** Mayor and Council

**From:** Michelle Brandt, Finance Director

**Date:** November 5, 2024

**Subject:** Finance Report

→ Requesting Council approve the following transfers:

- \$452,167.35 transfer from the Local Fiscal Recover Fund into the Water Fund - the final transfer for the Wolf Creek Street Project ARPA/ODOD grant funds received and repaying the water fund
- \$125,000 transfer from the General Fund to the Street Fund – a partial transfer for the total amount budgeted in 2024

→ The first reading of Ordinance 2024-14 is before Council tonight. This Ordinance is to assess the property owners for the balances remaining on the Hay Avenue Phase II project for Sidewalk, Curb, and Gutter replacements.



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

*Chief Douglas Jerome*

[djerome@brookvilleohio.com](mailto:djerome@brookvilleohio.com)



**Council Meeting Agenda**  
**November 5, 2024**

**Reportable Incidents**

01/01/2023 – 10/30/2023 = 453

01/01/2024 – 10/30/2024 = 417

**Citations**

01/01/2023 – 10/30/2023 = 381

01/01/2024 – 10/30/2024 = 314

**Traffic Stops**

October 2023 - 192

October 1, 2024 to date - 91

# Brookville Police Department

## Incident Arrest Blotter

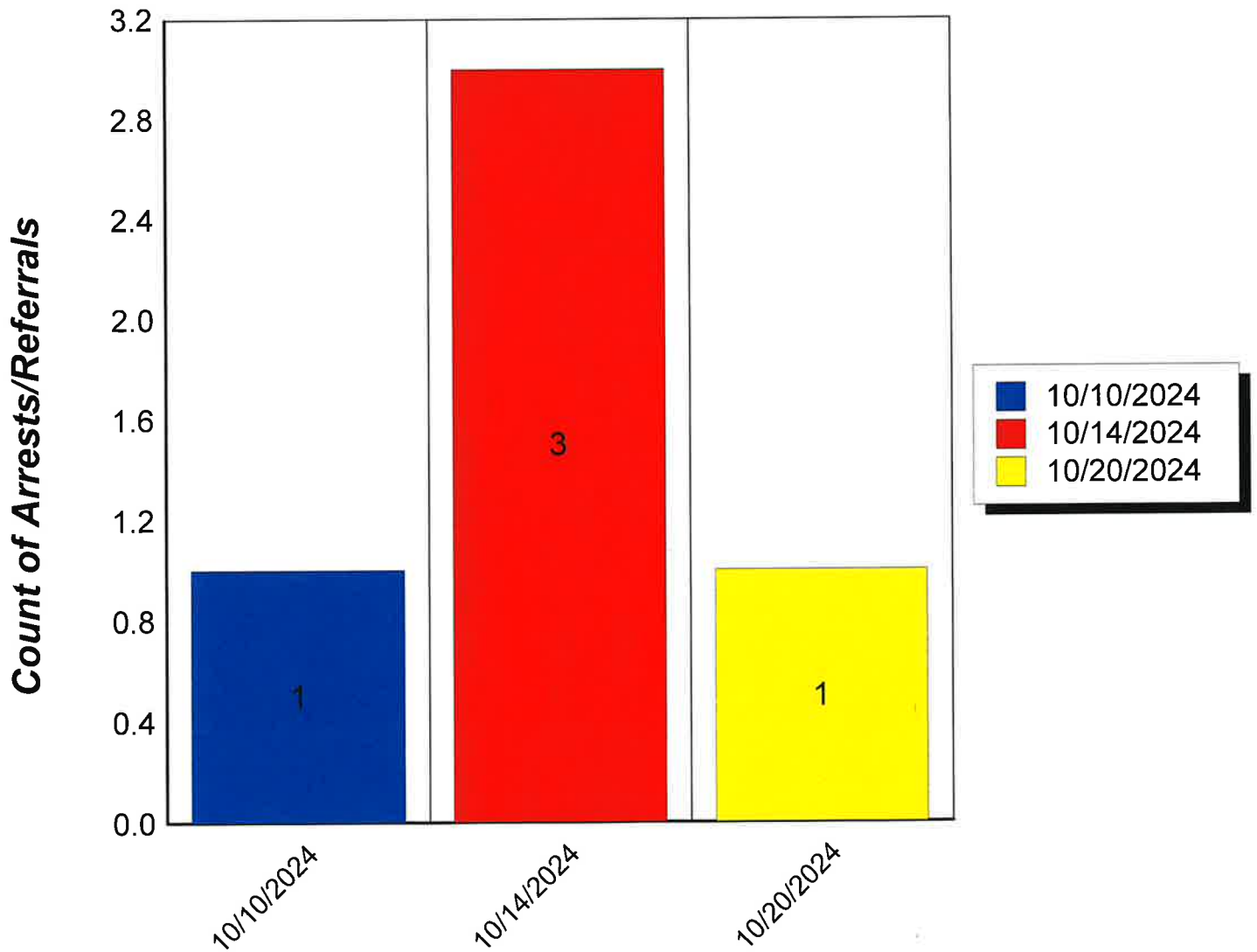
| Arrest Date        | Time     | Suspect's Name     | Address, Charges(s)                                                                                                                                                                                                                                                                                                                                                                                                                         | Incident ID |
|--------------------|----------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 10/10/2024         | 12:29 AM | BRUCE A. HORNER    | 145 BROOKMOOR, BROOKVILLE, OH 45309<br>291925A: Domestic violence - knowingly cause physical harm<br>292131: Obstructing official business                                                                                                                                                                                                                                                                                                  | 2024-00397  |
| 10/14/2024         | 04:13 AM | ANTOINE JA'QUAN DO | 156 ASHWOOD AVE, DAYTON, OH 45405<br>291924A: Contribution to the unruliness/delinquency of a ch<br>292131: Obstructing official business<br>292324: Possessing criminal tools<br>291302B5: Auto Theft<br>54506: UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS                                                                                                                                                                            | 2024-00402  |
|                    |          | ** JUVENILE **     | 2250 EMERSON AVE, DAYTON, OH 45406<br>291302B5: Auto Theft<br>292131: Obstructing official business<br>291302B5: Auto Theft<br>2921331A: Failure to comply with order or signal of P.O. - o<br>292324: Possessing criminal tools<br>290906: Criminal damaging/engendering<br>451012: DRIVING WITHOUT VALID LICENSE<br>451112: OBEYING TRAFFIC CONTROL DEVICES<br>451121: SPEEDING<br>54506: UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS | 2024-00402  |
| 10/14/2024         | 08:59 PM | BLAKE ADAM JOSEPH  | 6205 NEW PARIS TWIN RD, NEW PARIS, OH 45347<br>4511194: PHYSICAL CONTROL<br>292514C1: Illegal use or possession of drug paraphernalia                                                                                                                                                                                                                                                                                                       | 2024-00404  |
| 10/20/2024         | 05:00 PM | BRANDON L. WEIDEL  | 126 CHURCH ST, BROOKVILLE, OH 45309<br>35: WARRANT ARREST                                                                                                                                                                                                                                                                                                                                                                                   | 2024-00415  |
| Total Selected = 5 |          |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |

Brookville Police Department

## Arrest Log by Date

| Arrest Date        | Total Arrests |
|--------------------|---------------|
| October 10, 2024   | 1             |
| October 14, 2024   | 3             |
| October 20, 2024   | 1             |
| Total Selected = 5 |               |

## Arrest Log by Date

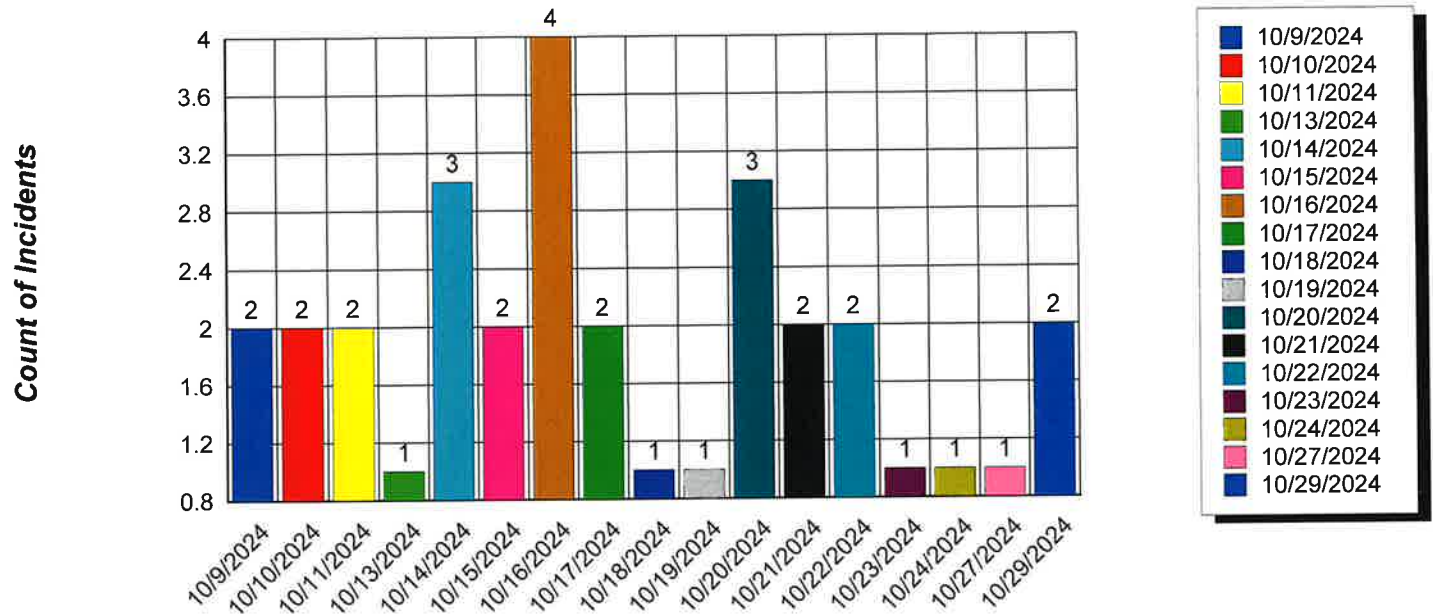


Brookville Police Department

## Incident Log by Date Reported

| Date Reported              | Day of Week | Total Reported |
|----------------------------|-------------|----------------|
| 10/09/2024                 | Wednesday   | 2              |
| 10/10/2024                 | Thursday    | 2              |
| 10/11/2024                 | Friday      | 2              |
| 10/13/2024                 | Sunday      | 1              |
| 10/14/2024                 | Monday      | 3              |
| 10/15/2024                 | Tuesday     | 2              |
| 10/16/2024                 | Wednesday   | 4              |
| 10/17/2024                 | Thursday    | 2              |
| 10/18/2024                 | Friday      | 1              |
| 10/19/2024                 | Saturday    | 1              |
| 10/20/2024                 | Sunday      | 3              |
| 10/21/2024                 | Monday      | 2              |
| 10/22/2024                 | Tuesday     | 2              |
| 10/23/2024                 | Wednesday   | 1              |
| 10/24/2024                 | Thursday    | 1              |
| 10/27/2024                 | Sunday      | 1              |
| 10/29/2024                 | Tuesday     | 2              |
| <b>Total Selected = 32</b> |             |                |

## Incident Log by Date Reported



# Brookville Police Department

## Incident Log by Date Reported

| Incident ID | Location, Area | Description | Date Occurred | Cleared Date | Status |
|-------------|----------------|-------------|---------------|--------------|--------|
|-------------|----------------|-------------|---------------|--------------|--------|

### October 09, 2024

|                                                                                                               |                                                      |                                |            |            |                       |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------|--------------------------------|------------|------------|-----------------------|
| 2024-00395                                                                                                    | 120 W. WESTBROOK RD<br>BROOKVILLE PD                 | SIGNAL 26O - CRIMINAL DAMAGING | 10/08/2024 | 10/09/2024 | EXCEPTIONALLY CLEARED |
| <b>Offenses</b> UCR Offense Description<br>1 01 290906A1 - Criminal damaging/endangering - knowingly, any mea |                                                      |                                |            |            |                       |
| 2024-00396                                                                                                    | 545 E. UPPER LEWISBURG<br>SALEM RD.<br>BROOKVILLE PD | SIGNAL 6A - GRAND THEFT        | 10/09/2024 |            | OPEN CASE             |
| <b>Offenses</b> UCR Offense Description<br>1 07 291302B5 - Auto Theft                                         |                                                      |                                |            |            |                       |
| Total Incidents Reported for Date: 2                                                                          |                                                      |                                |            |            |                       |

