

Brookville City Council
Regular Meeting
March 4, 2025

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on March 4, 2025. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Members Crane, Fowler, Piper, Wilder and Zimmerlin; Manager Kuntz, Law Director Stephan, Finance Director Brandt, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Member Schreier was absent.

Roll Call by Clerk Duncan.

Mayor Letner requested to add the first reading of proposed Resolution No. 25-02 to the agenda.

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

Motion by Zimmerlin, second by Wilder to accept the February 18, 2025 Regular Meeting Minutes as presented. Crane yea, Fowler abstained, Piper abstained, Wilder yea, Zimmerlin yea, Letner yea. Motion carried with four yeas and two abstentions.

Fire Chief Fletcher presented the 2024 Fire Awards. Daniel Shoup was recognized as the EMS Provider of the Year. Gavin McGriff was recognized as Firefighter of the Year. Kyle Sewert, who was not in attendance, was recognized as Officer of the Year.

Manager Kuntz congratulated the firefighters and EMS personnel who were recognized this evening. Manager Kuntz stated the Brookville Fire Department is staffed with some of the best in the Miami Valley region and we are lucky to have them serve our community.

Manager Kuntz advised Law Director Rod Stephan will have some information in his report regarding the formation of a Charter Review Committee, with the goal of having the committee make final recommendations to the Council no later than the first City Council meeting in July.

Manager Kuntz reported Law Director Stephan will also be presenting information regarding the creation of a DORA District in historic downtown Brookville. DORA, which stands for Designated Outdoor Refreshment Area, is seen as an economic and community development attraction for the Market Street area.

Manager Kuntz reported the Service Department has been busy dealing with winter storms over the last few weeks. They also found time to complete many other tasks in the community, such as collecting used oil, hauling spoiled dirt, patching potholes, plowing snow, repaired several watermain breaks, picked up new dump truck, repaired ceiling in mechanic's garage, and washing and cleaning the fleet vehicles.

Mayor Letner reported the city was able to purchase a used dump truck for \$10,000, which was an exceptionally good deal.

Finance Director Brandt stated the old dump truck is listed on GovDeals and the bidding is already up to \$7,000.

Finance Director Brandt reported the third reading of proposed Ordinance No. 2025-03 and proposed Ordinance No. 2025-04 are postponed until the next meeting to allow residents a few more weeks to pay before they are assessed.

Finance Director Brandt reminded everyone that the City of Vandalia will provide free city income tax assistance to Brookville residents at the Brookville city office during office hours on March 28 and March 29 from 8 a.m. until noon at the city office.

Fire Chief Fletcher reported February was another busy month with 188 calls for service.

Fire Chief Fletcher reported they have had some challenging calls recently where subjects have refused assistance. Fire Chief Fletcher stated the law is very specific on what criteria needs to be met in order to relieve an individual of their rights to make decisions for themselves. The Fire Department does their best to make referrals for assistance in these situations.

Police Chief Jerome reported the Police Department has implemented a blue door hanger crime prevention tag program, which notifies property owners of things they can do, or things officers have already done, to improve the safety of their property.

Police Chief Jerome reported the Police Department successfully deployed our new stop sticks to help the Ohio State Patrol with a pursuit.

Police Chief Jerome reported the Police Department recently investigated a complaint about the sale of Delta 9 at the new vape shop in Brookville. The investigation found the product to be legal and the business to be in compliance with the law.

Police Chief Jerome reported the Police Department recently received the Chapter 6 provisional certification from the Ohio Collaborative.

Law Director Stephan reported Section 11.02 of the Charter of the City of Brookville provides that the charter may be amended or repealed by the voters as provided by the Constitution of Ohio. Law Director Stephan stated the Charter does not include a specific provision providing for a charter review commission or committee. Section 7.06 provides that City Council may create boards and commissions as it deems necessary, and may provide for their organization, membership, method of appointment, terms of office of members, and powers, duties, and functions by ordinance or resolution. Under Section 7.07(B), all members of boards or commissions shall be electors of the municipality at the time of their appointment and during their tenure in office. City Council may by resolution or ordinance create a charter review commission to review the charter, and to make recommendations to City Council regarding proposed charter amendments. Upon receipt of the recommendations of the commission, the proposed charter amendments would then be submitted to the electors of the City if at least two-thirds of the City Council members approved submitting the proposed amendment to the voters. In terms of the composition of the Charter Review Commission, these boards typically have 5, 7, or 9 members and typically operate for a period of one year to review the charter and to make recommendations to City Council for charter amendments. The commission meetings are public meetings that are subject to Ohio Sunshine Law. Law Director Stephan advised the next step in this process would be to pass a resolution or ordinance establishing the Charter Review Commission and providing bylaws for its operation.

