



CITY COUNCIL
Tuesday, January 7, 2025, 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 December 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

VI. New Business

- a. First Reading of Ordinance No. 2025-01 entitled "AN ORDINANCE APPROVING CONSTRUCTION OF STREET LIGHTING IMPROVEMENTS IN AND TO ADOPT ASSESSMENTS FOR ANNUAL LIGHTING CHARGES UPON LOTS LOCATED WITHIN EVERGREEN TRACE SUBDIVISION IN THE CITY OF BROOKVILLE, OHIO."
- b. First reading of Ordinance No. 2025-02 entitled "AN ORDINANCE APPROVING AND ADOPTING AN ECONOMIC DEVELOPMENT PLAN; CREATING A RESIDENTIAL TAX INCREMENT FINANCING INCENTIVE DISTRICT TO BE CALLED THE

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



"MEADOWLARK INCENTIVE DISTRICT"; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT; AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT."

VII. Public Comments (5 minutes per speaker)

VIII. Executive Session

- a. O.R.C. 121.22 (G)(3) to consult with an attorney for the public body concerning pending or imminent court action.

IX. Motion for Adjournment

Please note: We welcome comments which are important to us. Anyone who is interested in speaking, please stand, if you are able, and give your name and address for the public record. Each speaker will be given 5 minutes to provide your comments. Comments are welcome on general board business or specific agenda items. You may not donate your time to another speaker. Note, this time is for public comment, and we will not be entering into dialogue at this time. The purpose of this agenda item is for you, the public, to inform us the board about your views. If you have specific factual questions or complaints, please check in with our staff after the meeting. They are seated on the side and will be happy to assist you. We also welcome written questions and comments. We appreciate you attending the meeting and sharing your thoughts with us.

Brookville City Council
Regular Meeting
December 17, 2024

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on December 17, 2024. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Members Crane, Fowler, Piper and Wilder; Manager Kuntz, Law Director Stephan, Finance Director Brandt, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Vice Mayor Zimmerlin and Member Schreier were absent.

Roll Call by Clerk Duncan.

Mayor Letner requested to add an Executive Session to the Agenda.

Motion by Fowler, second by Piper to accept the Agenda with an addition. All yeas, motion carried.

Motion by Wilder, second by Crane to accept the December 3, 2024 Regular Meeting Minutes as presented. All yeas, motion carried.

Motion by Piper, second by Wilder to accept the December 3, 2024 Budget Meeting Minutes as presented. All yeas, motion carried.

Manager Kuntz requested Council authorization to enter into an agreement with the Ohio Patrolmen's Benevolent Association for a new three-year contract for the Brookville Police Officers. This agreement will run through December 31, 2027.

Motion by Fowler, second by Wilder to authorize the City Manager to enter into a three-year contract with the Ohio Patrolmen's Benevolent Association for the Brookville Police Officers, beginning on January 1, 2025 and expiring on December 31, 2027. All yeas, motion carried.

Manager Kuntz requested Council appoint Brookville resident Kaelie Copley to fill the unexpired Park Board term vacated by Bonnie Cordes. Kaelie is a Brookville resident and was recommended by the Park Board President Blevins.

Motion by Piper, second by Crane to appoint Kaelie Copley to fill the unexpired Park Board term, which expires on December 31, 2025. All yeas, motion carried.

Manager Kuntz reported the Ohio Public Works Commission has released tentative scoring sheets for projects submitted this past fall's cycle for funding. The McKinley Bridge Repair Project scored the second highest of all submitted projects and appears to be locked into receiving a \$199,999 grant towards the \$394,351 total repair project. Staff has earmarked the city's remaining ARPA funds to be used as the city's local match as part of this project. Final award notifications won't be available until 2025.

Manager Kuntz reported the Land Use Plan community surveys are now available on the city's website and social media platforms. Hard copies are available in the city's municipal building lobby. Manager Kuntz encouraged all community members to take the time to complete the survey as it will go a long way towards assisting the Comprehensive Land Use Plan Update Project.

Manager Kuntz advised the city offices will be closed starting at noon on December 24 and will reopen at 8:00 a.m. on December 26. The offices will be closed again starting at noon on December 31 and will reopen on January 2 at 8:00 a.m. Refuse and recycling services will be delayed one day starting on the Christmas and New Year's holidays respectively.

Manager Kuntz wished everyone a Merry Christmas and Happy Holidays!

Finance Director Brandt presented the Fund Balance for November 30, 2024.

Motion by Fowler, second by Wilder to accept the November 30, 2024 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt requested Council approval to transfer \$100,000 from the General Fund to the Park Fund, \$100,000 from the General Fund to the Street Fund and \$34,857.14 from the FEMA Fund to the Fire Capital Fund.

Motion by Fowler, second by Wilder to authorize the transfer of \$100,000 from the General Fund to the Park Fund. All yeas, motion carried.

Motion by to Piper, second by Fowler to authorize the transfer of \$100,000 from the General Fund to the Street Fund. All yeas, motion carried.

Motion by Wilder, second by Fowler to authorize the transfer of \$34,857.14 from the FEMA Fund to the Fire Capital Fund. All yeas, motion carried.

Finance Director Brandt requested Council authorization to receipt 90% of the revenue received from EMS Billing into the General Fund for operations of the Fire Department and 10% of the revenue from EMS Billing into the Fire Capital Improvement Fund for 2025.

Motion by Piper, second by Wilder to authorize the receipt of 90% of the revenue received from EMS Billing into the General Fund for operations of the Fire Department and 10% of the revenue from EMS Billing into the Fire Capital Improvement Fund for 2025. All yeas, motion carried.

Finance Director Brandt requested authorization to receipt 70% of the revenue received from Fire Contracts into the General Fund for operations of the Fire Department and 30% of the revenue from Fire Contracts into the Fire Capital Improvement Fund for 2025.

Motion by Fowler, second by Crane to authorize the receipt of 70% of the revenue received from Fire Contracts into the General Fund for operations of the Fire Department and 30% of the revenue from Fire Contracts into the Fire Capital Improvement Fund for 2025. All yeas, motion carried.

Finance Director Brandt requested Council approval to set the labor rate for the Service Department Mechanic at \$50 per hour for 2025, for work performed on the city fleet.

Motion by Piper, second by Crane to set the labor rate for the Service Department Mechanic at \$50 per hour for 2025, for work performed on the city fleet. All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading, dispense with the second and third reading and adopt proposed Resolution No. 24-33 as provided for by the City Charter.

Motion by Wilder, second by Crane to read proposed Resolution No. 24-33. All yeas, motion carried.

Motion by Fowler, second by Crane to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-33 entitled "A RESOLUTION TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF BROOKVILLE, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2025." All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading, dispense with the second and third reading and adopt proposed Resolution No. 24-34 as provided for by the City Charter.

Motion by Fowler, second by Wilder to read proposed Resolution No. 24-34. All yeas, motion carried.

Motion by Piper, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-34 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 ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW." All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading, dispense with the second and third reading and adopt proposed Ordinance No. 2024-19 as provided for by the charter.

Motion by Fowler, second by Piper to read proposed Ordinance No. 2024-19. All yeas, motion carried.

Motion by Wilder, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2024-19 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 2024-14 FOR THE CONSTRUCTION OF SIDEWALK, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Finance Director Brandt requested Council authorization to pay FAS Builders \$3,285 for the fencing around the northeast corner of Hay Avenue and Sycamore Street.

Manager Kuntz advised this expenditure is part of the Hay Avenue Project, in exchange for being granted an easement on this property.

Motion by Fowler, second by Piper to authorize a payment of \$3,285 to FAS Builders as part of the Hay Avenue Project. All yeas, motion carried.

Finance Director Brandt requested Council dispense with the second and third reading and adopt proposed Resolution Nos. 24-25 through 24-32 as provided for by the charter.

Motion by Wilder, second by Fowler to read proposed Resolution Nos. 24-25, 24-26, 24-27, 24-28, 24-29, 24-30, 24-31 and 24-32. All yeas, motion carried.

Motion by Fowler, second by Crane to accept the first readings, dispense with the second and third readings and adopt Resolution No. 24-25 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF LAW", Resolution No. 24-26 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF POLICE", Resolution No. 24-27 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE FINANCE AND HUMAN RESOURCES DIRECTOR", Resolution No. 24-28 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CLERK OF COUNCIL", Resolution No. 24-29 entitled "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME AND HOURLY CITY EMPLOYEES", Resolution No. 24-30 entitled "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR SEASONAL AND/OR TEMPORARY AND PERMANENT PART-TIME CITY EMPLOYEES", Resolution No. 24-31 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CITY MANAGER" and Resolution No. 24-32 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FIRE". All yeas, motion carried.

Fire Chief Fletcher thanked everyone who attended the annual Fire Department dinner and recognized Huecker Excavating for their assistance on recent calls.

Mayor Letner thanked the Phillipsburg Fire Department for covering the Brookville Fire District during the dinner.

Police Chief Jerome reported the department is in full Christmas mode assisting needy families in the area and thanked Ronda Dittrick and Brittany Ferguson for their assistance in coordinating this effort. Police Chief Jerome reported the department has been able to buy presents for twenty children.

Police Chief Jerome thanked Barton Mallow for sponsoring the gingerbread house decorating at the elementary and middle schools.

Police Chief Jerome reported the department will host a stop stick training seminar on January 10 at the fire department training center.

Police Chief Jerome reported the department will once again participate in Operation Santa Sleigh this season.

Law Director Stephan reported there have been concerns raised regarding certain types of retail uses located in the Community Center District, which includes the area of Market Street from Wolf Creek Street to the municipal bikeway. The concerns have included smoke and vape shops, pawn shops, and check cashing businesses. To address these concerns, Law Director Stephan proposed the following text amendments should be considered by Planning Commission and City Council:

- Section 1141.02 (a) (2), the text could be amended to delete pawn shops and tobacco shops from the list of permitted retail stores.
- Section 1141.02 (a) (14) authorizes "Other uses, which in the opinion of the Planning Commission are similar to the above uses indicated as being permitted." It could be specified in this section that Planning Commission is not authorized to approve pawn shops, smoke or vape shops, and check cashing facilities in this district.

Law Director Stephan stated he will start the process of approving these text amendments in January. He recommended that City Council pass a motion to provide for a moratorium on these uses in the Community Center District until June 1, 2025 to permit the text amendment process to be completed.

Motion by Fowler, second by Crane to provide for a moratorium prohibiting pawn shops, tobacco shops, smoke or vape shops and check cashing facilities in the Community Center District until June 1, 2025 to allow the text amendment process to be completed. All yeas, motion carried.

Law Director Stephan requested Council dispense with the second and third reading and adopt proposed Resolution No. 24-35, which establishes a street lighting district in the Evergreen Trace subdivision. Law Director Stephan advised establishing street lighting districts in new subdivisions was recommended by Manager Kuntz as it will assist the city with the cost of street lighting.

Motion by Fowler, second by Piper to read proposed Resolution No. 24-35. All yeas, motion carried.

Motion by Fowler, second by Piper to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-35 entitled "A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING STREET LIGHTING IMPROVEMENTS IN AND ASSESSING ANNUAL STREET LIGHTING CHARGES UPON LOTS LOCATED WITHIN

EVERGREEN TRACE SUBDIVISION IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

Mayor Letner reported he had the privilege of participating in the Daughters of the Revolution Wreath Ceremony this past Saturday. Over 800 wreaths were placed at the cemetery.

Mayor Letner announced the annual Prayer Breakfast will be held on January 9, 2025 and invited the community to attend.

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

Motion by Wilder, second by Fowler to accept the third reading of Resolution No. 24-24 entitled “A RESOLUTION AUTHORIZING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED IN 2025 FOR TAX YEAR 2024.” All yeas, motion carried.

Motion by Fowler, second by Wilder to read proposed Ordinance No. 2024-15. All yeas, motion carried.

Motion by Wilder, second by Crane to accept the third reading of Ordinance No. 2024-15 entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.09, FIXING THE TAPPING PERMIT FEES FOR WATER SERVICE INSTALLED IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

Motion by Fowler, second by Piper to read proposed Ordinance No. 2024-16. All yeas, motion carried.

Motion by Wilder, second by Fowler to accept the third reading of Ordinance No. 2024-16 entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 935.15(A), FIXING THE TAPPING PERMIT FEES FOR SEWER INSTALLED IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

Motion by Piper, second by Fowler to read proposed Ordinance No. 2024-17. All yeas, motion carried.

Motion by Wilder, second by Crane to accept the third reading of Ordinance No. 2024-17 entitled “AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, SECTION 935.14(c)(1), FIXING THE USER FEES TO ALL SEWER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

Motion by Fowler, second by Wilder to read proposed Ordinance No. 2024-18. All yeas, motion carried.

Motion by Fowler, second by Crane to accept the third reading of Ordinance No. 2024-18 entitled “AN ORDINANCE ENACTING NEW SECTION 131.05, “BLANKET PURCHASE ORDERS AND SUPER BLANKET PURCHASE ORDERS” OF THE CODIFIED ORDINANCES.” All yeas, motion carried.

Member Piper encouraged everyone to support our local businesses after seeing a plea on social media by Café 19.

Mark Haworth, 10352 Upper Lewisburg Salem Road, stated he thinks the Comprehensive Land Use Surveys should be mailed to every citizen in the city and surrounding townships.

Bruce Garber, 434 Sycamore Street, spoke about the recent vote on Issue 2 and asked Council and Planning Commission to work for the residents on establishing the new zoning for this property.

Mike Hughes, 278 Johnsville Brookville Road, wondered how the new Vape Shop will be monitored.

Jared Ledford, 441 Meadow Glen Avenue, challenged everyone to inform themselves with facts before commenting on Facebook. Mr. Ledford stated the recall signs and recent posts are embarrassing to the community.

Matt Williamson, 277 Johnsville Brookville Road, reminded everyone that we are all protected by the Bill of Rights.

Motion by Fowler, second by Wilder to go into Executive Session under O.R.C. 121.22 (G)(3) to consult with an attorney for the public body concerning pending or imminent court action. Crane yea, Fowler yea, Piper yea, Wilder yea, Letner abstained. Motion carried with four yeas and one abstention.

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

Motion by Fowler, second by Wilder 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: 01/02/2025

The city's fire district agreement with Clay Twp. recently expired at the end of December. Staff worked with representatives from Clay Twp. over the past two months and we've come to an agreement for a new three-year agreement to continue providing fire and EMS services to Clay Twp., for the same boundaries under the previous agreement. Staff has also given Council a copy of the proposed agreement for your review. The terms of this agreement are like the previous agreement, and we believe this is in the best interest of both the city of Brookville and Clay Twp. Staff requests City Council authorize the city manager to sign all documents related to this agreement. The city's fire district agreement with Perry Twp. runs through the end of 2025.

The Brookville Area Chamber of Commerce's annual Prayer Breakfast is scheduled for January 9 at 7:30 am at the Brookville Local School District's Administration building.

Brookville's second Age Friendly Lunch for seniors and retirees is scheduled for Thursday, January 16 at noon at the Leiber Center. This free lunch is sponsored by Brookhaven Retirement Community and this month's guest speaker is Capt. Ferguson from the Brookville Fire Department. Please RSVP no later than January 8 by calling 937-833-2001 x4 or emailing Rdittrick@brookvilleohio.com.

Below is a list of things the Service Department has been working on over the past several weeks:

- Finished leaf pick-up
- Cleaned shop and put away all summer equipment
- Repaired watermain break at 508 S Wolf Creek
- Repaired watermain at 421 Albert Rd
- Cleaned and put leaf machine away for the year
- Taking down Christmas lights
- Collected used oil
- Pothole patched throughout town
- Replaced some old stop signs
- Repaired electrical panel out at Heckathorn lift station
- Trash in parks and uptown



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



Chief Douglas Jerome

djerome@brookvilleohio.com

Council Meeting Agenda
January 7, 2025

Reportable Incidents

01-01-2023 to 12-31-2023 = 553
01-01-2024 to 12-31-2024 = 502

Citations

01-01-2023 to 12-31-2023 = 470
01-01-2024 to 12-31-2024 = 377

Traffic Stops

01-01-2023 to 12-31-2023 = To be reported at meeting
01-01-2024 to 12-31-2024 = To be reported at meeting

Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
12/17/2024	Tuesday	2
12/18/2024	Wednesday	1
12/19/2024	Thursday	3
12/22/2024	Sunday	1
12/24/2024	Tuesday	2
12/26/2024	Thursday	1
12/27/2024	Friday	1
12/28/2024	Saturday	1
12/29/2024	Sunday	2
12/31/2024	Tuesday	2
Total Selected = 16		

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
December 17, 2024	1
December 19, 2024	1
Total Selected = 2	

Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
12/17/2024	08:00 AM	** JUVENILE **	2 BEACHVIEW DR, BROOKVILLE, OH 45309 215187: Juv. tobacco prohibition:	2024-00494
12/19/2024	11:00 AM	** JUVENILE **	70 RIDGE RD, APT 31, BROOKVILLE, OH 45309 290313A: Assault - knowingly harm victim	2024-00497
Total Selected = 2				

Brookville Police Department

Incident Log by Date Reported

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

December 17, 2024

2024-00494	1 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 46 - JUVENILE COMPLAINT	12/17/2024	12/17/2024	ARREST
------------	-------------------------------------	--------------------------------	------------	------------	--------

Offenses UCR Offense Description
1 N/A 215187 - Juv. tobacco prohibition:

2024-00495	715 ARLINGTON BROOKVILLE PD	SIGNAL 04 - FELONIOUS ASSAULT	12/17/2024		OPEN CASE
------------	--------------------------------	-------------------------------	------------	--	-----------

Offenses UCR Offense Description
1 04 290308 - Aggravated vehicular assault

Total Incidents Reported for Date: 2

December 18, 2024

2024-00496	WESTBROOK @ ARLINGTON BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	12/18/2024	12/18/2024	EXCEPTIONALLY CLEARED
------------	--	---------------------------------------	------------	------------	-----------------------

Offenses UCR Offense Description
1 N/A 451141 - RIGHT OF WAY AT INTERSECTION

Total Incidents Reported for Date: 1

December 19, 2024

2024-00497	2 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 09 - ASSAULT	12/17/2024	12/19/2024	ARREST
------------	-------------------------------------	---------------------	------------	------------	--------

Offenses UCR Offense Description
1 04 290313A - Assault - knowingly harm victim

2024-00498	111 HAY AVE. BROOKVILLE PD	SIGNAL 26O - TELECOMMUNICATIONS HARASSMENT	12/19/2024		OPEN CASE
------------	-------------------------------	---	------------	--	-----------

Offenses UCR Offense Description
1 02 291721 - Telephone harassment

2024-00499	40 TRIGGS ROAD BROOKVILLE PD	SIGNAL 06B - PETTY THEFT	12/19/2024	12/20/2024	EXCEPTIONALLY CLEARED
------------	---------------------------------	--------------------------	------------	------------	-----------------------

Offenses UCR Offense Description
1 06 291302A1 - Theft - without consent

Total Incidents Reported for Date: 3

Brookville Police Department

Incident Log by Date Reported

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

December 22, 2024

2024-00500	244 JOANNA ST APARTMENT#1 BROOKVILLE PD	SIGNAL 06B - PETTY THEFT	12/21/2024		OPEN CASE
Offenses UCR Offense Description 1 01 291302A3 - Theft - deception					
Total Incidents Reported for Date: 1					

December 24, 2024

2024-00501	MARKET ST & SALEM ST BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	12/24/2024		OPEN CASE
Offenses UCR Offense Description 4 N/A 451121 - SPEEDING N/A 451139 - FAILURE TO SIGNAL N/A 451326 - SAFETY GLASS REQUIRED N/A 7442B1 - Driver seat belt violation					
2024-00502	40 TRIGGS RD BROOKVILLE PD	SIGNAL 06B - GRAND THEFT	12/24/2024		OPEN CASE
Offenses UCR Offense Description 1 01 291302A3 - Theft - deception					
Total Incidents Reported for Date: 2					

December 26, 2024

2024-00503	799 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	12/26/2024	12/26/2024	ARREST
Offenses UCR Offense Description 1 N/A 35 - WARRANT ARREST					
Total Incidents Reported for Date: 1					

December 27, 2024

2024-00504	510 E. UPPER LEWISBURG SALEM RD. BROOKVILLE PD	SIGNAL 24 - DISORDERLY CONDUCT	12/27/2024		OPEN CASE
Offenses UCR Offense Description 1 02 291711 - Disorderly conduct					

Brookville Police Department

Incident Log by Date Reported

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

Total Incidents Reported for Date: 1

December 28, 2024

2024-00505	ARLINGTON @ 70 BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	12/28/2024		OPEN CASE
------------	---------------------------------	-------------------------------	------------	--	-----------

Offenses UCR Offense Description
1 N/A 451011 - DRIVING UNDER SUSPENSION

Total Incidents Reported for Date: 1

December 29, 2024

2024-00506	356 N WOLFCREEK BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	12/29/2024		OPEN CASE
------------	----------------------------------	------------------------	------------	--	-----------

Offenses UCR Offense Description
2 N/A 215187 - Juv. tobacco prohibition:
01 292511C3 - Drug abuse - marijuana

2024-00507	152 ANKARA BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	12/29/2024		OPEN CASE
------------	-----------------------------	-------------------------------	------------	--	-----------

Offenses UCR Offense Description
2 02 291925A - Domestic violence - knowingly cause physical harm
02 2151022G - Juvenile - unruly

Total Incidents Reported for Date: 2

December 31, 2024

2024-00508	218 JUNE BROOKVILLE PD	SIGNAL 06A - GRAND THEFT	12/31/2024		OPEN CASE
------------	---------------------------	--------------------------	------------	--	-----------

Offenses UCR Offense Description
2 06 291302A1 - Theft - without consent
N/A 5122.10 - APPLICATION FOR EMERGENCY ADMISSION

2024-00509	ARLINGTON & TRIGGS BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	12/31/2024		OPEN CASE
------------	-------------------------------------	-------------------------------	------------	--	-----------

Offenses UCR Offense Description
1 N/A 451016 - FRA SUSPENSION

Total Incidents Reported for Date: 2

Incident Log by Date Reported

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

Total Selected = 16

ORDINANCE 2025-01

AN ORDINANCE APPROVING CONSTRUCTION OF STREET LIGHTING IMPROVEMENTS IN AND TO ADOPT ASSESSMENTS FOR ANNUAL LIGHTING CHARGES UPON LOTS LOCATED WITHIN EVERGREEN TRACE SUBDIVISION IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, by Resolution 24-35, enacted December 17, 2024, (“Resolution of Necessity”) and in accordance with Ohio Revised Code 727.12, Council declared the necessity of constructing street lighting improvements in Evergreen Trace Subdivision; and

WHEREAS, the owner of the land included within Evergreen Trace Subdivision has executed a petition requesting street lighting improvements and waiving notice of the passage of the Resolution of Necessity under Ohio Revised Code Section 727.13 and the filing of the estimated assessment under Ohio Revised Code Section 727.12; and

WHEREAS, no objections were made or requests for the creation of an Assessment Equalization Board under Ohio Revised Code Section 727.16 nor have claims been received pursuant to Ohio Revised Code Section 727.18 by any owner of a lot or parcel of land asserting that the owner will sustain damages by reason of the proposed improvements; and

WHEREAS, Council desires and hereby declares its intent to proceed with approval of the construction of the street lighting improvements in accordance with the provisions of the Resolution of Necessity and impose the required assessments for said improvements.

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

SECTION I: The City hereby approves construction of the street lighting improvements in Evergreen Trace Subdivision, in accordance with the plans, specifications and assessments, rates and charges provided for in the Resolution of Necessity duly enacted by Council on December 17, 2024, under the authority of Ohio Revised Code Chapter 727.

SECTION II: The assessments prepared and filed in accordance with the Resolution of Necessity passed under Ohio Revised Code Chapter 727.12 and on file in the offices of the City of Brookville are hereby ratified, confirmed and adopted.

SECTION III: No claims for damages were filed in accordance with Ohio Revised Code Section 727.18, and pursuant to that Section of the Code, such claims are deemed waived and therefore barred.

SECTION IV: Council hereby declares it necessary for the preservation and promotion of the public health and welfare, for the reasons set forth in the preambles hereof, to enter into an agreement with AES/Miami Valley Lighting LLC for full service lighting and to assess the

accumulated annual charge estimated to be \$993.48 against the lots in Evergreen Trace Subdivision.

SECTION V: The lots or parcels of land to be assessed for the Evergreen Trace Subdivision Street Lighting Improvement Project are Lots 2813-2846, Evergreen Trace Subdivision, located in City of Brookville, Montgomery County, Ohio, and further described in the attached Petition (Exhibit A) and Subdivision Map (Exhibit B).

SECTION VI: The Evergreen Trace Subdivision, Street Lighting Improvement Project is estimated to consist of five (5) light poles and fixtures at a developers' cost of \$42098.00 and total annual lighting charges for said five (5) poles and fixtures of \$993.48 to be assessed and delineated herein with no portion of the improvement to be paid by the City.

SECTION VII: The boundaries of the areas to be assessed include all of the land within Evergreen Trace Subdivision.

SECTION VIII: The Improvements are more particularly described and set out in the plans, specifications, estimates of cost, rates, and tentative assessments which are on file at the City of Brookville offices, 301 Sycamore Street, Brookville, Ohio 45309, where they can be examined and which plans, specifications, estimates of costs, rates, charges and tentative assessments are hereby approved.

SECTION IX: The total annual lighting charge is estimated to be \$993.48 and shall be funded as follows: The portion to be specially assessed to property owners on an annual basis totals \$993.48, being \$29.22 per lot, as adjusted to reflect increases in future years, in an equal amount against each benefited lot, the amount to be determined by dividing the total cost per semiannual installment by the number of benefited lots in the district.

SECTION X: The City does not intend to issue securities in anticipation of the levy of the assessments. The City does not intend to issue securities in anticipation of the collection of the assessments.

SECTION XI: The assessments against each parcel of property subject to assessment shall be prepared and filed in the office of the Clerk of Council and shall be open for inspection during regular business hours.

SECTION XII: Notice of the passage of this Ordinance shall, after the assessment has been made and filed as provided be served by the Clerk of Council, or a person designated by the clerk, upon the owners of the lots or parcels of land to be assessed for the Improvements, by certified mail, return receipt requested, addressed to such owner at his or her last known address or to the address to which the property tax bills are sent.

SECTION XIII: A certified copy of this Ordinance shall be filed with the Montgomery County Auditor.

SECTION XIV: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION XV: This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this _____ day of _____, 2025.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2025-01, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____, 2025.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2025-01 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____ day of _____, 2025, to the _____ day of _____, 2025, both days inclusive.

Kimberly Duncan, Clerk

CITY OF BROOKVILLE
STATE OF OHIO

ORDINANCE NO. 2025-02

APPROVING AND ADOPTING AN ECONOMIC DEVELOPMENT PLAN; CREATING A RESIDENTIAL TAX INCREMENT FINANCING INCENTIVE DISTRICT TO BE CALLED "THE MEADOWLARK INCENTIVE DISTRICT"; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; AND SPECIFYING THE—PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT; AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT.

WHEREAS, Ohio Revised Code ("ORC") Sections 5709.40, 5709.42, and 5709.43 (collectively, the "TIF Statutes") authorize this Council, by ordinance, to create an incentive district within the corporate boundaries of the City of Brookville, Ohio (the "City"), and declare the improvement to each parcel of real property located within the incentive district to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of those service payments, and specify public infrastructure improvements made, to be made or in the process of being made that benefit or serve, or that once made will benefit or serve, parcels in the incentive district; and

WHEREAS, Section 5709.40(A) of the ORC requires an incentive district to have one or more distress characteristics, which may be defined as inadequate public infrastructure serving the district as evidenced by a written economic development plan for the district; and

WHEREAS, the City desires to create the Meadowlark Incentive District, a residential incentive district (the "Incentive District"), the boundaries of which will be coextensive with the boundaries of, and will include, the Parcels (as defined in Section 2); and

WHEREAS, the City anticipates that approximately one hundred eleven (111) new single-family attached homes will be constructed within the Incentive District (collectively, the "Project"); and

WHEREAS, the area within the Incentive District has been studied and an economic development plan has been prepared for that area (the "Development Plan"), and this Development Plan has been submitted to this Council and has been reviewed by the City Division of Engineering, and the Development Plan contains recommendations addressing land use, housing, and public infrastructure related issues; and

WHEREAS, the City Engineer has certified to this Council that (i) the Incentive District is less than 300 acres in size and enclosed by a contiguous boundary, and (ii) the public infrastructure serving the Incentive District is inadequate to meet the development needs of the Incentive District as evidenced by the Development Plan; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Boards of Education of the Brookville Local School District and the Miami Valley Career Technology Center in accordance with and within the time period prescribed in Ohio Revised Code Sections 5709.40 and 5709.83; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Montgomery County Board of Commissioners in accordance with ORC Section 5709.40(E);

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brookville, Ohio, that:

Section 1. Adoption of Development Plan. This Council adopts and approves the Development Plan, and all departments and divisions of the City are authorized to consult and use the Development Plan to establish and provide financing for Public Infrastructure Improvements (as defined in Section 3). Copies of the Development Plan will be kept on file in the City department of Economic Development.

Section 2. Incentive District Project; Creation of Incentive District. This Council finds and determines that the Project will place additional demand on the Public Infrastructure Improvements. Pursuant to the TIF Statutes, this Council creates the Incentive District, the boundaries of which are coextensive with the boundaries of, and include, the Parcels specifically identified and depicted in **Exhibit A** (as currently or subsequently configured, the "Parcels," with each individual parcel a "Parcel").

Section 3. Public Infrastructure Improvements. This Council hereby designates the public infrastructure improvements described in **Exhibit B** (the "Public Infrastructure Improvements") and any other public infrastructure improvements hereafter designated by ordinance as the "public infrastructure improvements" made, to be made or in the process of being made by the City or that would otherwise benefit or serve, or that once made will benefit or serve, the Parcels and finds that the Project to be undertaken within the Meadowlark Incentive District will place additional demand on the herein designated public infrastructure improvements.

Section 4. Authorization of Tax Exemption; Life of Incentive District. Pursuant to and in accordance with the provisions of ORC Section 5709.40(C), this Council declares that 75% of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement" as defined in ORC Section 5709.40(A)) is a public purpose and exempt from taxation for a period coextensive with the life of the Incentive District. The life of the Incentive District commences with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure would first appear on the tax list and duplicate of real and public utility property for any Parcel within the Incentive District were it not for the exemption granted in this Ordinance and ends on the earlier of (a) ten (10) years after such commencement or (b) the date on which the

City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

Section 5. Service Payments. As provided in ORC Section 5709.42, the owner of each Parcel is hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Montgomery County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 4, including any penalties and interest (collectively, the "Service Payments"). The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by ORC Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), will be deposited and distributed in accordance with Section 7.

Section 6. TIF Fund. This Council establishes, pursuant to and in accordance with the provisions of ORC Section 5709.43, the Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"), into which the County Treasurer will deposit the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Statutes and this Ordinance (as it may be amended). The TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with ORC Section 5709.43.

Section 7. Tax Increment Financing Agreement. The Council hereby authorizes and directs the City Manager and Director of Finance, and other appropriate officers of the City, to enter into the Tax Increment Financing Agreement, in substantially the form attached hereto as Exhibit C, between the City and Grand Communities, LLC to provide for the installation of the Public Infrastructure Improvements and for the reimbursement of expenses incurred in the acquisition, construction, and installation of the Public Infrastructure Improvements by Grand Communities, LLC.

Section 8. Further Authorizations. This Council hereby authorizes and directs the City Manager, the Law Director, the Director of Finance, or other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the City Manager, the Law Director, the Director of Finance or, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 9. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this

Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC Section 121.22.

Section 10. Effective Date. This Ordinance shall be in full force and effect immediately upon the expiration of ten days after first publication of the notice required by ORC Section 731.20.

Passed by Council on the _____ day of _____, 2025;

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

EXHIBIT A
IDENTIFICATION AND MAP OF THE PARCELS

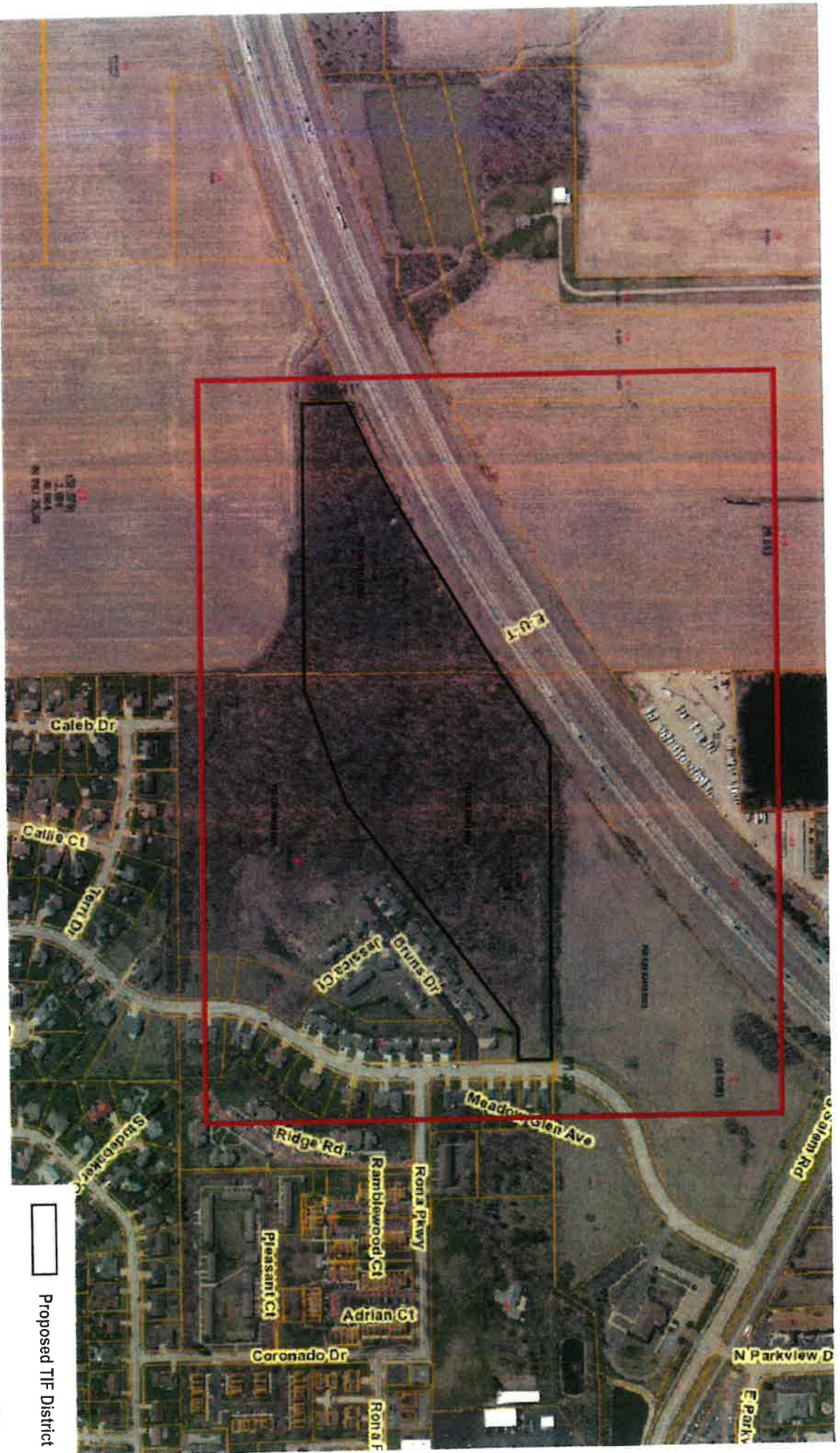
The enclosed area on the following map specifically identifies and depicts the Parcels and the boundaries of the Incentive District, and constitutes part of this Exhibit A. The following Parcel Numbers are as of October 18, 2024, and are included for ease of reference only.

Montgomery County Auditor Parcel No. C05 00314 0020

Grand Communities, LLC

Meadowlark Brookville, Ohio

Delineated Overlay - 111.65 Acres



Proposed TIF District

EXHIBIT B
PUBLIC INFRASTRUCTURE IMPROVEMENTS

EXHIBIT C
TAX INCREMENT FINANCING AGREEMENT