### October 10, 2024

|                                                                                                                                                          |                                      |                                 |            |            |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------|------------|------------|-----------|
| 2024-00397                                                                                                                                               | 145 BROOKMOOR DRIVE<br>BROOKVILLE PD | SIGNAL 20 - DOMESTIC VIOLENCE   | 10/10/2024 | 10/10/2024 | ARREST    |
| <b>Offenses</b> UCR Offense Description<br>2 02 291925A - Domestic violence - knowingly cause physical harm<br>02 292131 - Obstructing official business |                                      |                                 |            |            |           |
| 2024-00398                                                                                                                                               | 301 SYCAMORE ST.<br>BROOKVILLE PD    | SIGNAL 26I - INFORMATION REPORT | 10/10/2024 | 10/10/2024 | UNFOUNDED |
| Total Incidents Reported for Date: 2                                                                                                                     |                                      |                                 |            |            |           |

### October 11, 2024

|                                                                              |                                  |                                 |            |            |                       |
|------------------------------------------------------------------------------|----------------------------------|---------------------------------|------------|------------|-----------------------|
| 2024-00400                                                                   | 1 MCMAKEN LN<br>BROOKVILLE PD    | SIGNAL 6B - THEFT               | 10/11/2024 |            | OPEN CASE             |
| <b>Offenses</b> UCR Offense Description<br>1 01 291302A3 - Theft - deception |                                  |                                 |            |            |                       |
| 2024-00399                                                                   | 301 SYCAMORE ST<br>BROOKVILLE PD | SIGNAL 26I - INFROMATION REPORT | 10/11/2024 | 10/11/2024 | EXCEPTIONALLY CLEARED |
| <b>Offenses</b> UCR Offense Description<br>1 02 26I - INFORMATION REPORT     |                                  |                                 |            |            |                       |
| Total Incidents Reported for Date: 2                                         |                                  |                                 |            |            |                       |

### October 13, 2024

# Brookville Police Department

## Incident Log by Date Reported

| Incident ID | Location, Area | Description | Date Occurred | Cleared Date | Status |
|-------------|----------------|-------------|---------------|--------------|--------|
|-------------|----------------|-------------|---------------|--------------|--------|

### October 13, 2024

|                                             |                                      |                |            |            |                       |
|---------------------------------------------|--------------------------------------|----------------|------------|------------|-----------------------|
| 2024-00401                                  | 217 S WOLF CREEK ST<br>BROOKVILLE PD | FOUND PROPERTY | 10/13/2024 | 10/13/2024 | EXCEPTIONALLY CLEARED |
| <i>Total Incidents Reported for Date: 1</i> |                                      |                |            |            |                       |

### October 14, 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                     |                                       |            |            |                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------|------------|------------|-----------------------|
| 2024-00402                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | WESTBROOK<br>BROOKVILLE PD          | SIGNAL 7 - AUTO THEFT                 | 10/14/2024 | 10/14/2024 | ARREST                |
| <b>Offenses</b> UCR Offense Description<br>14 07 291302B5 - Auto Theft<br>02 291924A - Contribution to the unruliness/delinquency of a ch<br>02 292131 - Obstructing official business<br>02 292324 - Possessing criminal tools<br>02 292131 - Obstructing official business<br>07 291302B5 - Auto Theft<br>02 2921331A - Failure to comply with order or signal of P.O. - o<br>02 292324 - Possessing criminal tools<br>01 290906 - Criminal damaging/endangering<br>N/A 451012 - DRIVING WITHOUT VALID LICENSE<br>N/A 451112 - OBEYING TRAFFIC CONTROL DEVICES<br>N/A 451121 - SPEEDING<br>N/A 54506 - UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS<br>N/A 54506 - UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS |                                     |                                       |            |            |                       |
| 2024-00404                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 926 ARLINGTON ROAD<br>BROOKVILLE PD | SIGNAL 21 - PHYSICAL CONTROL          | 10/14/2024 | 10/14/2024 | ARREST                |
| <b>Offenses</b> UCR Offense Description<br>2 N/A 4511194 - PHYSICAL CONTROL<br>02 292514C1 - Illegal use or possession of drug paraphernalia                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                     |                                       |            |            |                       |
| 2024-00403                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 801 ARLINGTON ROAD<br>BROOKVILLE PD | SIGNAL 53A - PROPERTY DAMAGE ACCIDENT | 10/14/2024 | 10/14/2024 | EXCEPTIONALLY CLEARED |
| <b>Offenses</b> UCR Offense Description<br>1 N/A 4511202 - REASONABLE CONTROL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                     |                                       |            |            |                       |
| <i>Total Incidents Reported for Date: 3</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |                                       |            |            |                       |

### October 15, 2024

|            |                                         |                       |            |            |           |
|------------|-----------------------------------------|-----------------------|------------|------------|-----------|
| 2024-00405 | 601 MEADOW GLEN AVENUE<br>BROOKVILLE PD | SIGNAL 7 - AUTO THEFT | 10/15/2024 | 10/15/2024 | OPEN CASE |
|------------|-----------------------------------------|-----------------------|------------|------------|-----------|

# Brookville Police Department

## Incident Log by Date Reported

| Incident ID | Location, Area | Description | Date Occurred | Cleared Date | Status |
|-------------|----------------|-------------|---------------|--------------|--------|
|-------------|----------------|-------------|---------------|--------------|--------|

### October 15, 2024

|                                             |                             |     |                                 |            |                                     |
|---------------------------------------------|-----------------------------|-----|---------------------------------|------------|-------------------------------------|
|                                             | <b>Offenses</b>             | UCR | Offense Description             |            |                                     |
|                                             | 1                           | 07  | 291302B5 - Auto Theft           |            |                                     |
| 2024-00406                                  | TRIGGS RD.<br>BROOKVILLE PD |     | SIGNAL 26I - INFORMATION REPORT | 10/15/2024 | 10/15/2024<br>EXCEPTIONALLY CLEARED |
| <i>Total Incidents Reported for Date: 2</i> |                             |     |                                 |            |                                     |

### October 16, 2024

|                                             |                                                 |     |                                                               |            |                                     |
|---------------------------------------------|-------------------------------------------------|-----|---------------------------------------------------------------|------------|-------------------------------------|
| 2024-00408                                  | 1 BLUE PRIDE DRIVE<br>BROOKVILLE PD             |     | SIGNAL 26I - INFORMATION REPORT                               | 10/16/2024 | 10/16/2024<br>EXCEPTIONALLY CLEARED |
|                                             | <b>Offenses</b>                                 | UCR | Offense Description                                           |            |                                     |
|                                             | 1                                               | 02  | 26I - INFORMATION REPORT                                      |            |                                     |
| 2024-00407                                  | MARKET STREET AND SALEM STREET<br>BROOKVILLE PD |     | TRAFFIC CRASH                                                 | 10/16/2024 | 10/16/2024<br>EXCEPTIONALLY CLEARED |
|                                             | <b>Offenses</b>                                 | UCR | Offense Description                                           |            |                                     |
|                                             | 1                                               | N/A | 451112 - OBEYING TRAFFIC CONTROL DEVICES                      |            |                                     |
| 2024-00409                                  | 545 E UPPER LEWISBURG<br>SALEM<br>BROOKVILLE PD |     | INJURY CRASH                                                  | 10/16/2024 | 10/16/2024<br>EXCEPTIONALLY CLEARED |
|                                             | <b>Offenses</b>                                 | UCR | Offense Description                                           |            |                                     |
|                                             | 1                                               | N/A | 33113 - CARE STARTING & BACKING                               |            |                                     |
| 2024-00410                                  | 105 RIDGE<br>BROOKVILLE PD                      |     | SIGNAL 18 - DRUG TRAFFICKING                                  | 10/16/2024 | OPEN CASE                           |
|                                             | <b>Offenses</b>                                 | UCR | Offense Description                                           |            |                                     |
|                                             | 1                                               | 01  | 292503D2 - Drug trafficking - transport, distribute sched III |            |                                     |
| <i>Total Incidents Reported for Date: 4</i> |                                                 |     |                                                               |            |                                     |

### October 17, 2024

|            |                                          |     |                          |            |                      |
|------------|------------------------------------------|-----|--------------------------|------------|----------------------|
| 2024-00411 | 428 N WOLF CREEK STREET<br>BROOKVILLE PD |     | PETTY THEFT              | 10/17/2024 | OPEN CASE            |
|            | <b>Offenses</b>                          | UCR | Offense Description      |            |                      |
|            | 1                                        | 06  | 291302 - Theft           |            |                      |
| 2024-00412 | 700 ALBERT RD.<br>BROOKVILLE PD          |     | SIGNAL 17 - SEX OFFENSES | 10/17/2024 | 10/20/2024<br>ARREST |

# Brookville Police Department

## Incident Log by Date Reported

| Incident ID | Location, Area | Description | Date Occurred | Cleared Date | Status |
|-------------|----------------|-------------|---------------|--------------|--------|
|-------------|----------------|-------------|---------------|--------------|--------|

### October 17, 2024

| Offenses | UCR | Offense Description                              |
|----------|-----|--------------------------------------------------|
| 1        | 01  | 290706A1 - Sexual imposition - offensive contact |

Total Incidents Reported for Date: 2

### October 18, 2024

|            |                               |                                 |            |  |           |
|------------|-------------------------------|---------------------------------|------------|--|-----------|
| 2024-00413 | 301 SYCAMORE<br>BROOKVILLE PD | SIGNAL 26I - INFORMATION REPORT | 10/18/2024 |  | OPEN CASE |
|------------|-------------------------------|---------------------------------|------------|--|-----------|

| Offenses | UCR | Offense Description      |
|----------|-----|--------------------------|
| 1        | 02  | 26I - INFORMATION REPORT |

Total Incidents Reported for Date: 1

### October 19, 2024

|            |                               |                  |            |  |           |
|------------|-------------------------------|------------------|------------|--|-----------|
| 2024-00414 | 301 SYCAMORE<br>BROOKVILLE PD | SIGNAL 02 - RAPE | 10/19/2024 |  | OPEN CASE |
|------------|-------------------------------|------------------|------------|--|-----------|

| Offenses | UCR | Offense Description |
|----------|-----|---------------------|
| 1        | 02  | 290702 - Rape       |

Total Incidents Reported for Date: 1

### October 20, 2024

|            |                             |                            |            |            |        |
|------------|-----------------------------|----------------------------|------------|------------|--------|
| 2024-00415 | 126 CHURCH<br>BROOKVILLE PD | SIGNAL 35 - WARRANT ARREST | 10/20/2024 | 10/20/2024 | ARREST |
|------------|-----------------------------|----------------------------|------------|------------|--------|

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

|            |                                                         |                                    |            |  |           |
|------------|---------------------------------------------------------|------------------------------------|------------|--|-----------|
| 2024-00416 | ARLINGTON @ E UPPER<br>LEWISBURG SALEM<br>BROOKVILLE PD | SIGNAL 53A - PROPERTY DAMAGE CRASH | 10/20/2024 |  | OPEN CASE |
|------------|---------------------------------------------------------|------------------------------------|------------|--|-----------|

| Offenses | UCR | Offense Description                    |
|----------|-----|----------------------------------------|
| 1        | N/A | 451121A - ASSURED CLEAR DISTANCE AHEAD |

|            |                                               |                                                                 |            |            |        |
|------------|-----------------------------------------------|-----------------------------------------------------------------|------------|------------|--------|
| 2024-00417 | 545 UPPER LEWISBURG<br>SALEM<br>BROOKVILLE PD | SIGNAL 26O - FAILURE TO COMPLY WITH<br>ORDER OR SIGNAL OF A POL | 10/20/2024 | 10/20/2024 | ARREST |
|------------|-----------------------------------------------|-----------------------------------------------------------------|------------|------------|--------|

# Brookville Police Department

## Incident Log by Date Reported

| Incident ID | Location, Area | Description | Date Occurred | Cleared Date | Status |
|-------------|----------------|-------------|---------------|--------------|--------|
|-------------|----------------|-------------|---------------|--------------|--------|

### October 20, 2024

| Offenses | UCR | Offense Description                                           |
|----------|-----|---------------------------------------------------------------|
| 3        | 02  | 2921331B - Failure to comply with order/signal of P.O. - elud |
|          | N/A | 451121 - SPEEDING                                             |
|          | N/A | 451120 - Reckless operation on public roadway                 |

Total Incidents Reported for Date: 3

### October 21, 2024

|            |                             |                               |            |            |                       |
|------------|-----------------------------|-------------------------------|------------|------------|-----------------------|
| 2024-00419 | 232 CUSICK<br>BROOKVILLE PD | SIGNAL 55 - TRAFFIC VIOLATION | 10/21/2024 | 10/21/2024 | EXCEPTIONALLY CLEARED |
|------------|-----------------------------|-------------------------------|------------|------------|-----------------------|

| Offenses | UCR | Offense Description              |
|----------|-----|----------------------------------|
| 1        | N/A | 33510(a) - EXPIRED LICENSE PLATE |

|            |                             |                               |            |            |                       |
|------------|-----------------------------|-------------------------------|------------|------------|-----------------------|
| 2024-00418 | 232 CUSICK<br>BROOKVILLE PD | SIGNAL 55 - TRAFFIC VIOLATION | 10/21/2024 | 10/21/2024 | EXCEPTIONALLY CLEARED |
|------------|-----------------------------|-------------------------------|------------|------------|-----------------------|

| Offenses | UCR | Offense Description              |
|----------|-----|----------------------------------|
| 1        | N/A | 33510(a) - EXPIRED LICENSE PLATE |

Total Incidents Reported for Date: 2

### October 22, 2024

|            |                                      |                        |            |  |           |
|------------|--------------------------------------|------------------------|------------|--|-----------|
| 2024-00420 | 614 Meadow Glen Ave<br>BROOKVILLE PD | SIGNAL 07 - AUTO THEFT | 10/22/2024 |  | OPEN CASE |
|------------|--------------------------------------|------------------------|------------|--|-----------|

| Offenses | UCR | Offense Description                                     |
|----------|-----|---------------------------------------------------------|
| 2        | 02  | 292302 - Attempt - use for ORC arrest offense code only |
|          | N/A | 54506 - UNAUTHORIZED USE OF A VEHICLE; VEHICLE TRESPASS |

|            |                                             |                               |            |            |                       |
|------------|---------------------------------------------|-------------------------------|------------|------------|-----------------------|
| 2024-00421 | ARLINGTON RD @ W<br>CAMPUS<br>BROOKVILLE PD | SIGNAL 55 - TRAFFIC VIOLATION | 10/22/2024 | 10/22/2024 | EXCEPTIONALLY CLEARED |
|------------|---------------------------------------------|-------------------------------|------------|------------|-----------------------|

| Offenses | UCR | Offense Description                    |
|----------|-----|----------------------------------------|
| 1        | N/A | 451012 - DRIVING WITHOUT VALID LICENSE |

Total Incidents Reported for Date: 2

### October 23, 2024

|            |                                       |                               |            |            |                       |
|------------|---------------------------------------|-------------------------------|------------|------------|-----------------------|
| 2024-00422 | ARLINGTON & FLANDERS<br>BROOKVILLE PD | SIGNAL 55 - TRAFFIC VIOLATION | 10/23/2024 | 10/23/2024 | EXCEPTIONALLY CLEARED |
|------------|---------------------------------------|-------------------------------|------------|------------|-----------------------|

# Brookville Police Department

## Incident Log by Date Reported

| Incident ID | Location, Area | Description | Date Occurred | Cleared Date | Status |
|-------------|----------------|-------------|---------------|--------------|--------|
|-------------|----------------|-------------|---------------|--------------|--------|

### October 23, 2024

| Offenses | UCR | Offense Description                                        |
|----------|-----|------------------------------------------------------------|
| 2        | N/A | 451021 - FAILURE TO REINSTATE                              |
|          | N/A | 33728 - SUNSCREEN, NONTRANSPARENT & REFLECTORIZED MATERIAL |

Total Incidents Reported for Date: 1

### October 24, 2024

|            |                             |                                    |            |            |                       |
|------------|-----------------------------|------------------------------------|------------|------------|-----------------------|
| 2024-00423 | 208 MARKET<br>BROOKVILLE PD | SIGNAL 53A - PROPERTY DAMAGE CRASH | 10/24/2024 | 10/24/2024 | EXCEPTIONALLY CLEARED |
|------------|-----------------------------|------------------------------------|------------|------------|-----------------------|

| Offenses | UCR | Offense Description                               |
|----------|-----|---------------------------------------------------|
| 1        | N/A | 33134A - FAILURE TO CONTROL - REASONABLE/ORDINARY |

Total Incidents Reported for Date: 1

### October 27, 2024

|            |                                      |                                |            |  |           |
|------------|--------------------------------------|--------------------------------|------------|--|-----------|
| 2024-00424 | 400 SYCAMORE STREET<br>BROOKVILLE PD | SIGNAL 260 - CRIMINAL DAMAGING | 10/26/2024 |  | OPEN CASE |
|------------|--------------------------------------|--------------------------------|------------|--|-----------|

| Offenses | UCR | Offense Description                    |
|----------|-----|----------------------------------------|
| 1        | 01  | 290906 - Criminal damaging/endangering |

Total Incidents Reported for Date: 1

### October 29, 2024

|            |                                    |                                                  |            |  |           |
|------------|------------------------------------|--------------------------------------------------|------------|--|-----------|
| 2024-00425 | 714 MARKET STREET<br>BROOKVILLE PD | SIGNAL 26I - APPLICATION FOR EMERGENCY ADMISSION | 10/29/2024 |  | OPEN CASE |
|------------|------------------------------------|--------------------------------------------------|------------|--|-----------|

| Offenses | UCR | Offense Description                       |
|----------|-----|-------------------------------------------|
| 1        | N/A | 26I - APPLICATION FOR EMERGENCY ADMISSION |

|            |                                    |                            |            |  |           |
|------------|------------------------------------|----------------------------|------------|--|-----------|
| 2024-00426 | WALKER & W CAMPUS<br>BROOKVILLE PD | SIGNAL 35 - WARRANT ARREST | 10/29/2024 |  | OPEN CASE |
|------------|------------------------------------|----------------------------|------------|--|-----------|

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

Total Incidents Reported for Date: 2

Total Selected = 32

**ORDINANCE 2024-14**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF SIDEWALK, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO.**

**WHEREAS**, this Council did on the 7<sup>th</sup> day of November 2023, duly adopt Resolution No. 23-35 declaring the necessity of constructing certain sidewalks, curbs and gutters on Hay Avenue in the City of Brookville; and

**WHEREAS**, the City of Brookville has subsequently constructed such sidewalks, curbs and gutters which were not constructed by the owners of the property abutting therein; and

**WHEREAS**, a list of the estimated assessments of the total cost of said construction has been prepared and placed on file in the office of the Director of Finance; and

**WHEREAS**, no objections to said estimated assessments have been filed; and

**WHEREAS**, pursuant to Section 913.01 of the Code of Ordinances of the City of Brookville, Ohio, the City may assess the cost of constructing new sidewalks, curbs or gutters; and

**WHEREAS**, the Director of Finance has given notice of such assessment to the owner of the lot that had the sidewalk, curbs and gutters constructed, either in person or sent by regular United States Mail, postage prepaid; and

**WHEREAS**, the assessments remain unpaid more than thirty (30) days after the notice of assessment was sent to the owner by the Director of Finance.

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

**SECTION I:** The Council hereby approves and authorizes the Director of Finance to certify an aggregate of \$9,299.99, collected in five (5) annual installments, with interest at five percent (5%) per annum to the County Auditor for the unpaid assessments on Hay Avenue being set forth in Exhibit A attached hereto and incorporated herein by reference.

**SECTION II:** The Director of Finance shall certify to the County Auditor the unpaid assessments within thirty (30) days after passage of this Ordinance.

**SECTION III:** This Ordinance shall take effect and be in force thirty (30) days after passage as provided by the Charter of the City of Brookville.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
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 Ordinance No. 2024-14 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. 2024-14 as 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 \_\_\_\_\_ 2025, both days inclusive.

\_\_\_\_\_  
Kimberly Duncan, Clerk

## Exhibit A

| PARCEL #       | Project ID | Tax Year | Annual Amount |
|----------------|------------|----------|---------------|
| C05 00203 0016 |            | 2025     | \$ 849.45     |
| C05 00203 0016 |            | 2026     | \$ 815.47     |
| C05 00203 0016 |            | 2027     | \$ 781.49     |
| C05 00203 0016 |            | 2028     | \$ 747.52     |
| C05 00203 0016 |            | 2029     | \$ 713.53     |
| C05 00103 0010 |            | 2025     | \$ 46.91      |
| C05 00103 0010 |            | 2026     | \$ 45.04      |
| C05 00103 0010 |            | 2027     | \$ 43.16      |
| C05 00103 0010 |            | 2028     | \$ 41.27      |
| C05 00103 0010 |            | 2029     | \$ 39.40      |
| C05 00203 0040 |            | 2025     | \$ 66.85      |
| C05 00203 0040 |            | 2026     | \$ 64.18      |
| C05 00203 0040 |            | 2027     | \$ 61.50      |
| C05 00203 0040 |            | 2028     | \$ 58.83      |
| C05 00203 0040 |            | 2029     | \$ 56.15      |
| C05 00203 0020 |            | 2025     | \$ 145.25     |
| C05 00203 0020 |            | 2026     | \$ 139.44     |
| C05 00203 0020 |            | 2027     | \$ 133.63     |
| C05 00203 0020 |            | 2028     | \$ 127.82     |
| C05 00203 0020 |            | 2029     | \$ 122.01     |
| C05 00203 0021 |            | 2025     | \$ 155.63     |
| C05 00203 0021 |            | 2026     | \$ 149.40     |
| C05 00203 0021 |            | 2027     | \$ 143.18     |
| C05 00203 0021 |            | 2028     | \$ 136.95     |
| C05 00203 0021 |            | 2029     | \$ 130.73     |
| C0500203 0022  |            | 2025     | \$ 395.17     |
| C0500203 0022  |            | 2026     | \$ 379.37     |
| C0500203 0022  |            | 2027     | \$ 363.56     |
| C0500203 0022  |            | 2028     | \$ 347.74     |
| C0500203 0022  |            | 2029     | \$ 331.94     |
| C05 00203 0042 |            | 2025     | \$ 303.24     |
| C05 00203 0042 |            | 2026     | \$ 291.11     |
| C05 00203 0042 |            | 2027     | \$ 278.98     |
| C05 00203 0042 |            | 2028     | \$ 266.85     |
| C05 00203 0042 |            | 2029     | \$ 254.71     |
| C05 00108 0037 |            | 2025     | \$ 59.26      |
| C05 00108 0037 |            | 2026     | \$ 56.88      |
| C05 00108 0037 |            | 2027     | \$ 54.51      |
| C05 00108 0037 |            | 2028     | \$ 52.14      |
| C05 00108 0037 |            | 2029     | \$ 49.77      |
|                |            |          | \$ 9,299.99   |

|                | PARCEL #       | Project ID | Tax Year | Annual Amount |          | 5% Interest |           |
|----------------|----------------|------------|----------|---------------|----------|-------------|-----------|
| 211 HAY        | C05 00203 0016 |            | 2025     | \$            | 679.56   | \$ 3,397.79 | \$ 169.89 |
|                | C05 00203 0016 |            | 2026     | \$            | 679.56   | \$ 2,718.23 | \$ 135.91 |
|                | C05 00203 0016 |            | 2027     | \$            | 679.56   | \$ 2,038.67 | \$ 101.93 |
|                | C05 00203 0016 |            | 2028     | \$            | 679.56   | \$ 1,359.11 | \$ 67.96  |
|                | C05 00203 0016 |            | 2029     | \$            | 679.55   | \$ 679.56   | \$ 33.98  |
|                |                |            |          | \$            | 3,397.79 |             |           |
| 29 Columbia St | C05 00103 0010 |            | 2025     | \$            | 37.53    | \$ 187.63   | \$ 9.38   |
|                | C05 00103 0010 |            | 2026     | \$            | 37.53    | \$ 150.10   | \$ 7.51   |
|                | C05 00103 0010 |            | 2027     | \$            | 37.53    | \$ 112.57   | \$ 5.63   |
|                | C05 00103 0010 |            | 2028     | \$            | 37.52    | \$ 75.05    | \$ 3.75   |
|                | C05 00103 0010 |            | 2029     | \$            | 37.52    | \$ 37.53    | \$ 1.88   |
|                |                |            |          | \$            | 187.63   |             |           |
| 214 HAY        | C05 00203 0040 |            | 2025     | \$            | 53.48    | \$ 267.40   | \$ 13.37  |
|                | C05 00203 0040 |            | 2026     | \$            | 53.48    | \$ 213.92   | \$ 10.70  |
|                | C05 00203 0040 |            | 2027     | \$            | 53.48    | \$ 160.44   | \$ 8.02   |
|                | C05 00203 0040 |            | 2028     | \$            | 53.48    | \$ 106.96   | \$ 5.35   |
|                | C05 00203 0040 |            | 2029     | \$            | 53.48    | \$ 53.48    | \$ 2.67   |
|                |                |            |          | \$            | 267.40   |             |           |
| 220 HAY        | C05 00203 0020 |            | 2025     | \$            | 116.20   | \$ 581.00   | \$ 29.05  |
|                | C05 00203 0020 |            | 2026     | \$            | 116.20   | \$ 464.80   | \$ 23.24  |
|                | C05 00203 0020 |            | 2027     | \$            | 116.20   | \$ 348.60   | \$ 17.43  |
|                | C05 00203 0020 |            | 2028     | \$            | 116.20   | \$ 232.40   | \$ 11.62  |
|                | C05 00203 0020 |            | 2029     | \$            | 116.20   | \$ 116.20   | \$ 5.81   |
|                |                |            |          | \$            | 581.00   |             |           |
| 226 HAY        | C05 00203 0021 |            | 2025     | \$            | 124.50   | \$ 622.50   | \$ 31.13  |
|                | C05 00203 0021 |            | 2026     | \$            | 124.50   | \$ 498.00   | \$ 24.90  |
|                | C05 00203 0021 |            | 2027     | \$            | 124.50   | \$ 373.50   | \$ 18.68  |
|                | C05 00203 0021 |            | 2028     | \$            | 124.50   | \$ 249.00   | \$ 12.45  |
|                | C05 00203 0021 |            | 2029     | \$            | 124.50   | \$ 124.50   | \$ 6.23   |
|                |                |            |          | \$            | 622.50   |             |           |
| 232 HAY        | C0500203 0022  |            | 2025     | \$            | 316.14   | \$ 1,580.68 | \$ 79.03  |
|                | C0500203 0022  |            | 2026     | \$            | 316.14   | \$ 1,264.54 | \$ 63.23  |
|                | C0500203 0022  |            | 2027     | \$            | 316.14   | \$ 948.40   | \$ 47.42  |
|                | C0500203 0022  |            | 2028     | \$            | 316.13   | \$ 632.27   | \$ 31.61  |
|                | C0500203 0022  |            | 2029     | \$            | 316.13   | \$ 316.14   | \$ 15.81  |
|                |                |            |          | \$            | 1,580.68 |             |           |
| 304 HAY        | C05 00203 0042 |            | 2025     | \$            | 242.59   | \$ 1,212.94 | \$ 60.65  |
|                | C05 00203 0042 |            | 2026     | \$            | 242.59   | \$ 970.35   | \$ 48.52  |
|                | C05 00203 0042 |            | 2027     | \$            | 242.59   | \$ 727.76   | \$ 36.39  |
|                | C05 00203 0042 |            | 2028     | \$            | 242.59   | \$ 485.17   | \$ 24.26  |
|                | C05 00203 0042 |            | 2029     | \$            | 242.58   | \$ 242.59   | \$ 12.13  |
|                |                |            |          | \$            | 1,212.94 |             |           |
| 402 HAY        | C05 00108 0037 |            | 2025     | \$            | 47.41    | \$ 237.01   | \$ 11.85  |
|                | C05 00108 0037 |            | 2026     | \$            | 47.40    | \$ 189.61   | \$ 9.48   |
|                | C05 00108 0037 |            | 2027     | \$            | 47.40    | \$ 142.21   | \$ 7.11   |
|                | C05 00108 0037 |            | 2028     | \$            | 47.40    | \$ 94.81    | \$ 4.74   |

|                |         |          |          |      |
|----------------|---------|----------|----------|------|
| C05 00108 0037 | 2029 \$ | 47.40 \$ | 47.41 \$ | 2.37 |
|                | \$      | 237.01   |          |      |

|    |          |
|----|----------|
| \$ | 8,086.95 |
|----|----------|

**Total Assessment**

\$ 849.45

\$ 815.47

\$ 781.49

\$ 747.52

\$ 713.53

\$ 46.91

\$ 45.04

\$ 43.16

\$ 41.27

\$ 39.40

\$ 66.85

\$ 64.18

\$ 61.50

\$ 58.83

\$ 56.15

\$ 145.25

\$ 139.44

\$ 133.63

\$ 127.82

\$ 122.01

\$ 155.63

\$ 149.40

\$ 143.18

\$ 136.95

\$ 130.73

\$ 395.17

\$ 379.37

\$ 363.56

\$ 347.74

\$ 331.94

\$ 303.24

\$ 291.11

\$ 278.98

\$ 266.85

\$ 254.71

\$ 59.26

\$ 56.88

\$ 54.51

\$ 52.14

\$ 49.77

\$ 9,299.99 \$ -

## PRELIMINARY LEGISLATION

(LPA-ODOT-Let Project Agreement)

(PARTICIPATORY)

Ordinance/Resolution # : 24-21

PID No. : 119353

County/Route/Section : MOT Westbrook RSF 03.11

Agreement No: \_\_\_\_\_

The following is a Resolution enacted by the City of Brookville of Montgomery County, Ohio, hereinafter  
(Motion/Ordinance/Resolution) (Local Public Agency)  
referred to as the Local Public Agency (LPA).

### SECTION I – Project Description

WHEREAS, the (LPA/STATE) has determined the need for the described project:

**This project will resurface West Westbrook Road from Arlington Road to 300 feet west of Wolf Creek Street in the City of Brookville, Ohio.**

NOW THEREFORE, be it ordained by the City of Brookville of Montgomery County, Ohio.  
(LPA)

### SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

### SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

*Change/add/delete any and all of the following to conform with each particular project:*

*The LPA agrees to participate in the cost of the project for PE, RW, including the local budget match amount of up to \$193,290.*

*The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.*

*The LPA further agrees that change orders and extra work contracts required to fulfill 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.*

*The LPA further agrees to pay 100% of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.*

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

*\*\* (all of the above regarding the consultants is only needed if the LPA is responsible for the preliminary phase and design plans).*

#### **SECTION IV Authority to Sign**

The LPA hereby authorizes John F. Kuntz, III, City Manager of said City of Brookville to enter into and execute and  
(Signature authority) (LPA-or its division, department or agency)  
contract with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, John F. Kuntz, III, City Manager is also empowered to execute any appropriate documents to  
(Signature authority)  
affect the assignment of all rights, title, and interests of the City of Brookville to ODOT arising from any  
(LPA)  
agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

#### **SECTION V – Utilities and Right-of-Way Statement**

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.

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.

#### **SECTION VI – Maintenance**

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain

the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION VII-Emergency measure**  
(as applicable)

The Resolution No. 24-21 is hereby declared to be an emergency measure to expedite the highway project and Motion/Ordinance/Resolution to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: November 5, 2024.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Contractual Agent of LPA – title)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATE OF COPY  
STATE OF OHIO**

The City of Brookville of Montgomery County, Ohio  
(LPA)

I, \_\_\_\_\_, as Clerk of the \_\_\_\_\_  
(LPA)  
of \_\_\_\_\_ County, Ohio, do hereby certify that the foregoing is a true and correct copy of  
\_\_\_\_\_ adopted by the legislative Authority of the said  
(Motion/Ordinance/Resolution)  
\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.  
(LPA)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_.

**SEAL**

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_ of \_\_\_\_\_ County, Ohio  
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROR11

Resolution No. 24-22

Passed \_\_\_\_\_, 20\_\_\_\_

**A RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY, OHIO TO HOLD A SPECIAL ELECTION IN THE CITY OF BROOKVILLE ON JANUARY 7, 2025 ON THE RECALL OF MAYOR CHARLES LETNER.**

**WHEREAS**, Section 10.03 of the Charter of the City of Brookville provides electors of the City of Brookville with the power to remove from office, by recall election, any member of the Council if the member has served at least six months of his term; and

**WHEREAS**, Section 10.03 provides that a petition for recall is required to be signed by electors of the City of Brookville equal in number to 25% of the number of votes cast at the last regular municipal election.

**WHEREAS**, a petition for recall of Mayor Charles Letner was filed with the Clerk of Council on October 17, 2024; and

**WHEREAS**, the petition for recall was submitted to the Montgomery County Board of Elections for verification of petition signatures; and

**WHEREAS**, the Montgomery County Board of Elections found that the required number of signatures of electors of the City of Brookville to place this recall of Charles Letner on the ballot is 553 valid signatures, and the Board of Elections verified 739 valid signatures of the electors of the City of Brookville on the petition; and

**WHEREAS**, on October 28, 2024 the Clerk of Council certified to City Council that the petition is sufficient to require that the recall of Charles Letner be placed on the ballot and delivered a copy of the certification of the recall petition to Charles Letner.

**WHEREAS**, Charles Letner has not resigned within five days after the Clerk of Council delivered a copy of the certification of the recall petition.

**WHEREAS**, Section 10.03(C) of the Charter of the City of Brookville requires that City Council fix a day for holding a recall election, not less than 60 days nor more than 75 days after the date of delivery of the notice to the officer sought to be recalled that the Clerk has certified that the recall petition is sufficient to require a recall election to be held, and the council member has not resigned within the five day period after receipt of the notice of the certification of the recall petition by the Clerk of Council.

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. SRT-R011

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

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

**SECTION I:** The Board of Elections of Montgomery County, Ohio is directed to place on the ballot, in a special election to be held on January 7, 2025, a recall election for Mayor Charles Letner. The form of the ballot as may be modified by the Board of Elections or Secretary of State's Office shall read substantially as follows:

RECALL OF CHARLES LETNER

SHALL CHARLES LETNER BE ALLOWED TO CONTINUE AS A MEMBER OF THE COUNCIL OF THE CITY OF BROOKVILLE:

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**SECTION II:** The Clerk of Council is directed to certify a copy of Resolution 24-22 to the Board of Elections of Montgomery County, Ohio, and to take all necessary actions to place this issue on the ballot.

**SECTION III:** This Resolution shall take effect immediately after passage of this Ordinance as provided by Section 4.07 (A) (3) of the Charter of the City of Brookville, Ohio.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
KIMBERLY DUNCAN, CLERK

\_\_\_\_\_  
CHARLES LETNER, Mayor

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. SHTR0R11

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 24-22, passed by the Council of the City of Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
KIMBERLY DUNCAN, CLERK

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 24-22 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 \_\_\_\_\_, 20\_\_\_\_, to the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, both days inclusive.

\_\_\_\_\_  
KIMBERLY DUNCAN, CLERK

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. SRT-ROR-11

Resolution No. 24-23

Passed \_\_\_\_\_, 20\_\_\_\_

**A RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY, OHIO TO HOLD A SPECIAL ELECTION IN THE CITY OF BROOKVILLE ON JANUARY 7, 2025 ON THE RECALL OF COUNCIL MEMBER JAMES ZIMMERLIN.**

**WHEREAS**, Section 10.03 of the Charter of the City of Brookville provides electors of the City of Brookville with the power to remove from office, by recall election, any member of the Council if the member has served at least six months of his term; and

**WHEREAS**, Section 10.03 provides that a petition for recall is required to be signed by electors of the City of Brookville equal in number to 25% of the number of votes cast at the last regular municipal election.

**WHEREAS**, a petition for recall of Council Member James Zimmerlin was filed with the Clerk of Council on October 17, 2024; and

**WHEREAS**, the petition for recall was submitted to the Montgomery County Board of Elections for verification of petition signatures; and

**WHEREAS**, the Montgomery County Board of Elections found that the required number of signatures of electors of the City of Brookville to place this recall of James Zimmerlin on the ballot is 553 valid signatures, and the Board of Elections verified 725 valid signatures of the electors of the City of Brookville on the petition; and

**WHEREAS**, on October 28, 2024 the Clerk of Council certified to City Council that the petition is sufficient to require that the recall of James Zimmerlin be placed on the ballot and delivered a copy of the certification of the recall petition to James Zimmerlin.

**WHEREAS**, James Zimmerlin has not resigned within five days after the Clerk of Council delivered a copy of the certification of the recall petition.

**WHEREAS**, Section 10.03(C) of the Charter of the City of Brookville requires that City Council fix a day for holding a recall election, not less than 60 days nor more than 75 days after the date of delivery of the notice to the officer sought to be recalled that the Clerk has certified that the recall petition is sufficient to require a recall election to be held, and the council member has not resigned within the five day period after receipt of the notice of the certification of the recall petition by the Clerk of Council.

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. SHYR0011

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

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

**SECTION I:** The Board of Elections of Montgomery County, Ohio is directed to place on the ballot, in a special election to be held on January 7, 2025, a recall election for Council Member James Zimmerlin. The form of the ballot as may be modified by the Board of Elections or Secretary of State's Office shall read substantially as follows:

RECALL OF JAMES ZIMMERLIN

SHALL JAMES ZIMMERLIN BE ALLOWED TO CONTINUE AS A MEMBER OF THE COUNCIL OF THE CITY OF BROOKVILLE:

\_\_\_\_\_ YES

\_\_\_\_\_ NO

**SECTION II:** The Clerk of Council is directed to certify a copy of Resolution 24-23 to the Board of Elections of Montgomery County, Ohio, and to take all necessary actions to place this issue on the ballot.

**SECTION III:** This Resolution shall take effect immediately after passage of this Ordinance as provided by Section 4.07 (A) (3) of the Charter of the City of Brookville, Ohio.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
KIMBERLY DUNCAN, CLERK

\_\_\_\_\_  
CHARLES LETNER, Mayor

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROR11

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

**CERTIFICATE**

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 24-23, passed by the Council of the City of Brookville, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
KIMBERLY DUNCAN, CLERK

**CERTIFICATE OF POSTING**

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 24-23 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 \_\_\_\_\_, 20\_\_\_\_, to the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, both days inclusive.

\_\_\_\_\_  
KIMBERLY DUNCAN, CLERK