Discussion followed. The consensus is for staff to advertise for up to nine members to serve on the Charter Review Commission, with Council to interview the volunteers prior to appointment. Staff will sit on the commission and a Council member will be appointed as a liaison. Public input will be considered through a Public Hearing during the process.

Law Director Stephan advised Council has a packet regarding creating a Designated Outdoor Refreshment Area, or DORA, on Market Street, as recommended by staff. Law Director Stephan outlined the requirements. A tentative schedule for establishing a DORA in the Community Center District would include filing an application with City Council, followed by a Public Hearing.

Within 30 to 60 days of the hearing, City Council could then complete approval of the DORA district.

Discussion included meeting with the business owners and the churches in the area of the proposed district, limiting the included area, defining the hours of operation, and using the DORA for special events in the downtown area. A study was cited that reported no negative impact on communities in which a DORA district was established. The consensus of City Council is that staff should contact the Market Street business owners and begin the process of a DORA application.

Law Director Stephan reported proposed Ordinance No. 2025-06 amends the text of Section 1141.02(a)(2) of the Community Center District to remove tobacco shops and pawn shops from the list of permitted uses. The ordinance also amends Section 1141.02(a)(14) to provide that the following uses are expressly prohibited in the Community Center District: Tobacco, smoke and vape shops, check cashing stores, and pawn shops. Planning Commission has reviewed the proposed text amendments and made an initial recommendation to City Council to approve these text amendments. Law Director Stephan reported a public hearing on this zoning text amendment will be held on April 1, 2025 at 8:00 pm, as required by Section 4.11 of the Charter of the City of Brookville.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2025-06. All yeas, motion carried.

Motion by Piper, second by Wilder to accept the first reading of proposed Ordinance No. 2025-06. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2025-07 is to establish the zoning classification of Lots 2798, 2799, and 2780 is before City Council for a first reading. This property is 85.611 acres on Upper Lewisburg-Salem Rd. that was annexed to the City of Brookville in 2024. The property was originally zoned General Business (PD) and R-1(A)(PD) by Ordinance 2024-07, but that zoning ordinance was rejected by the voters in the referendum election in November 2024. Planning Commission has now made an initial recommendation for the zoning classification of the property as a Planned Residential District with specific standards that are set forth in Exhibit "C" to Ordinance 2025-07. Law Director Stephan advised Planning Commission did consider comments from the Keep it Rural group during their discussion and initial recommendation of the proposed zoning on the property. A public hearing will be scheduled for April 1, 2025 at 8:00pm during the City Council meeting to receive public comment on the proposed zoning ordinance.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2025-07. All yeas, motion carried.

Motion by Piper, second by Fowler to accept the first reading of proposed Ordinance No. 2025-07. All yeas, motion carried.

Law Director Stephan reported Resolution No. 25-02 is to establish the necessity of constructing street lighting improvements in the Arlington Woods II, Section I subdivision and to authorize the assessment of the lighting costs.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 25-02. All yeas, motion carried.

Motion by Piper, second by Zimmerlin to accept the first reading of proposed Resolution No. 25-02. All yeas, motion carried.

Member Zimmerlin requested the prohibition of adult bookstores be added to proposed Ordinance No. 2025-06.

Mayor Letner had no report.

Motion by Fowler, second by Wilder to read proposed Resolution No. 25-01. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the third reading and adopt Resolution No. 25-01 entitled "A RESOLUTION TO CONTINUE PARTICIPATION IN A MULTIJURISDICTIONAL HAZARD MITIGATION PLAN IN CONJUNCTION WITH THE MONTGOMERY COUNTY OFFICE OF EMERGENCY MANAGEMENT." All yeas, motion carried.

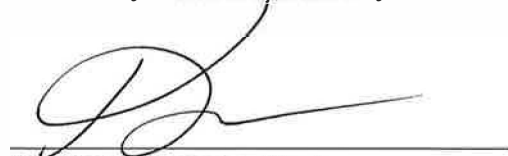
Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2025-05. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the second reading of proposed Ordinance No. 2025-05. All yeas, motion carried.

Member Piper thanked the Police and Fire Departments for their exceptional service to the community.

Member Zimmerlin also thanked the Police and Fire Departments for their service and for their many escorts for successful sporting events, which leaves a lasting impact upon the students.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor