

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