



CITY COUNCIL
Tuesday, May 6, 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 April 15, 2025 Regular Meeting Minutes

IV. Brookville Soccer Association - Todd Clemmons

V. Reports of Municipal Officers

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

VI. Old Business

- a. Second reading of proposed Ordinance No. 2025-06 entitled "AN ORDINANCE AMENDING CHAPTER 1141 COMMUNITY CENTER DISTRICT OF THE CITY OF BROOKVILLE, OHIO."
- b. Second reading of proposed Ordinance No. 2025-07 entitled "AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF LOTS 2798, 2799 AND 2800 OF THE CITY OF BROOKVILLE, OHIO. "
- c. Third reading of proposed Ordinance 2025-09 AN ORDINANCE APPROVING AN APPLICATION FOR A "DESIGNATED OUTDOOR REFRESHMENT AREA" AND

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



ESTABLISHING A "DESIGNATED OUTDOOR REFRESHMENT AREA" IN THE CITY OF BROOKVILLE, OHIO.

- d. Second reading of proposed Ordinance No. 2025-10 entitled "AN ORDINANCE APPROVING CONSTRUCTION OF STREET LIGHTING IMPROVEMENTS IN AND TO ADOPT ASSESSMENTS FOR ANNUAL LIGHTING CHARGES UPON LOTS LOCATED WITHIN ARLINGTON WOODS II SECTION ONE SUBDIVISION IN THE CITY OF BROOKVILLE, OHIO."
- e. Third reading of proposed Resolution No. 25-03 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE COMMUNITY REINVESTMENT AREA #2 AGREEMENT OF GIANT OHIO LLC DATED JUNE 21, 2017 IS IN COMPLIANCE AND THAT THE COMMUNITY REINVESTMENT AREA AGREEMENT BE CONTINUED."
- f. Third reading of proposed Resolution No. 25-04 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE ENTERPRISE ZONE AGREEMENT OF GREEN TOKAI CO. LTD. DATED MARCH 25, 2016 IS IN COMPLIANCE AND THAT THE ENTERPRISE ZONE AGREEMENT BE CONTINUED."
- g. Second reading of proposed Resolution No. 25-05 entitled "A RESOLUTION APPROVING AMENDMENTS TO THE PUBLIC RECORDS POLICY OF THE CITY OF BROOKVILLE FOR COSTS ASSOCIATED WITH LAW ENFORCEMENT DASHBOARD CAMERA VIDEOS AND/OR BODY CAMERA VIDEOS."
- h. Second reading of proposed Resolution No. 25-06 entitled "A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE MONTGOMERY COUNTY SOLID WASTE DISTRICT."

VII. New Business

- a. First reading of proposed Ordinance No. 2025-11 entitled "AN ORDINANCE AMENDING CHAPTER 1153 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO."

VIII. Public Comments (5 minutes per speaker)

IX. Council Comments

X. Executive Session

- a. O.R.C. 121.22(G)(1) To consider the employment of a public employee or official.

XI. 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.

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

Brookville City Council
Regular Meeting
April 15, 2025

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on April 15, 2025. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Members Crane, Fowler, Piper, Schreier and Wilder; Manager Kuntz, Law Director Stephan, Finance Director Brandt, Fire Chief Fletcher, Police Chief Jerome, Clerk Duncan were present. Member Zimmerlin was absent.

Roll Call by Clerk Duncan.

Mayor Letner requested the Executive Session be removed from the Agenda.

Motion by Schreier, second by Fowler to accept the Agenda with a correction. All yeas, motion carried.

Motion by Piper, second by Fowler to accept the April 1, 2025 Regular Meeting Minutes as presented. All yeas, motion carried.

John Minear, Community Outreach & Education Manager for Montgomery County Environmental Services, gave a brief presentation. He requested Council support, by Resolution, of the District's Solid Waste Management District.

Damian Kristof, 61 Oak Street, requested Council approval of the Brookville Branch Library 3rd Annual Block Party & Craft Fair on June 14, 2025.

Motion by Fowler, second by Wilder to approve the Special Event Permit for the Brookville Branch Library 3rd Annual Block Party & Craft Fair on June 14, 2025 from 10:00 a.m. until 4:00 p.m. as presented. All yeas, motion carried.

Police Chief Jerome presented the 2024 Brookville Police Department Officer of the Year Award to newly promoted Police Detective Tim Beaver.

Manager Kuntz advised the Market Street Connection has requested Council approval of the Third Thursday event from April through August at Greunig Park on Market Street. The request was reviewed by Park Board, who recommended Council approval. The Third Thursday event would be held from 5:00 p.m. until 8:00 p.m. Market Street would be closed from Blue Finery to Pure Beauty Bar. Christine Stover, of Market Street Connection was present to answer any questions.

Motion by Schreier, second by Piper to approve the Special Event Permit for the Third Thursday events from April through October, from 5:00 p.m. until 8:00 p.m. as presented. All yeas, motion carried.

Motion by Fowler, second by Wilder to recess the Regular Session and go into the Public Hearing. All yeas, motion carried.

The Public Hearing was recorded and is available on the City of Brookville website.

Law Director Stephan announced this Public Hearing is regarding proposed Ordinance 2025-09, which approves an application for a "Designated Outdoor Refreshment Area", otherwise known as a DORA, and establishes a "Designated Outdoor Refreshment Area" in the Community Center business district in the City of Brookville, Ohio. The area includes the south side of Main Street, all of Market Street, Mulberry Street, Walnut Street and Hay Avenue. The objective is to encourage

community members and visitors to come to the Community Center District. Law Director Stephan stated anyone wishing to comment should state their name and address for the record.

Troy Bodine, 87 Rock Street, inquired whether patrons could take a DORA cup containing alcohol from one liquor establishment to another liquor establishment.

Law Director Stephan replied the law prohibits people from bringing liquor from one alcohol establishment into another alcohol establishment.

Patty Riley, 10 Market Street, asked what will prevent people from filling their designated DORA cup with alcohol they may have in their vehicle.

Law Director Stephan replied this is not permitted and a police citation would be issued if this occurred. There will be police involved in patrolling during the DORA hours

Motion by Piper, second by Schreier to close the Public Hearing. All yeas, motion carried.

Manager Kuntz acknowledged the entire city staff for their response to the severe weather events we have had over the past few weeks. Manager Kuntz stated the Service Department did a wonderful job in keeping our infrastructure fully operational throughout the multiple weather events. With the amount of rain we received, Brookville had almost zero flooding issues during the two weeks of rain and other severe weather. The Police and Fire Departments monitored the weather and adjusted their staffing levels accordingly to ensure they were in the best position to respond to various emergency scenarios because of the weather. The Fire Department also ensured the Emergency Operation Center was set up and ready to run in the event of an emergency.

Manager Kuntz reported the bid opening for the 2025 Street Resurfacing Program was held on April 9. We received three sealed bids, which staff is currently reviewing to determine the lowest and most responsive. Manager Kuntz advised he should have a recommendation for City Council at the May 6 meeting.

Manager Kuntz reported the Service Department is scheduled to start the Main Street Watermain Replacement Project on April 21. The project will be between Columbia and Salem. Main Street will be open to thru traffic during the project, unless an unforeseen circumstance occurs. Residents will be able to access their homes throughout the entirety of the project as well. Residents in this section are asked not to park vehicles on the street during this project.

Manager Kuntz thanked everyone who attended the Comprehensive Land Use Plan Update Meeting on Monday, April 7. Almost 50 people attended the meeting, which is an outstanding turnout for a land use plan public meeting.

Manager Kuntz reported utility bills were sent to property owners last week, which are due May 7. The quarterly Brookville Bulletin was also included with the bill. If you have not received your bill, please contact our office.

Manager Kuntz reported the Brookville Optimist Club is holding their annual Children's Easter Egg Hunt on Saturday, April 19 at 9:00 a.m. at Golden Gate Park. Those attending should plan on being at the park ten minutes early as the event starts promptly at 9 a.m. and is over very quickly.

Manager Kuntz reported the annual garage sale map is before Council this evening for approval. Manager Kuntz suggested we change the Community Garage Sales event date to just one weekend during the month of June, rather than splitting it into four weekends.

The consensus is to approve the traditional garage sale map, with a minor correction, designating an area of Brookville each weekend during the month to hold garage sales. Beginning in 2026,

Council would like to designate the third weekend of June as Brookville Community Garage Sale weekend.

Motion by Fowler, second by Schreier to approve the traditional garage sale map for the month of June 2025, with a correction to make the days Thursday, Friday and Saturday. All yeas, motion carried.

Manager Kuntz thanked the Service Department for completing a lengthy list of maintenance tasks over the last two weeks.

Mayor Letner called for a motion to approve the Fund Balance of March 31, 2025.

Motion by Piper, second by Wilder to approve the Fund Balance of March 31, 2025 as presented. All yeas, motion carried.

Fire Chief Fletcher encouraged everyone to take advantage of the city's Hyper Reach notification system, which is a useful tool for delivering address specific messages to the community. Residents can find the Hyper Reach sign-up link on the city website.

Police Chief Jerome recognized all police dispatchers in honor of National Public Safety Telecommunicators Week.

Police Chief Jerome advised the Police Department is sponsoring a catalytic converter engraving event at Music's Automotive on April 25, 2025.

Police Chief Jerome reported the Police Department has taken delivery of a certified used Chevrolet Tahoe to replace the existing old police chief's car, which will be sold on GovDeals.

Police Chief Jerome reported the BBC Opening Day Parade, DEA prescription drug drop-off and high school prom will all take place on April 26, 2025.

Law Director Stephan reported we have received a notice from the Division of Liquor Control that all Class C and D retail permits in the City of Brookville will expire on June 1, 2025. Law Director Stephan requested the Council waive any objection to the renewal of retail liquor permits in the City of Brookville.

Motion by Fowler, second by Schreier to waive any objection to the renewal of liquor permits in the City of Brookville. All yeas, motion carried.

Law Director Stephan advised we also received notice that Speedway is applying for a C2 liquor permit. The City has not had any issues with Speedway regarding their existing permit, and therefore, it is requested that City Council waive any hearing before the Division of Liquor Control on this permit application.

Motion by Piper, second by Fowler to waive any hearing before the Division of Liquor Control for a C2 liquor permit for Speedway LLC. All yeas, motion carried.

Law Director Stephan reported proposed Resolution No. 25-05 amends the public record policy allowing a charge for costs associated with law enforcement dashboard camera videos and/or body camera videos. Exceptions include victims of crimes, property owners and medic requests for cost reduction. The policy aims to recoup costs for redacting videos and address time-consuming public record requests.

Motion by Wilder, second by Fowler to read proposed Resolution No. 25-05. All yeas, motion carried.

Motion by Fowler, second by Schreier to approve the first reading of proposed Resolution No. 25-05. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2025-10 is the second step in the process to approve street lighting improvements and adopt assessments for Arlington Woods II, Section One Subdivision.

Motion by Piper, second by Crane to read proposed Ordinance No. 2025-10. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the first reading of proposed Ordinance No. 2025-10. All yeas, motion carried.

Mayor Letner advised he attended the Optimist Youth Appreciation Banquet this week where several outstanding youth were recognized. Mayor Letner commented the Optimist's Flag Program is up to 585 flags, which is a beautiful site to see when they are all flying.

Mayor Letner thanked the department heads and staff for their hard work compiling the annual report.

Motion by Schreier, second by Wilder to read proposed Ordinance No. 2025-08. All yeas, motion carried.

Motion by Fowler, second by Piper to accept the third reading and adopt Ordinance No. 2025-08 entitled "AN ORDINANCE APPROVING AND ADOPTING AN ECONOMIC DEVELOPMENT PLAN TO ESTABLISH THE MEADOWLARK INCENTIVE DISTRICT AND PROVIDE FOR TAX INCREMENT FINANCING FOR THE MEADOWLARK SUBDIVISION PROJECT." All yeas, motion carried.

Motion by Wilder, second by Fowler to read proposed Resolution No. 25-03. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the second reading of proposed Resolution No, 25-03. All yeas, motion carried.

Motion by Piper, second by Crane to read proposed Resolution No. 25-04. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the second reading of proposed Resolution No, 25-04. All yeas, motion carried.

Motion by Crane, second by Schreier to read proposed Ordinance No. 2025-09. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the second reading of proposed Ordinance No. 2025-09. All yeas, motion carried.

Motion by Crane, second by Wilder to read proposed Resolution No. 25-06. All yeas, motion carried.

Motion by Piper, second by Fowler to accept the first reading of proposed Resolution No, 25-06. All yeas, motion carried.

State Representative Rodney Creech, 5062 Bantas Creek Road, West Alexandria, Ohio stated he wants Brookville staff and residents to know he is available and happy to help with any issues that may come up or any events he should attend. Mr. Creech observed the City of Brookville is lucky to have Manager Kuntz representing them as he is a fighter and wants the best for the city and its residents.

Damian Kristof, 61 Oak Street, stated the library has started a new program called Our Memory Café, to help individuals with Alzheimer’s and their caregivers.

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: 04/29/25

Last year, as part of the staff's desire to provide additional tools to abate nuisance properties within the city, the City Council approved suggested changes to the Property Maintenance Code. With the city continuing to identify opportunities to implement a more proactive code enforcement program, staff has proposed some additional changes to the property maintenance code. The proposals have been discussed at the staff level between code enforcement officer Kevin Garlitz and city administration, and we believe these are common sense additions to the code, many which are similar to code sections the city previously had in place, the majority coming in the form of better defining what constitutes a property maintenance violation, additional definitions and some clerical edits. These changes will assist staff when filing future charges against habitual violators in court. We've attached a copy of the proposed changes to your Council packet, and we'll be happy to answer any questions you may have.

Staff recently joined other jurisdictions, along with the Miami Valley Communications Council (MVCC) and our consultant, Palmer Energy to receive an update on the status of both electric and gas aggregation. Below is a summary of the aggregation program:

Electric Aggregation

- Bids are due the first full week of May. Palmer should have recommendations to MVCC by the end of May.
- They believe there's going to be an increase in rates. Probably around the 9.3 cents range. They believe this will still be a savings compared to where AES is going to be because they believe AES will be around the 9.5-10 cent range. They said there isn't going to be the same level of savings as the last time. There are a variety of factors for this.
- We'll know more about this when the bids come in and Palmer will provide a recommendation at the end of May.

Gas Aggregation

- They went to bid twice already at the end of 2023. The first bid was determined to be unresponsive and the second one they believed would either be neutral or a slight savings. Palmer recommended moving forward with the second bid, but MVCC decided not to move forward, and they said looking back it would have been essentially a wash on the savings.
- New bids have come in and Palmer is recommending moving forward with the bid from Archer Energy. You can see the numbers included with the attached presentation.

- Palmer is recommending we go with the 20-month fixed rate at \$6.90 per MCF. This would start with the October 2025 billing cycle.
- Since gas providers change their pricing monthly, based primarily on weather patterns and conditions, plus various market scenarios, it's difficult to predict if there will be savings. However, this is providing a "price ceiling" for our residents for the next 20 months. If we have two warm winters, there may not be savings. If we have two cold winters, Palmer believes we'll see savings. But gas is much more difficult to predict.

IMPORTANT NOTE: Like electrical aggregation, gas aggregation provides our residents with the ability to opt in and out of the program at any time with zero charges. It's always based on the billing cycle, so if someone is in the aggregation and they find a cheaper rate with a different provider, they can opt out and go with their preferred provider. They can also opt back in to aggregation if their current provider increases their rates. There's no number on how many times you can opt in and out of the aggregation program. Again, aggregation is simply locking in the top rate our residents will have to pay if they're in the program. They're free to shop for better deals if they desire to do so.

If Council desires to move forward with the gas aggregation agreement with Archer Energy, please make a motion to recommend we move forward and authorize the city manager to sign all documents associated with this program and with Archer Energy. If so desired, I'll also notify MVCC of this. Staff will be meeting with our regional partners and Palmer Energy in the first week of June to go over the electrical aggregation bids.

Montgomery County has recently released some CDBG information to local communities, specifically regarding the status of the regional CDBG program and timeframes for request submittals. They do have some remaining funds from previous funding cycles available for immediate disbursement via their newly named CDBG Accelerated Project Program. Staff have submitted a \$50,000 funding application for the Lieber Center Sidewalk Project, which would see the sidewalk and curbs replaced in front of the Leiber Center as well as extending the sidewalk towards the western parking lot giving additional ADA compliance and accessibility for seniors and individuals with various mobility levels to access the Leiber Center. The Accelerated Project Program requires zero local match. If awarded, this project will be completed this summer. Staff also desires to submit a CDBG application to Montgomery County this year for their regular funding cycle to update the restrooms in the Leiber Center, specifically to make them more ADA compliant and accessible for seniors and individuals with various disabilities. Staff would apply to Montgomery County, specifically requesting \$50,000 with a local match of 20% or \$10,000. This specific funding cycle is contingent upon federal funds from the Department of HUD being released to local jurisdictions. Staff requests the City Council authorize the city manager to apply for and sign and all documents associated with these grant programs.

On April 9 at 11:00am staff held the 2025 Brookville Street Resurfacing Bid Opening. Three companies submitted bids for this project, which includes the resurfacing of Maple Street, from Hay Ave. to Westbrook Road, E. Upper Lewisburg Salem Rd, from the bridge to the exit of Golden Gate Park and Osage Street, from Harshman Ave. to Western Ave. Below is a

breakdown of the submitted bids:

Company Name	Bid Amount
Neyra Paving	\$177,091.11
Wagner Paving	\$158,111.00
John R. Jurgenson	\$227,305.22

Staff recommend the City Council accept all bids and award the project to Wagner Paving as the lowest and best bid for the City of Brookville. Staff also request the City Council authorize the city manager to sign all documents associated with this project and approved by the city's law director, with Wagner Paving. The goal is to have this project completed by the end of summer.

Finally, the city's street light contract with Miami Valley Lighting and DPL Energy Resources, Inc. expires on December 31, 2025. The current contract is a 10-year contract that took effect on January 1, 2016. Recently, the Miami Valley Communications Council ("MVCC") held a meeting with city managers from across the region to discuss the upcoming street light contract negotiations. MVCC in the past has taken the lead in negotiating the street light contract for its member cities and affiliate members. As a result of the April meeting, it is recommended that a regional coalition be established and negotiate the upcoming streetlight contract. This regional coalition would allow for a uniform approach to the upcoming contract negotiations, provide leverage in negotiating reasonable rates and provisions for streetlight services and ensure consistent contract provisions for cities across the region. To prepare for the upcoming negotiations, MVCC has retained M. K. Pope engineering from Columbus to complete a rate analysis and a review of maintenance practices for the current street light system. MVCC has also retained attorney Michael McNamee to provide legal review of the current streetlight contract and Ohio revised code provisions relevant to the contract along with assistance with the upcoming contract negotiations. Both McNamee and Pope served in similar capacities for the negotiation of the 10-year contract expiring December 31, 2025. The estimated cost of professional services associated with this set of negotiations is \$60,000. MVCC will cover one-third of those costs and any additional fees, and the participating jurisdictions will pay the remaining costs based upon population. Brookville's estimated participation cost is \$493.



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda May 6, 2025

Reportable Incidents

01/01/2024 – 04/30/2024 = 126

01/01/2025 – 04/30/2025 = 209

Citations

01/01/2024 – 04/30/2024 = 128

01/01/2025 – 04/30/2025 = 228

Traffic Stops

April 2024 - 218

April 1, 2025 to date - 132

Brookville Police Department

Incident Arrest Blotter

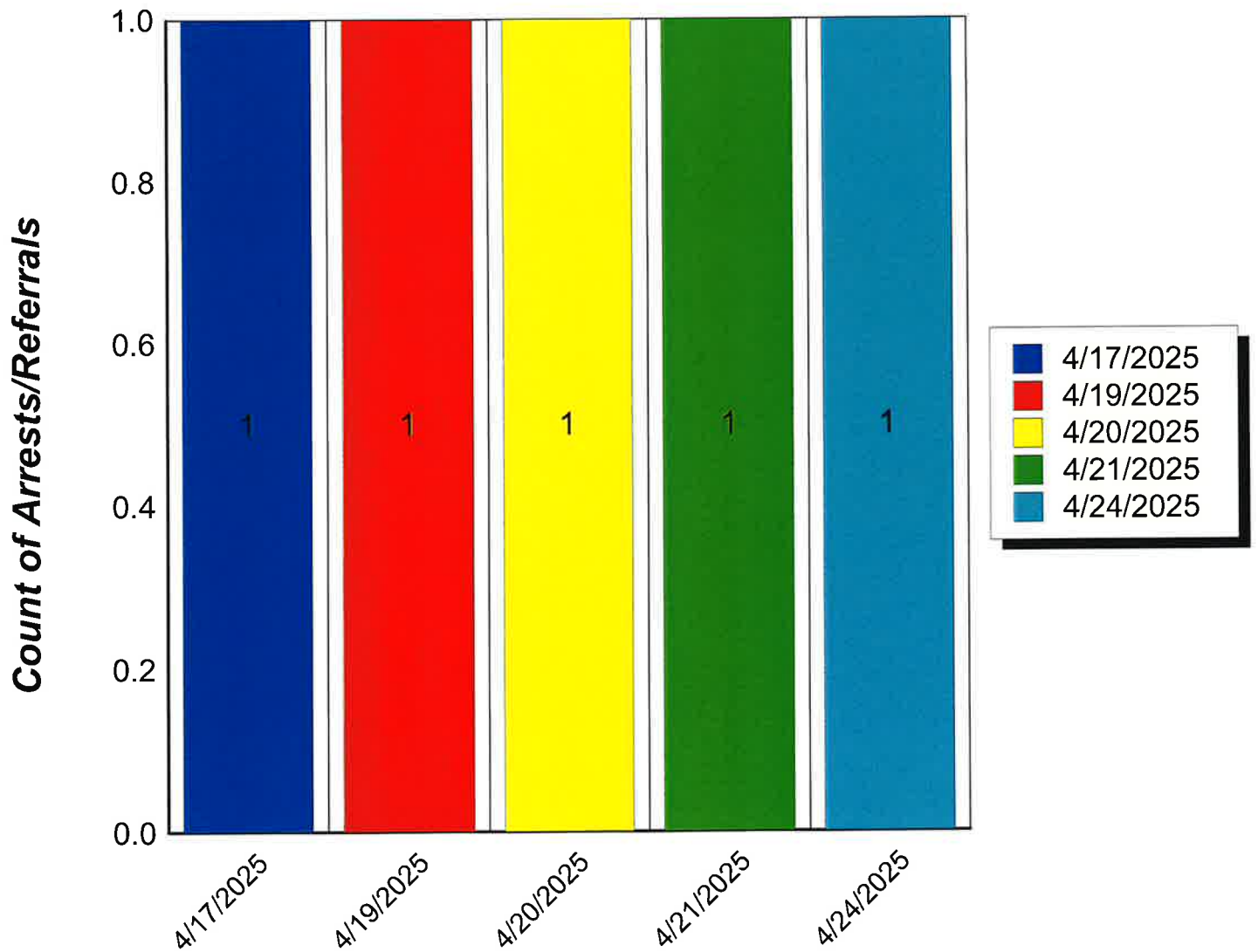
Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
04/17/2025	03:26 PM	TIMOTHY S. HALL	126 S JOHNSVILLE FARMERSVILLE RD, NEW LEBANON, OH 451119A1: DUI - alcohol/drugs	2025-00193
04/19/2025	08:00 PM	JANVIER HAKIZIMANA	1920 W GRAND AVE APT 11, DAYTON, OH 45402 35: WARRANT ARREST	2025-00195
04/20/2025	09:43 PM	** JUVENILE **	429 N. WOLFCREEK ST APT 4, BROOKVILLE, OH 45309 451016: FRA SUSPENSION	2025-00198
04/21/2025	04:48 PM	SHANE T. SMITH	147 TIMBERWOLF, BROOKVILLE, OH 45309 50501C: ANIMAL AT LARGE 50501C: ANIMAL AT LARGE	2025-00200
04/24/2025	02:45 AM	JAY W. STIDHAM	403 MARKET APT 7, BROOKVILLE, OH 45309 291121A1: Criminal trespass - land/premises of another	2025-00206
Total Selected = 5				

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
April 17, 2025	1
April 19, 2025	1
April 20, 2025	1
April 21, 2025	1
April 24, 2025	1
Total Selected = 5	

Arrest Log by Date

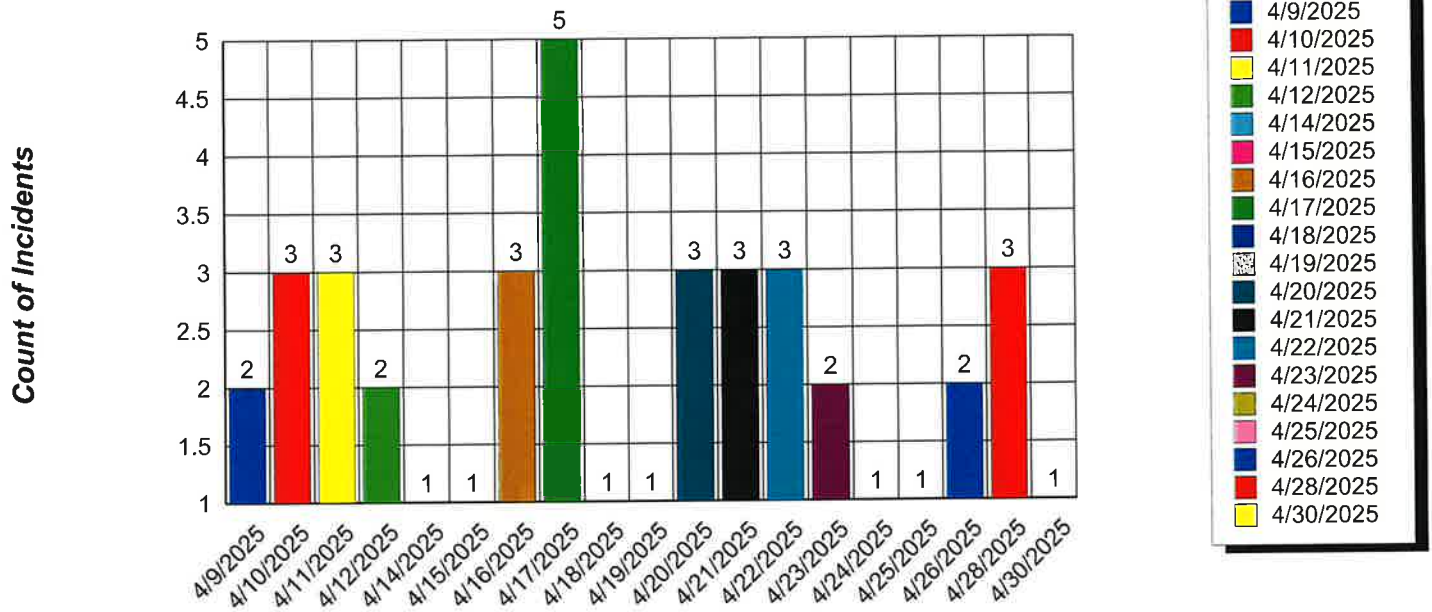


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
04/09/2025	Wednesday	2
04/10/2025	Thursday	3
04/11/2025	Friday	3
04/12/2025	Saturday	2
04/14/2025	Monday	1
04/15/2025	Tuesday	1
04/16/2025	Wednesday	3
04/17/2025	Thursday	5
04/18/2025	Friday	1
04/19/2025	Saturday	1
04/20/2025	Sunday	3
04/21/2025	Monday	3
04/22/2025	Tuesday	3
04/23/2025	Wednesday	2
04/24/2025	Thursday	1
04/25/2025	Friday	1
04/26/2025	Saturday	2
04/28/2025	Monday	3
04/30/2025	Wednesday	1
Total Selected = 41		

Incident Log by Date Reported



Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 09, 2025

2025-00174 ARLINGTON RD @ N WOLF CREEK RD
BROOKVILLE PD SIGNAL 53A - PROPERTY DAMAGE ACCIDENT 04/09/2025 04/09/2025
EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 33303A - SPEED-UNREASONABLE FOR CONDITIONS/ ACD AHEAD

2025-00175 432 HARPER CREEK DRIVE
BROOKVILLE PD SIGNAL 260-CHILD ABUSE 04/08/2025
OPEN CASE

Offenses UCR Offense Description
2 02 291922B1 - Endangering children - abuse
02 291925A - Domestic violence - knowingly cause physical harm

Total Incidents Reported for Date: 2

April 10, 2025

2025-00176 550 S WOLF CREEK ST
BROOKVILLE PD SIGNAL 06A - GRAND THEFT 03/16/2025 04/21/2025
EXCEPTIONALLY CLEARED

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

2025-00177 181 W WESTBROOK ROAD
BROOKVILLE PD SIGNAL 14 - CRIMINAL DAMAGE 04/10/2025 04/18/2025
EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 01 290906A1 - Criminal damaging/endangering - knowingly, any mea

2025-00178 945 ARLINGTON
BROOKVILLE PD SIGNAL 24 - DISORDERLY CONDUCT 04/10/2025 04/10/2025
EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 291711A2 - Disorderly conduct - offensive gesture or noise

Total Incidents Reported for Date: 3

April 11, 2025

2025-00179 301 SYCAMORE STREET
BROOKVILLE PD SIGNAL 260 - CRIMINAL TRESPASS 04/11/2025 04/11/2025
EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 291121A - Criminal trespass

2025-00180 799 ARLINGTON
BROOKVILLE PD SIGNAL 55 - TRAFFIC VIOLATION 04/11/2025 04/11/2025
EXCEPTIONALLY CLEARED

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 11, 2025

Offenses UCR Offense Description
 2 N/A 451016 - FRA SUSPENSION
 N/A 450311A - Expired Registration

2025-00181	945 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 260 - ANIMAL CRUELTY	04/11/2025	04/11/2025	ARREST
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Offenses UCR Offense Description
 1 N/A 959131 - PROHIBITIONS CONCERNING COMPANION ANIMALS

Total Incidents Reported for Date: 3

April 12, 2025

2025-00182	MOSIER PKWY & CARR DR BROOKVILLE PD	SIGNAL 55- OPERATING A MOTOR VEHICLE WITHOUT A VALID LICENSE	04/12/2025	04/12/2025	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 2 N/A 7102A - NO OL
 N/A 451121 - SPEEDING

2025-00183	429 MARKET STREET BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	04/12/2025	04/12/2025	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 1 N/A 33510(a) - EXPIRED LICENSE PLATE

Total Incidents Reported for Date: 2

April 14, 2025

2025-00184	926 ARLINGTON RD BROOKVILLE PD	Signal 53A - PROPERTY DAMAGE CRASH	04/14/2025	04/14/2025	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 1 N/A 451121A - ASSURED CLEAR DISTANCE AHEAD

Total Incidents Reported for Date: 1

April 15, 2025

2025-00185	HAY AVENUE/JEFFERSON STREET BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE	04/15/2025	04/15/2025	EXCEPTIONALLY CLEARED
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Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 15, 2025

Offenses UCR Offense Description
 1 N/A 4511202 - REASONABLE CONTROL

Total Incidents Reported for Date: 1

April 16, 2025

2025-00186 WESTERN @ S WOLF CREEK SIGNAL 260 - ENDANGERING CHILDREN 04/16/2025 04/16/2025
 BROOKVILLE PD COURT ORDERED
 EXPUNGEMENT

Offenses UCR Offense Description
 1 02 291922A - Endangering children - risk of harm

2025-00188 301 SYCAMORE STREET SIGNAL 17 - SEX OFFENSES 04/16/2025 04/24/2025
 BROOKVILLE PD INACTIVE

Offenses UCR Offense Description
 1 02 290702A1B - Rape - victim < 13, nonforcible

2025-00187 301 SYCAMORE ST SIGNAL 260 - MENACING 04/16/2025 04/30/2025
 BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
 1 N/A 53705 - MENACING

Total Incidents Reported for Date: 3

April 17, 2025

2025-00189 511 E UPPER LEWISBURG SIGNAL 53HR - HIT AND RUN 04/17/2025 04/18/2025
 SALEM RD
 BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
 1 N/A 454902 - STOPPING AFTER ACCIDENT

2025-00190 69 TERRACE PARK BLVD SIGNAL 53 PROPERTY DAMAGE ACCIDENT 04/17/2025 04/17/2025
 BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
 2 N/A 33134A - FAILURE TO CONTROL - REASONABLE/ORDINARY
 N/A 4511.991 - Distracted Driving

2025-00191 428 N WOLF CREEK DR SIGNAL 24 - DISORDERLY CONDUCT 04/17/2025 04/17/2025
 BROOKVILLE PD EXCEPTIONALLY CLEARED

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 17, 2025

Offenses UCR Offense Description

1 02 291121A - Criminal trespass

2025-00192	181 W WESTBROOK RD BROOKVILLE PD	SIGNAL 260 - CRIMINAL DAMAGING	04/17/2025	04/25/2025	INACTIVE
2025-00193	JOHNSVILLE BROOKVILLE @ PYRMONT BROOKVILLE PD	SIGNAL 21 - OVI	04/17/2025	04/17/2025	ARREST

Offenses UCR Offense Description

2 02 451119A1 - DUI - alcohol/drugs

N/A 451121 - SPEEDING

Total Incidents Reported for Date: 5

April 18, 2025

2025-00194	ARLINGTON ROAD OVER INTERSTATE 70 BROOKVILLE PD	SIGNAL 13 - RECEIVING STOLEN PROPERTY	04/18/2025	04/18/2025	ARREST
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Offenses UCR Offense Description

2 01 291351 - Receiving stolen property

02 292131 - Obstructing official business

Total Incidents Reported for Date: 1

April 19, 2025

2025-00195	7874 ST RT 48 BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	04/19/2025	04/19/2025	ARREST
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Offenses UCR Offense Description

1 N/A 35 - WARRANT ARREST

Total Incidents Reported for Date: 1

April 20, 2025

2025-00196	329 N. WOLF CREEK ST BROOKVILLE PD	SIGNAL- 31 SUICIDE ATTEMPT	04/20/2025	04/20/2025	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description

1 N/A 31 - ATTEMPTED SUICIDE

2025-00197	428 N WOLF CREEK RD.	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	04/20/2025	04/20/2025	
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Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 20, 2025

BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH

2025-00198 WOLF CREEK & SIGNAL 18 - DRUG ABUSE 04/20/2025 04/20/2025
TIMBERWOLF
BROOKVILLE PD ARREST

Offenses UCR Offense Description
4 N/A 451121 - SPEEDING
02 292514C1 - Illegal use or possession of drug paraphernalia
N/A 454908 - FICTICIOUS PLATES
N/A 451016 - FRA SUSPENSION

Total Incidents Reported for Date: 3

April 21, 2025

2025-00199 3 BLUE PRIDE DRIVE SIGNAL 26I - FOUND PROPERTY 04/21/2025 04/21/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

2025-00201 301 SYCAMORE STREET SIGNAL 26I - INFORMATION REPORT 04/21/2025 04/21/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

2025-00200 16 WALNUT STREET SIGNAL 26O - ANIMAL COMPLAINT 04/21/2025 04/21/2025
BROOKVILLE PD ARREST

Offenses UCR Offense Description
2 N/A 50501C - ANIMAL AT LARGE
N/A 50501C - ANIMAL AT LARGE

Total Incidents Reported for Date: 3

April 22, 2025

2025-00202 CARR @ MOISER SIGNAL 26I - INFORMATION REPORT 04/22/2025 04/22/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 35101 - POLICE MAY REMOVE UNATTENDED VEH OBSTRUCTS TRAFFIC

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
April 22, 2025					
2025-00205	3 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	04/23/2025	04/23/2025	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2025-00203	301 SYCAMORE STREET BROOKVILLE PD	26I - FOUND PROPERTY	04/22/2025	04/23/2025	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 3					

April 23, 2025					
2025-00204	ARLINGTON @ MOUND BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	04/23/2025	04/23/2025	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 451143A - FAILED TO STOP AT POSTED STOP SIGN					
2025-00207	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	04/23/2025	04/24/2025	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 2					

April 24, 2025					
2025-00206	5 OSAGE ST. BROOKVILLE PD	SIGNAL 26O - CRIMINAL TRESPASS	04/24/2025	04/24/2025	ARREST
Offenses UCR Offense Description 1 02 291121A1 - Criminal trespass - land/premises of another					
Total Incidents Reported for Date: 1					

April 25, 2025					
2025-00208	2 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 17 - SEX OFFENSE	04/25/2025	04/28/2025	EXCEPTIONALLY CLEARED

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 25, 2025

Offenses UCR Offense Description
 1 02 290731 - Disseminate matter harmful to juveniles

Total Incidents Reported for Date: 1

April 26, 2025

2025-00209 BROOKE WOODE @ WESTBROOK BROOKVILLE PD SIGNAL 15 - WEAPONS VIOLATIONS 04/26/2025 04/26/2025 ARREST

Offenses UCR Offense Description
 8 N/A 451011 - DRIVING UNDER SUSPENSION
 N/A 35 - WARRANT ARREST
 02 292324 - Possessing criminal tools
 01 291351 - Receiving stolen property
 01 292313 - Having weapons while under disability
 N/A 35 - WARRANT ARREST
 01 292313 - Having weapons while under disability
 02 292324 - Possessing criminal tools

2025-00210 501 MAIN ST BROOKVILLE PD SIGNAL 20 - DOMESTIC VIOLENCE 04/26/2025 04/26/2025 ARREST

Offenses UCR Offense Description
 4 05 291111A1 - Aggravated burglary - inflict harm
 02 291925A - Domestic violence - knowingly cause physical harm
 01 290905 - Vandalism
 N/A 290318B2 - STRANGULATION

Total Incidents Reported for Date: 2

April 28, 2025

2025-00213 601 CALEB DRIVE BROOKVILLE PD SIGNAL 260 - CRIMINAL TRESPASS 04/28/2025 OPEN CASE

Offenses UCR Offense Description
 1 02 291121 - Criminal trespass

2025-00211 TERRACE PARK BLVD @ BAYVIEW AVE BROOKVILLE PD SIGNAL 55 - DRIVING UNDER SUSPENSION 04/28/2025 04/28/2025 ARREST

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 28, 2025

Offenses	UCR	Offense Description
4	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	451016 - FRA SUSPENSION
	N/A	4513263B - SEAT BELT
	N/A	451112 - OBEYING TRAFFIC CONTROL DEVICES

2025-00212	WOLF CREEK & TIMBERWOLF BROOKVILLE PD	SIGNAL 55 - NO OL	04/28/2025	04/28/2025	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
4	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	451016 - FRA SUSPENSION
	N/A	451332 - IMPROPER TOWING
	N/A	4513071 - STOP LIGHTS

Total Incidents Reported for Date: 3

April 30, 2025

2025-00214	402 HAY ST BROOKVILLE PD	SIGNAL 26I - INFORMATION	04/28/2025		OPEN CASE
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Total Incidents Reported for Date: 1

Total Selected = 41

MEMORANDUM:

DATE: APRIL 29, 2025

TO: CITY OF BROOKVILLE CITY COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: ORDINANCE 2025-06

Ordinance 2025-06 amends the text of the Chapter 1141 Community Center District to prohibit certain uses in the district. Planning Commission made a final recommendation at its April 17, 2025 meeting to approve the text amendment prohibiting tobacco, smoke and vape shops, check cashing stores and pawn shops in the Community Center district. Planning Commission also recommended adding to the list of prohibited businesses in the text amendment the term “sexually oriented businesses” as defined in Section 1103.03 of the Code of Ordinances.

It is recommended that City Council would amend Ordinance 2025-06 to add “sexually oriented businesses as defined in Section 1103.03” to the list of prohibited businesses and approve Ordinance 2025-06 with that amendment. An amended Exhibit “A” for the Ordinance including sexually oriented businesses in the list of prohibited businesses is attached to this memorandum.

EXHIBIT "A"

1141.02 USES.

(a) Permitted Uses.

(1) Department Stores

(2) Establishments engages in the retail trade of drugs, art, book and stationary shops, bicycle stores including rental and repair, apparel stores including specialty shops, florist shops, antique shops, sporting goods stores, coin and stamp stores, jewelry stores, gift shops, food stores, grocery stores, meat market, bakery goods sales, candy and ice cream shops and delicatessens, hobby shops, interior decorating shops, leather goods and luggage stores, second hand stores, shoe stores and repair shops, variety stores, optical goods, furniture, home furnishings and appliance stores.

(3) Eating and drinking-restaurants or other places serving food and/or beverage except drive-ins.

(4) Hardware and related stores such as paint, wallpaper, and similar uses.

(5) Establishments engaged primarily in the field of finance, insurance, and real estate; banks, excluding drive-in type; credit agencies other than banks; investment companies, real estate, insurance companies.

(6) Establishments engaged in providing a variety of personal services to individuals, such as: barber and beauty shops, and shoe repair.

(7) Medical and other health services.

(8) Employment agencies, miscellaneous business services such as advertising, accounting, auditing and bookkeeping services.

(9) Engineering and architectural services.

(10) Non-profit professional, charitable, service and labor organizations.

(11) Schools-music, dance and business, clothing and costume rental stores, photographer's or artist's studio.

(12) Radio and television broadcasting studios.

(13) Travel bureaus and ticket offices.

(14) Other uses, which in the opinion of the Planning Commission are similar to the above uses indicated as being permitted, provided, however, that the following uses are expressly prohibited in the Community Center District: Tobacco, smoke and vape shops, check cashing stores, pawn shops, and sexually oriented businesses as defined in Section 1103.03.

(15) Accessory buildings incidental to the principal use. Regulations governing accessory facilities and uses are specified in Chapter 1157.

MEMORANDUM:

DATE: APRIL 29, 2025

TO: CITY OF BROOKVILLE CITY COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

**RE: ORDINANCE 2025-07 ESTABLISHING THE ZONING CLASSIFICATION OF
LOTS 2798, 2799, 2800.**

At its April 17, 2025 meeting, Planning Commission made a final recommendation to approve Ordinance 2025-07 to establish the zoning classification of Lots 2798, 2799, and 2800. The Ordinance will establish a planned residential district for this property located on Upper Lewisburg-Salem Rd. The planned residential district shall be subject to the standards set forth in Exhibit "C" of the Ordinance. A copy of Exhibit C is attached hereto. Ordinance 2025-07 is now before City Council for the second reading of the Ordinance.

EXHIBIT "C"
PLANNED RESIDENTIAL DISTRICT
LOTS 2798, 2799, 2800
85.611 ACRES

The intent of this planned residential district is to provide single family residential housing on large city lots that will be compatible with existing residential properties in adjacent areas of Clay Township and the City of Brookville.

The following standards shall apply in this Planned Residential District:

(a) Permitted Uses in the Planned Residential District:

- (1) Single Family Dwellings
- (2) Accessory buildings and uses incidental to the principal use which do not include any activity conducted as a business.

(b) Special Uses. The following special uses are subject to review and regulation in accordance with Chapter 1163:

- (1) Governmentally owned and/or operated parks or recreation facilities.

(c) Site Development Regulations for Permitted Uses:

Lot Requirements:

- (1) Minimum Lot Area: One-half acre (21780 sq. ft.)
- (2) Minimum Lot Frontage: 120 feet

Yard Requirements:

- (1) Minimum Front Yard Setback: 40 feet
- (2) Minimum Rear Yard Setback: 40 feet
- (3) Minimum Side Yard Setback: 20 feet on each side

Structural Requirements:

- (1) Maximum Building Height: 35 feet
- (2) Minimum floor area: 2000 sq. ft.
(excludes enclosed patios, garages and basements)

(d) Required Building Materials:

(1) The exterior of the Single-Family Dwellings shall be covered by at least Fifty Percent Brick, Masonry or Stone. Vinyl siding shall not be permitted in this Planned Residential District.

(e) Required Common Open Space: A minimum of twenty-five percent (25%) of the land in the planned residential development shall be reserved for permanent common open space and recreational facilities for the residents of the area being developed. Only areas having minimum dimensions of 50 feet by 100 feet shall qualify for computation of usable open spaces.

(f) Setback and screening: A setback of fifty (50) feet shall be provided along the entire perimeter of the development and retained in natural woods or be suitably landscaped with grass and/or ground cover, shrubs, and trees.

Any proposed planned development for this area shall submit a development plan that shall be subject to review and approval by Planning Commission and City Council as set forth in Chapter 1151 of the Code of Ordinances.

MEMORANDUM:

DATE: FEBRUARY 25, 2025

TO: CITY OF BROOKVILLE CITY COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: ORDINANCE 2025-06-AMENDING CHAPTER 1141 COMMUNITY CENTER DISTRICT

Ordinance 2025-06 is on the March 4, 2025 City Council agenda for a first reading. Ordinance 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 reviewed the proposed text amendments to the Community Center District at the February 20, 2025 Planning Commission meeting and made an initial recommendation to City Council to approve these text amendments.

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, to consider public comment on the proposed Ordinance 2025-06 amending the zoning code for the Community Center District.

ORDINANCE 2025-06

AN ORDINANCE AMENDING CHAPTER 1141 COMMUNITY CENTER DISTRICT OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, Chapter 1141 (CC) Community Center District of the Code of Ordinances provides zoning regulations for the Market Street business district in the City of Brookville.

WHEREAS, the Planning Commission and City Council desire to amend Chapter 1141.02(a) to prohibit certain uses in this district and thereby preserve the historic character of the district.

WHEREAS, after public hearing on this amendment to the zoning code of the City of Brookville, Ohio as required by Section 4.11 of the Charter, and upon recommendation of the Planning Commission, Council hereby adopts this Ordinance to amend the zoning code.

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

SECTION I: Section 1141.02(a) of the Code of Ordinances is hereby amended and replaced by Section 1141.02(a) as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION II: 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 III: 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. 2025-06, 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. 2025-06 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

EXHIBIT "A"

1141.02 USES.

(a) Permitted Uses.

(1) Department Stores

(2) Establishments engages in the retail trade of drugs, art, book and stationary shops, bicycle stores including rental and repair, apparel stores including specialty shops, florist shops, antique shops, sporting goods stores, coin and stamp stores, jewelry stores, gift shops, food stores, grocery stores, meat market, bakery goods sales, candy and ice cream shops and delicatessens, hobby shops, interior decorating shops, leather goods and luggage stores, second hand stores, shoe stores and repair shops, variety stores, optical goods, furniture, home furnishings and appliance stores.

(3) Eating and drinking-restaurants or other places serving food and/or beverage except drive-ins.

(4) Hardware and related stores such as paint, wallpaper, and similar uses.

(5) Establishments engaged primarily in the field of finance, insurance, and real estate; banks, excluding drive-in type; credit agencies other than banks; investment companies, real estate, insurance companies.

(6) Establishments engaged in providing a variety of personal services to individuals, such as: barber and beauty shops, and shoe repair.

(7) Medical and other health services.

(8) Employment agencies, miscellaneous business services such as advertising, accounting, auditing and bookkeeping services.

(9) Engineering and architectural services.

(10) Non-profit professional, charitable, service and labor organizations.

(11) Schools-music, dance and business, clothing and costume rental stores, photographer's or artist's studio.

(12) Radio and television broadcasting studios.

(13) Travel bureaus and ticket offices.

(14) Other uses, which in the opinion of the Planning Commission are similar to the above uses indicated as being permitted, provided, however, that the following uses are expressly prohibited in the Community Center District: Tobacco, smoke and vape shops, check cashing stores, and pawn shops.

(15) Accessory buildings incidental to the principal use. Regulations governing accessory facilities and uses are specified in Chapter 1157.

MEMORANDUM:

DATE: FEBRUARY 25, 2025

TO: CITY OF BROOKVILLE CITY COUNCIL

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

**RE: ORDINANCE 2025-07 ZONING FOR ANNEXED LAND-85.611 ACRES-
UPPER LEWISBURG-SALEM RD.**

Ordinance 2025-07 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.

Attached to this memorandum are comments from Keep It Rural regarding the proposed Planned Residential District. Planning Commission did consider those comments 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.

ORDINANCE 2025-07

AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF LOTS 2798, 2799, and 2800 OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, the City of Brookville City Council accepted the annexation of 85.611 acres located in Clay Township to the City of Brookville on January 16, 2024; and

WHEREAS, the annexed territory of 85.611 acres is described in the legal description and annexation map attached hereto as Exhibits “A” and “B” and incorporated herein by reference; and

WHEREAS, City of Brookville Lot Numbers 2798, 2799, and 2800 were assigned to parcels within the annexation territory; and

WHEREAS, Section 1117.04 (c) of the Code of Ordinances provides that within three months after the effective date of an annexation shall recommend the appropriate permanent zoning districts for the annexed land; and

WHEREAS, after public hearing on the establishment of a zoning classification of the annexed property as required by Section 4.11 of the Charter, and upon recommendation of Planning Commission, Council of the City of Brookville hereby adopts this Ordinance to establish the zoning classification for the annexed land.

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

SECTION I: The zoning classification of the annexed land, being City of Brookville Lots 2798, 2799, and 2800, as set forth and described in the legal description and annexation map attached hereto as Exhibit A and B, shall be designated a Planned Residential District, with specific standards for this Planned Residential District being approved and adopted in this Ordinance, as set forth in Exhibit C.

SECTION II: As required by Ohio Revised Code Section 709.023, Council has determined that the owner of the annexed territory shall provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. The term “buffer” in Ohio Revised Code Section 709.023 includes open space, landscaping, fences, walls, and other structured elements, streets and street right-of-way, and bicycle and pedestrian paths and sidewalks.

SECTION III: 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 IV: 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. 2025-07, 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. 2025-07 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

EXHIBIT "C"
PLANNED RESIDENTIAL DISTRICT
LOTS 2798, 2799, 2800
85.611 ACRES

The intent of this planned residential district is to provide single family residential housing on large city lots that will be compatible with existing residential properties in adjacent areas of Clay Township and the City of Brookville.

The following standards shall apply in this Planned Residential District:

(a) Permitted Uses in the Planned Residential District:

- (1) Single Family Dwellings
- (2) Accessory buildings and uses incidental to the principal use which do not include any activity conducted as a business.

(b) Special Uses. The following special uses are subject to review and regulation in accordance with Chapter 1163:

- (1) Governmentally owned and/or operated parks or recreation facilities.

(c) Site Development Regulations for Permitted Uses:

Lot Requirements:

- (1) Minimum Lot Area: One-half acre (21780 sq. ft.)
- (2) Minimum Lot Frontage: 120 feet

Yard Requirements:

- (1) Minimum Front Yard Setback: 40 feet
- (2) Minimum Rear Yard Setback: 40 feet
- (3) Minimum Side Yard Setback: 20 feet on each side

Structural Requirements:

- (1) Maximum Building Height: 35 feet
- (2) Minimum floor area: 2000 sq. ft.
(excludes enclosed patios, garages and basements)

(d) Required Building Materials:

(1) The exterior of the Single-Family Dwellings shall be covered by at least Fifty Percent Brick, Masonry or Stone. Vinyl siding shall not be permitted in this Planned Residential District.

(e) Required Common Open Space: A minimum of twenty-five percent (25%) of the land in the planned residential development shall be reserved for permanent common open space and recreational facilities for the residents of the area being developed. Only areas having minimum dimensions of 50 feet by 100 feet shall qualify for computation of usable open spaces.

(f) Setback and screening: A setback of fifty (50) feet shall be provided along the entire perimeter of the development and retained in natural woods or be suitably landscaped with grass and/or ground cover, shrubs, and trees.

Any proposed planned development for this area shall submit a development plan that shall be subject to review and approval by Planning Commission and City Council as set forth in Chapter 1151 of the Code of Ordinances.

EXHIBIT "A"

LEGAL DESCRIPTION

ANNEXATION OF 85.611 ACRES TO THE CITY OF BROOKVILLE, OHIO

SITUATE IN THE NORTHEAST, NORTHWEST AND SOUTHEAST QUARTERS OF SECTION 27 AND THE NORTHEAST QUARTER OF SECTION 34, TOWN 6, RANGE 4 E, CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing for reference at a monument box with iron pin found at the southwest corner of the southeast corner of Section 27 and being on the centerline of East Upper Lewisburg Salem Road;

thence, North 89°36'11" East, 485.56 feet, along the south line of said Section 27 and centerline of East Upper Lewisburg Salem Road to a Mag nail set at the southeast corner of a 30.00-acre tract of land owned by Beverly J. Shank and David L. Shank as described in D.M.F 94-0139C05;

thence, North 00°38'31" West, 30.00 feet, along the east line of said Shank tract to an iron pin found on the north right-of-way line of East Upper Lewisburg Salem Road and being the principal place of beginning of the tract herein conveyed;

thence, North 00°38'31" West, 2658.74 feet, along the east line of said Shank tract to an iron pin found;

thence, North 89°42'56" West, 485.36 feet, along the north line of said Shank tract to an iron pin with cap set at the northeast corner of Lot 1899 as shown on Record Plat Book 159, Page 43 and being owned by HJW Holdings I, LLC as described in IR Deed 20-031085;

thence, South 89°41'29" West, 248.63 feet, along the north line of said Lot 1899 to an iron pin with cap set at the southeast corner of a 0.75-acre tract of land owned by HJW Holdings I, LLC as described in IR Deed 21-088908;

thence, North 00°40'43" West, 196.34 feet, along the east line of said 0.75-acre HJW Holdings tract to an iron pin with cap set on the south limited access right-of-way line of Interstate 70;

thence, along a curve to the right, with a radius of 5529.58 feet, a curve length of 884.50 feet, a delta angle of 09°09'54" and a chord bearing North 60°03'07" East, 883.56 feet, along the south limited access right-of-way line of Interstate 70 to an iron pin with cap set;

thence, North 62°23'22" East, 513.56 feet, along the south limited access right-of-way line of Interstate 70 to an iron pin with cap set at the northwest corner of a tract of land owned by Alexander J. Clericus and Jennifer M. Clericus as described in IR Deed 19-036540;

thence, South 00°40'40" East, 879.02 feet, along the west line of said Clericus tract to an iron pin with cap set;

thence, South 89°42'56" East, 666.37 feet, along the south line of said Clericus tract to an iron pin found at the northwest corner of Lot 2749 as shown on Plat Book 240, Page 4 and being owned by WLW, LLC as described in IR Deed 09-038959;

thence, South 00°04'26" West, 2705.00 feet, along the west line of said WLW tract to an iron pin found;

thence, South 89°36'11" West, 252.92 feet, to a Mag nail set;

thence, North 00°28'32" East, 60.01 feet, to an iron pin with cap set on the north right-of-way line of East Upper Lewisburg Salem Road;

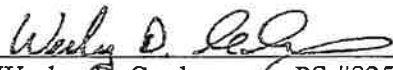
thence, South 89°36'11" West, 875.45 feet, along the north right-of-way line of East Upper Lewisburg Salem Road to the principal place of beginning.

Containing 85.611 acres more or less and all being subject to any legal highways and easements of record. With 85.434 acres being within Section 27 and 0.174 acres being within Section 34.

The bearing of North 89°-36'-11" East along the centerline of East Upper Lewisburg Salem Road was based on NAD 83 CORS 2011 adjustment, Ohio South Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated March 29, 2023.

All iron pins set are 5/8" x 30" rebar with caps reading "CHOICE ONE ENGR-WDG PS 8254."


Wesley D. Goubeaux, PS #8254



03/29/2023
Date

Brookville Citizen's for Keep it Rural

Requested Inputs for Proposed Zoning of Lots 2798, 2799, 2800

Unless otherwise noted, the group concurs with the proposal in Exhibit C

1. No general business, no business of any kind
2. 1 acre lot sizes
3. 70% brick or stone, 30% Hardy board, no vinyl siding
4. Lot frontage 125 ft
5. Side yard setback 20 ft
6. 50 ft setback on entire perimeter
 - a. Question: how does this work into lot sizes?
7. 60 ft minimum front yard setback from the center of the street
8. Sidewalk, curbs (curbs stepped, not rolled), gutters paid for by the developer
9. Developer pays for the extension of utilities to the property and in the property

ORDINANCE 2025-09

AN ORDINANCE APPROVING AN APPLICATION FOR A “DESIGNATED OUTDOOR REFRESHMENT AREA” AND ESTABLISHING A “DESIGNATED OUTDOOR REFRESHMENT AREA” IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, Section 4301.82 of the Ohio Revised Code permits a municipal corporation with a population of less than Fifty Thousand to create a Designated Outdoor Refreshment Area, also known as a “DORA”, within its corporate limits.

WHEREAS, on March 28, 2025, the City Manager filed an application with City Council for approval of a Designated Outdoor Refreshment Area in a specified area of the City described in the application, a copy of said application being attached hereto as Exhibit “A”; and

WHEREAS, pursuant to Section 4301.82(C) of the Ohio Revised Code, notice of the filing of the application for a Designated Outdoor Refreshment Area was published in a newspaper of general circulation in the City of Brookville, Ohio on April 4, 2025.

WHEREAS, City Council conducted a public hearing to consider public comment on the application; and

WHEREAS, City Council finds the application to be in compliance with Ohio Revised Code Section 4301.82(D); and

WHEREAS, City Council finds that the approval of the Designated Outdoor Refreshment Area to be located in the Community Center District will promote the development of businesses in the district and enhance special events in this district.

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

SECTION I: City Council finds that the application for a Designated Outdoor Refreshment Area, as set forth in Exhibit “A” attached hereto, meets all of the requirements of Section 4301.82 of the Ohio Revised Code and hereby approves the application for the designation of certain property in the City of Brookville, Ohio as a Designated Outdoor Refreshment Area.

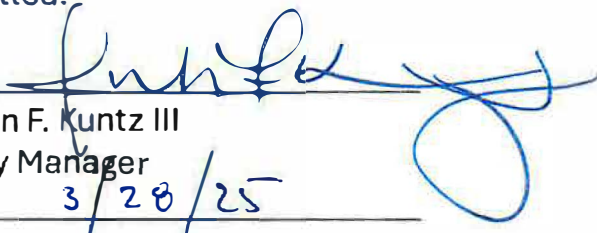
SECTION II: City Council hereby determines that all public notice requirements of Section 4301.82 of the Ohio Revised Code have been complied with prior to passage of this Ordinance.

SECTION III: The City Council has established the requirements set forth in 4301.82(F)(1) of the Ohio Revised Code for the Designate Outdoor Refreshment Area, as specified in the approved application set forth in Exhibit “A”, for the boundaries of the Designated Outdoor Refreshment Area, including street addresses, the number, spacing and type of signage designating the area,

**APPLICATION TO THE CITY OF BROOKVILLE CITY COUNCIL
DESIGNATED OUTDOOR REFRESHMENT AREA
OHIO REVISED CODE 4301.82**

The City Manager of the City of Brookville, Ohio respectfully submits the following application to the City of Brookville City Council to approve and enact the Designated Outdoor Refreshment Area in the City of Brookville in accordance with Ohio Revised Code 4301.82.

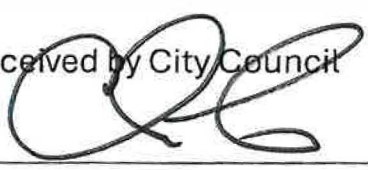
Submitted:

By: 

John F. Kuntz III

City Manager

Date: 3/28/25

Received by City Council 

Charles Letner, Mayor

Date: 3-28-25

I. INTRODUCTION AND SUBMITTAL OF APPLICATION

The City Manager respectfully submits the following application to City Council of the City of Brookville, Ohio to approve and establish a Designated Outdoor Refreshment Area (hereinafter “DORA”) pursuant to Ohio Revised Code Section 4301.82. The proposed application meets all of the State of Ohio requirements.

Effective March 23, 2022, Section 4301.82(B)(1)(b) of the Ohio Revised Code permits a municipal corporation with population of fifty thousand or less to designate no more than three hundred twenty contiguous acres as a Designated Outdoor Refreshment Area. Section 4301.82(D)(2) provides that a municipal corporation with a population of fifty thousand or less shall not create more than three Designated Outdoor Refreshment Areas. A DORA is an area where the open carry restrictions do not apply at particular hours, and adults are permitted to possess and consume alcohol in public, with certain restrictions. In order to consider the creation of a DORA, the executive officer of the municipal corporation must file an application with City Council which meets the statutory requirements set forth in Ohio Revised Code Section 4301.82(B). The application filing must be advertised in a newspaper of general circulation in the municipal corporation. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, the City Council may approve or disapprove of the application by ordinance or resolution.

The purpose of this application is to request that the City Council establish a Designated Outdoor Refreshment Area (DORA) in the City of Brookville. The application includes the following sections.

SECTION II. POPULATION REQUIREMENTS
SECTION III. BOUNDARY MAP OF THE PROPOSED DORA
SECTION IV: NATURE AND TYPES OF ESTABLISHMENTS IN THE DORA
SECTION V. QUALIFIED PERMIT HOLDERS
SECTION VI. LAND USE AND ZONING
SECTION VII. SAFETY PLAN
SECTION VIII. SANITATION PLAN
SECTION IX. SIGNAGE PLAN
SECTION X. DORA RULES OF OPERATION

II. POPULATION REQUIREMENTS:

Pursuant to the requirements of Ohio Revised Code 4301.82, the City of Brookville is a municipal corporation with a population of less than fifty thousand, and this application

requests creating one DORA area which will be the first DORA area established in the City of Brookville. A municipal corporation with a population of fifty thousand or less shall not create more than three outdoor refreshment areas.

According to the most recent U.S. Decennial Census, the population of the City of Brookville on April 1, 2020 was 5989.

III. BOUNDARY MAP OF THE PROPOSED DORA

In accordance with Ohio Revised Code Section 4301.82(B)(1), the boundaries of the DORA are depicted in the map of the proposed Designated Outdoor Refreshment Area that is attached as Exhibit "A". The proposed DORA boundary encompasses 12 contiguous acres which complies with the requirement in 4301.82(B)(1)(b) requiring that the DORA be 320 contiguous acres or less for a municipal corporation with a population of fifty thousand or less .

The following is a list of street addresses of real property included within the specific boundaries of the DORA.

<u>STREET NAME</u>	<u>ADDRESS RANGE</u>	<u>EVEN/ODD</u>
MARKET STREET	7-302	EVEN AND ODD
MULBERRY STREET	1-100	EVEN AND ODD
MAIN STREET	12-214	EVEN
WALNUT STREET	10-21	EVEN AND ODD
HAY AVENUE	3-303	ODD
S. WOLF CREEK STREET	7	ODD
N. WOLF CREEK STREET	24	EVEN

IV. NATURE AND TYPE OF ESTABLISHMENTS

In accordance with Ohio Revised Code 4301.82(B)(2), the nature and types of establishments that will be within the DORA are primarily business in the retail, restaurant, entertainment, and services sectors.

Within the DORA, the majority of the buildings have businesses consisting of retail, restaurants and commercial services on the first floor. The upper level floors have a mixture of business and residential space. There are also institutional uses typical of a historic downtown such as the Spitler House Museum, the Grunig Park, and public parking areas.

V. QUALIFIED PERMIT HOLDERS

In accordance with Ohio Revised Code Section 4301.82(B)(3), the proposed DORA complies with Ohio Revised Code Section 4301.82(D)(2) that a DORA in a municipal corporation with a population of fifty thousand or less shall include at least two qualified permit holders as defined in Ohio Revised Code Section 4301.82(A). The City of Brookville has identified three qualified permit holders that will be included in the DORA, which are identified as follows:

<u>PERMIT NUMBER</u>	<u>PERMIT HOLDER</u>	<u>ADDRESS</u>	<u>PERMIT CLASS</u>
7381467	PATRICIA A. RILEY DBA O RILEYS	12 MARKET ST.	D1,D2,D3,D3A
6221043	MULBERRY & MAIN LLC DBA MULBERRY & MAIN	130 MAIN ST.	D5
8931271	TIK TAKOS MEXICAN RESTAURANT LLC DBA TIK TAKOS	209 MARKET ST.	D1, D3

One permit, permit number 8931271, is currently pending-TIPSY TREATS AT THE SCOOP LLC, 230 MARKET ST.

VI. LAND USE AND ZONING

In accordance with Ohio Revised Code 4301.82(B)(4), the land uses within the DORA are zoned Community Center District (CC) and are in accordance with the City of Brookville Comprehensive Land Use Plan. The Comprehensive Land Use Plan designates the Community Center District as a downtown activity center with a mix of retail, office, commercial, civic, high density residential and cultural land uses. The Community Center district provides a compact, walkable, and architecturally distinctive area that serves as the heart of Brookville while providing land use choices to accommodate visitors, businesses, shoppers and residents.

The creation of DORA in the Community Center District aligns with the Comprehensive Land Use Plan objectives for the area to encourage community members and visitors to come to the Community Center District and to visit the restaurants, retail shops, and other businesses in the DORA.

VII. SAFETY PLAN

In accordance with Ohio Revised Code Section 4301.82(B)(5) and 4301.82(F)(1)(d), a Safety Plan has been developed to ensure public safety in the DORA, a copy of which is attached hereto as Exhibit "C". The Safety Plan can be executed with existing staff as set forth in the Safety Plan.

VIII. SANITATION PLAN

In accordance with Ohio Revised Code Section 4301.82(B)(5) and 4301.82(F)(1)(e) and (f), a Sanitation Plan has been developed that will help maintain the appearance and public health of the area within the DORA. A copy of the Sanitation Plan is attached hereto as Exhibit "D". The Sanitation Plan can be executed with existing staff as set forth in the Sanitation Plan.

IX. SIGNAGE PLAN

In accordance with Ohio Revised Code Section 4301.82(F)(1)(b), a minimum of signs will be displayed throughout the DORA. Boundary signs will be located at street intersections along the boundary of the DORA.

The number, location, and depiction of the signs is set forth in the Signage Plan attached hereto as Exhibit "E"

Every establishment that is not a qualified permit holder will display a green or red sign that either accepts or prohibits DORA drinks. The signs are depicted on Exhibit "E. "

Qualified permit holders that may serve DORA beverages will display navy signs informing patrons that DORA beverages can be purchased at the establishment. The sign is depicted in Exhibit "E".

X. RULES OF OPERATION

A. Hours of Occupation

In accordance with Ohio Revised Code Section 4301.82(F)(1)(c), the hours of operation for the DORA will be Thursday 4:00 pm to 10:00 pm, Friday, 4:00 pm to 10:00pm, and Saturday, 11:00 am to 10:00 pm.

City Council reserves the right by legislation to temporarily suspend DORA operations in order to accommodate the permitting of special events that may occur within the boundaries of the DORA.

B. Official DORA Container

In accordance with Ohio Revised Code Section 4301.82(F)(1)(g), beer, wine and intoxicating liquor shall only be consumed in the DORA as follows:

Beer, wine, and intoxicating liquor shall only be served and consumed within the DORA in 20 oz. or less non-glass containers. No other containers will be permitted.

The non-glass DORA containers shall be distinctly marked with the specifically designated stick approved by the City (the "Official DORA Sticker") as depicted on attached Exhibit "E". No other stickers will be permitted.

Used containers must be disposed of before entering any liquor establishment of a qualified permit holder or a business displaying a red DORA sign prohibiting DORA beverages.

C. Additional Requirements

In accordance with Ohio Revised Code Section 4301.82(B)(5), and in conjunction with other rules, standards and requirements set forth in this application, additional rules and requirements for the purpose of ensuring public safety and health within the DORA are as follows:

1. A person may have in the person's possession an open container of beer, wine, or intoxicating liquor at an outdoor location within the DORA if the open container of beer, wine, or intoxicating liquor was purchased from a qualified permit holder to which the following applies:

- a. The permit holder's premise is located within the DORA.
- b. The permit held by the permit holder has an outdoor refreshment area designation; and
- c. The open container consists of a non-glass container with the official DORA sticker.

2. No person shall do any of the following:

- a. Enter the premises of an establishment of a qualified permit holder within the DORA while possessing an open container of beer, wine, or intoxicating liquor acquired elsewhere; or
- b. Possess an open container of beer, wine, or intoxicating liquor while being in or on a motor vehicle within the DORA, unless the possession is otherwise authorized under division (D) or (E) of Ohio Revised Code Section 3201.62.

EXHIBIT "A"

MAP OF THE DORA AREA



DORA AREA

VANTAGE POINTS[®]
GEOGRAPHIC TECHNOLOGIES GROUP

Scale 1" = 177.70'

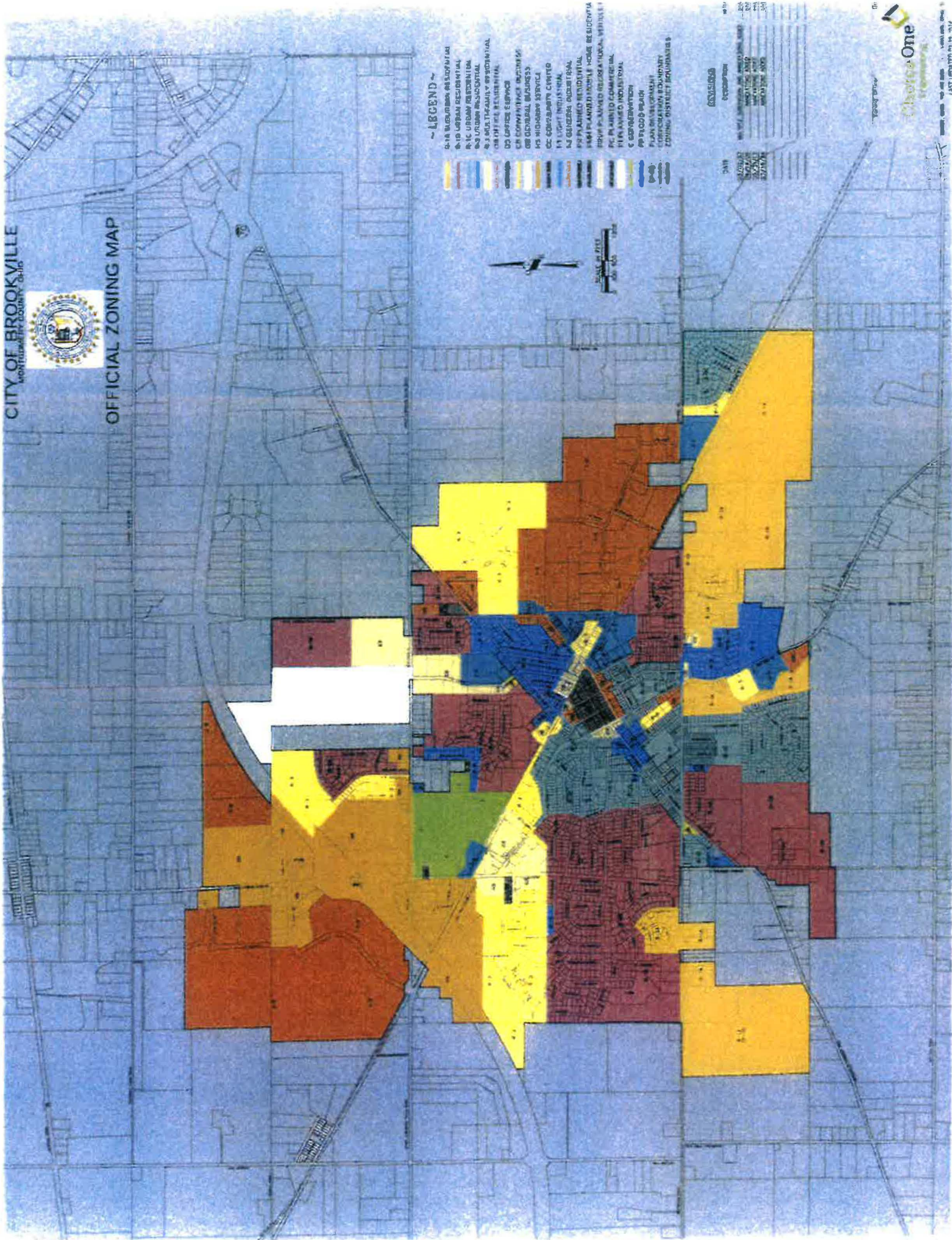
Powered by Esri

EXHIBIT "B"

ZONING MAP OF THE DORA AREA



OFFICIAL ZONING MAP



LEGEND

- Q-1A URBAN RESIDENTIAL
- Q-1B URBAN RESIDENTIAL
- R-1C URBAN RESIDENTIAL
- R-2 URBAN RESIDENTIAL
- R-3 URBAN RESIDENTIAL
- R-4 URBAN RESIDENTIAL
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- R-100 URBAN RESIDENTIAL

Scale

Scale	Feet	Meters
1 inch	12	3.66
1/2 inch	6	1.83
1/4 inch	3	0.91
1/8 inch	1.5	0.46
1/16 inch	0.75	0.23
1/32 inch	0.375	0.11
1/64 inch	0.1875	0.05
1/128 inch	0.09375	0.025
1/256 inch	0.046875	0.0125
1/512 inch	0.0234375	0.00625
1/1024 inch	0.01171875	0.003125
1/2048 inch	0.005859375	0.0015625
1/4096 inch	0.0029296875	0.00078125
1/8192 inch	0.00146484375	0.000390625
1/16384 inch	0.000732421875	0.0001953125
1/32768 inch	0.0003662109375	0.00009765625
1/65536 inch	0.00018310546875	0.000048828125
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1/295147905179352825856 inch	0.0000000000000000000406575814682064162752794800326228283081046875	0.000000000000000000010587911840678754238341933899792481617008056626220703125

EXHIBIT "C"

In accordance with Ohio Revised Code Section 4301.82(B)(5) the proposed requirements for the purpose of ensuring public safety within the Designated Outdoor Refreshment Area (DORA) are as follows:

PUBLIC SAFETY PLAN

City of Brookville Police Department and Fire Department will be responsible for providing public safety within the DORA through law enforcement and fire/EMS services.

Law Enforcement Responsibilities

The City of Brookville Police Department will be responsible for providing law enforcement services within the DORA. The police department will monitor the DORA during routine patrols. In the event that an above average number of people are in the DORA, the police department may assign additional officers and/or assign an officer to specifically patrol the DORA. The use of foot patrol and bicycle patrol will be considered as alternative methods of patrolling in the DORA. The Police Department has 11 personnel available to provide law enforcement services in the DORA.

For planned events in the DORA that may draw a larger than normal attendance, the Chief of Police may have additional officers and/or other agency personnel assigned specifically to the DORA.

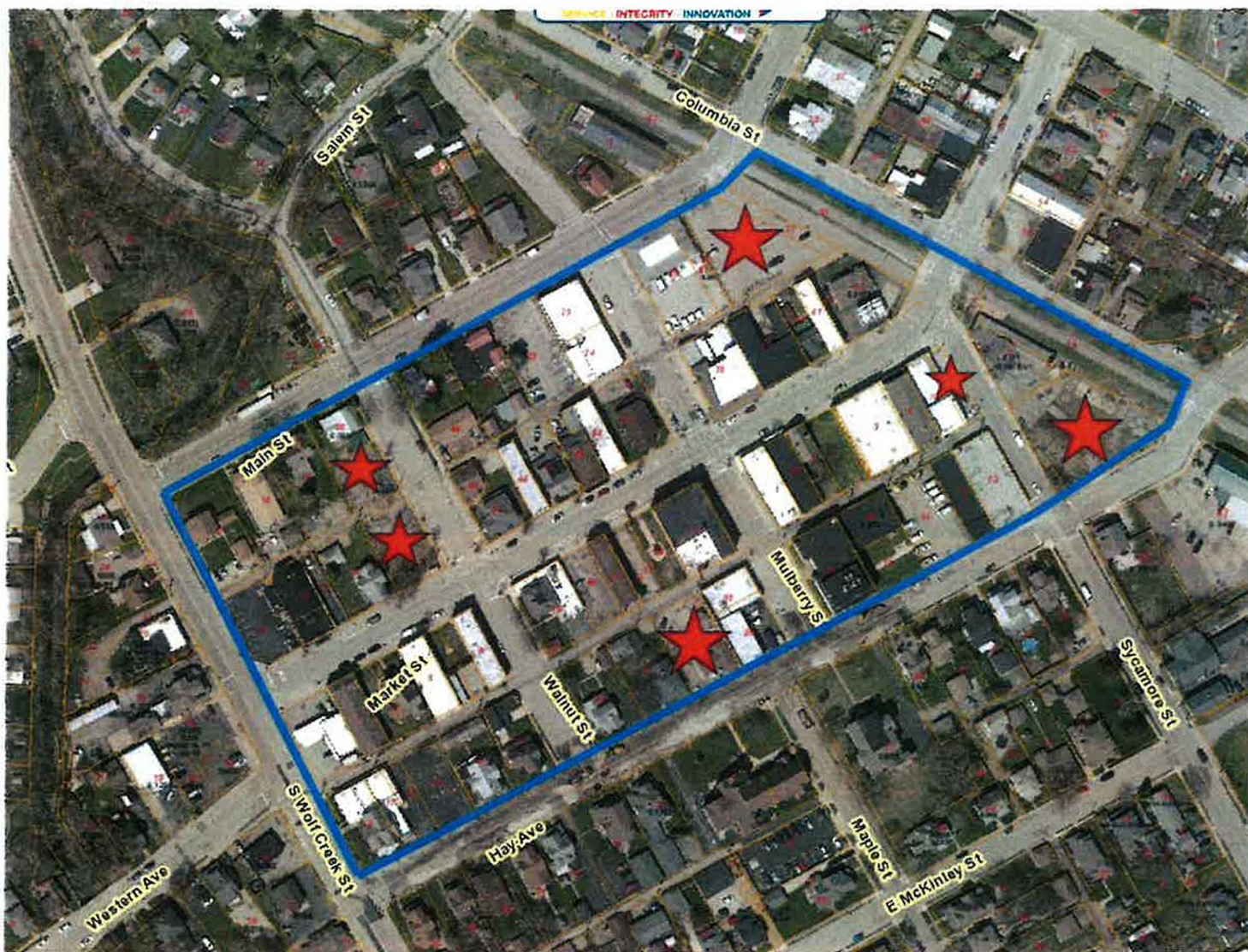
Fire/EMS Responsibilities

The City of Brookville Fire Department will be responsible for providing Fire, Rescue and EMS within the DORA. Estimated response time would be 3 minutes to any area within the DORA. The Fire Department has 39 personnel available to provide Fire Rescue and EMS services in the DORA.

For planned events in the DORA that may draw larger than normal attendance, the Fire Chief may stage personnel and/or equipment in a location within or near the DORA to allow for an immediate response.

Downtown Public Parking Map

The City of Brookville Downtown Public Parking Map is attached to Exhibit C.



City of Brookville Public Parking Map in DORA

EXHIBIT "D"

In accordance with Ohio Revised Code 4301.82(B)(5), the proposed requirements for the purpose of ensuring public health within the DORA are as follows:

SANITATION PLAN

City of Brookville Service Department will be responsible for maintaining the appearance and public health within the DORA through trash collection, street sweeping, routine maintenance and signage placement.

There are nine permanent trash receptacles placed throughout the DORA that will be serviced by the service department. The City will install signs on the existing trash receptacles for the DORA.

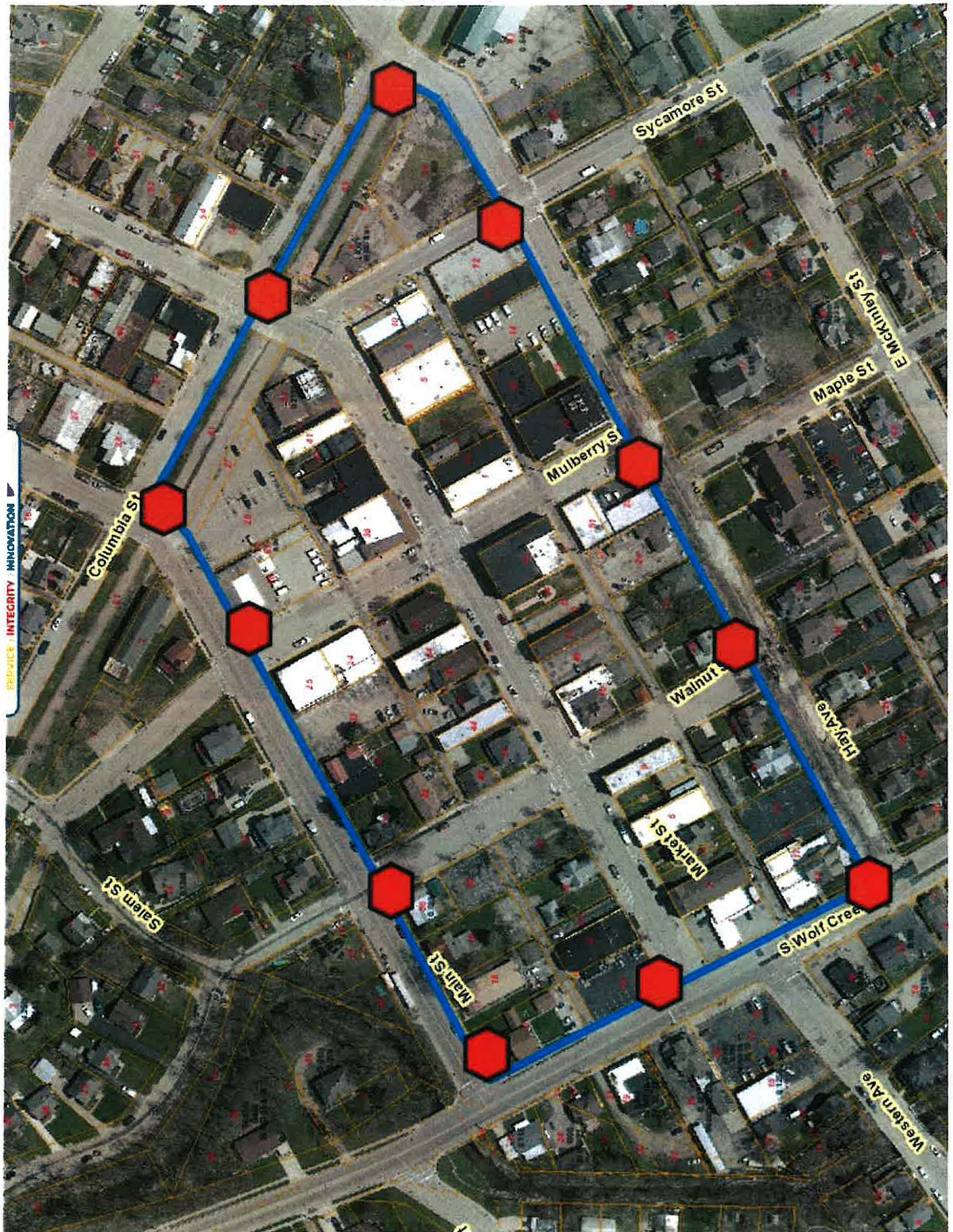
The service department will service the trash receptacles as needed. The service department has 11 personnel available to service the DORA area.



Sanitation Plan-Location of Trash Receptacles in DORA

EXHIBIT "E"

SIGNAGE



ENTERING

Historic Downtown Brookville



D O R A

Designated Outdoor Refreshment Area

Hours

Thursdays: 4pm - 10pm

Fridays: 4pm - 10pm

Saturdays: 11 am - 10pm

Historic Downtown Brookville



Designated Outdoor Refreshment Area

NO ALCOHOL

PERMITTED PAST

THIS POINT

DORA HOURS

THURSDAYS: 4PM-10PM

FRIDAYS: 4PM-10PM

SATURDAYS: 11AM-10PM

**Brookville,
Ohio**

Historic Downtown Brookville

D O R A

Designated Outdoor Refreshment Area



SOLD HERE

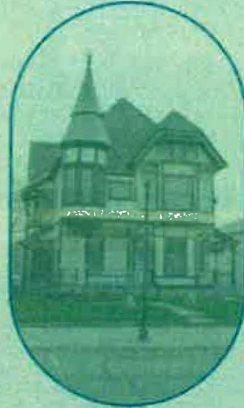
**Discard DORA cups before entering.
Ohio Revised Code 4301.62**

DORA Business Establishment Sign

Historic Downtown Brookville

D O R A

Designated Outdoor Refreshment Area



WELCOME HERE

DORA Business Establishment Sign

Historic Downtown Brookville

D O R A

Designated Outdoor Refreshment Area



NOT PERMITTED

DORA Business Establishment Sign



DORA Containers

Know the Rules:

- Beverages must be purchased in designated establishments
- DORA only in effect during designated posted days & hours.
 - Alcohol must be in designated cups.
- You must stay inside the posted, designated DORA boundaries.



Brookville,
Ohio

DORA Containers

ORDINANCE 2025-10

AN ORDINANCE APPROVING CONSTRUCTION OF STREET LIGHTING IMPROVEMENTS IN AND TO ADOPT ASSESSMENTS FOR ANNUAL LIGHTING CHARGES UPON LOTS LOCATED WITHIN ARLINGTON WOODS II SECTION ONE SUBDIVISION IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, by Resolution 25-02, enacted April 1, 2025, ("Resolution of Necessity") and in accordance with Ohio Revised Code 727.12, Council declared the necessity of constructing street lighting improvements in Arlington Woods II Section One Subdivision; and

WHEREAS, the owner of the land included within Arlington Woods II Section One 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 Arlington Woods II Section One Subdivision, in accordance with the plans, specifications and assessments, rates and charges provided for in the Resolution of Necessity duly enacted by Council on April 1, 2025, 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 \$1064.16 against the lots in Arlington Woods II Section One Subdivision.

SECTION V: The lots or parcels of land to be assessed for the Arlington Woods II Section One Subdivision Street Lighting Improvement Project are Lots 2854-2879, Arlington Woods II Section One 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 Arlington Woods II Section One Subdivision, Street Lighting Improvement Project is estimated to consist of six (6) light poles and fixtures at a developers' cost of \$47696.00 and total annual lighting charges for said six (6) poles and fixtures of \$1064.16 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 Arlington Woods II Section One 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 \$1064.16 and shall be funded as follows: The portion to be specially assessed to property owners on an annual basis totals \$1064.16, being \$40.93 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. 2025-10, 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. 2025-10 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

RESOLUTION 25-03

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE COMMUNITY REINVESTMENT AREA #2 AGREEMENT OF GIANT OHIO LLC DATED JUNE 21, 2017 IS IN COMPLIANCE AND THAT THE COMMUNITY REINVESTMENT AREA AGREEMENT BE CONTINUED.

WHEREAS, the Tax Incentive Review Council (TIRC) of the City of Brookville Community Reinvestment Area #2 held an annual meeting on March 25, 2025; and

WHEREAS, the TIRC reviewed the compliance of Giant Ohio, LLC to the terms and conditions of a certain Community Reinvestment Area Agreement dated June 21, 2017; and

WHEREAS, the TIRC found that Giant Ohio, LLC is in compliance with the terms and conditions of the aforementioned Community Reinvestment Area #2 Agreement and that the Community Reinvestment Area #2 Agreement of Giant Ohio, LLC be continued.

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

SECTION I: The written recommendation of the TIRC finding that Giant Ohio, LLC has complied with the terms and conditions of the Community Reinvestment Area #2 Agreement dated June 21, 2017 and that the agreement be continued is hereby accepted and approved by this City Council.

SECTION II: The Community Reinvestment Housing Officer shall report the acceptance by this City Council of the recommendations of the TIRC to the Ohio Development Services Agency.

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

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 Resolution No. 25-03, 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 Resolution No. 25-03 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

RESOLUTION 25-04

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE ENTERPRISE ZONE AGREEMENT OF GREEN TOKAI CO. LTD. DATED MARCH 25, 2016 IS IN COMPLIANCE AND THAT THE ENTERPRISE ZONE AGREEMENT BE CONTINUED.

WHEREAS, the Tax Incentive Review Council (TIRC) of the City of Brookville Enterprise Zone held an annual meeting on March 25, 2025; and

WHEREAS, the TIRC reviewed the compliance of Green Tokai Co. Ltd. to the terms and conditions of a certain Enterprise Zone Agreement dated March 25, 2016; and

WHEREAS, the TIRC found that Green Tokai Co. Ltd. is in compliance with the terms and conditions of the aforementioned City of Brookville Enterprise Zone Agreement and that the Enterprise Zone Agreement of Green Tokai Co. Ltd. be continued.

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

SECTION I: The written recommendation of the TIRC finding that Green Tokai Co. Ltd. has complied with the terms and conditions of the Enterprise Zone Agreement dated March 25, 2016 and that the agreement be continued is hereby accepted and approved by this City Council.

SECTION II: The Community Reinvestment Housing Officer shall report the acceptance by this City Council of the recommendations of the TIRC to the Ohio Development Services Agency.

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

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 Resolution No. 25-04, 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 Resolution No. 25-04 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

RESOLUTION 25-05

A RESOLUTION APPROVING AMENDMENTS TO THE PUBLIC RECORDS POLICY OF THE CITY OF BROOKVILLE FOR COSTS ASSOCIATED WITH LAW ENFORCEMENT DASHBOARD CAMERA VIDEOS AND/OR BODY CAMERA VIDEOS.

WHEREAS, House Bill 315, which goes into effect on April 3, 2025, permits jurisdictions to charge up to \$750.00 for the time it takes to review, blur or otherwise obscure, redact, upload and/or produce copies of law enforcement dashboard camera video(s) and/or body camera video(s); and

WHEREAS, the City Council desires to update the Public Records Policy of the City of Brookville with the amendments specified in Exhibit "A" attached hereto and incorporated herein by reference to address the costs associated with public records requests for law enforcement dashboard camera videos and/or body camera videos.

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

SECTION I: The City Council hereby approves and adopts the amendment to the public records policy of the City of Brookville, as specified in Exhibit "A" attached hereto and incorporated hereby by reference, to address the costs associated with public records requests for law enforcement dashboard camera videos and/or body camera videos.

SECTION II: The City Manager is hereby directed to carry out all steps necessary to implement the attached policy.

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

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 Resolution No. 25-05, 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 Resolution No. 25-05 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

EXHIBIT "A"

SPECIAL POLICIES FOR BODY-WORN AND DASH CAMERA VIDEOS

Payment Requirements: Due to the time-consuming nature of reviewing and redacting body-worn and dash camera videos, the City of Brookville Police Department will charge up to \$75.00 per hour for the actual costs (including labor) involved in reviewing, redacting, and preparing video footage for release to those requesting body-worn and dash camera video. The "actual cost" shall mean all costs incurred by the City of Brookville Police Department in reviewing, blurring, or otherwise obscuring, redacting, uploading, or producing the video records, including but not limited to the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request. The maximum fee will be \$750.00 per video, regardless of the length of the video.

Within five (5) business days of receiving a request for body-worn and dash camera video, the City of Brookville Police Department shall provide the requester with an estimate of the actual cost of the video requested. Except as otherwise provided in this policy, the estimated actual costs must be paid in full prior to the commencement of the review and redaction of the body-worn and dash camera footage. If, upon commencing the review and redaction of the body-worn and dash camera footage, the City of Brookville Police Department determine that the actual cost of the review and redaction will exceed the estimated cost, it will notify the requester that the actual costs may exceed the estimated cost by up to twenty percent (20%). The notification shall be made by the method used by the requester to file the original public records request. In the event that the requester chose to file the request anonymously, without leaving the contact information, the City of Brookville Police Department will suspend all production efforts related to the request until such time as the requester contacts the City of Brookville Police Department regarding the request. After receiving notification that the actual cost of the body-worn and dash camera footage will exceed the estimated cost, the requester may choose to withdraw the public records request, and the City of Brookville Police Department will refund the estimated cost payment. If the requester chooses to continue with the request process, the City of Brookville Police Department will collect the additional cost prior to providing the video to the requester. The City of Brookville Police Department may not charge a requester an amount which exceeds the estimated actual cost by more than twenty percent (20%).

Waiver of Payment Provisions: The City of Brookville Police Department will waive the payment requirements of this Policy for:

1. the victim, or person acting on behalf of the victim, of a crime for which a police report has been filed;
2. the persons, or persons acting on behalf of the persons, involved in an automobile accident for which a Traffic Crash Report has been filed; and
3. the persons/entities, or persons acting on behalf of the persons/entities, owning property: (a) on which a crime occurred for which a police report has been filed; or (b) on which occurred an automobile accident for which a Traffic Crash Report was filed.

For purposes of these waiver provisions, a “person acting on behalf” of persons/entities or victims shall mean:

1. the immediate family members of such persons;
2. guardians of such persons;
3. persons holding legitimate power of attorney (POA) for such persons; and
4. attorneys retained to represent such persons in the matter related to the accident or crime.

The City of Brookville Police Department may require persons requesting a waiver of the payment requirements of this Policy to provide sufficient documentation, as determined by the City of Brookville Police Department in their sole discretion, to establish that they are entitled to a waiver.

Exemption from the Payment Provisions: The following persons/entities shall be exempt from the payment provisions of this Policy:

1. persons requesting body-worn and dash camera footage on behalf of any state, federal, or local government or agency (including, but not limited to, law enforcement agencies) will be exempt from the payment provisions of this Policy so long as the footage requested is related to a matter within the jurisdiction of such government or agency.
2. persons/entities provided the body-worn and dash camera footage by the City of Brookville Police Department or City of Brookville for purposes of transparency, law enforcement purposes, identification of persons depicted in the footage, or other purposes deemed necessary by the City of Brookville.

Differing Costs for Multiple Requests for the Same Body-Worn and Dash Camera Footage:

As Ohio Revised Code Section 149.43 authorizes law enforcement agencies to charge the “actual cost associated with preparing a video record” of body-worn and dash camera footage,

the amounts charged to requesters of the same body-worn and dash camera video may differ depending upon when they make the request. For instance, the actual costs associated with producing the first copy of a particular incident will be higher as the production of that copy includes the review and redaction of persons, information, and locations which are prohibited from disclosure by Ohio Revised Code Section 149.43(A)(17). Subsequent copies of the body worn and dash camera footage for the same incident will be less costly as their production will require simple copying of the already-redacted footage and the cost of the storage medium to which the footage is copied. For this reason, the first person to request the body-worn and dash camera footage will be charged more than persons who request the body-worn and dash camera footage of the same incident at a later date. Although this Policy may feel unfair to the first requester, the City of Brookville has no general legal authority to charge otherwise or to “share” the redaction costs among multiple requesters.

However, in the event that multiple requests for the identical body-worn and dash camera footage are made prior to the completion of the redaction/final production of the footage to any requester, the City of Brookville Police Department will divide the actual costs, not to exceed \$750.00 in total, equally between the persons requesting the footage prior to its initial redaction and final production. Thereafter, all persons requesting the identical body-worn and dash camera footage will be charged the costs of copying the footage and the cost of the storage medium onto which the footage is copied.

RESOLUTION 25-06

AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE MONTGOMERY COUNTY SOLID WASTE MANAGEMENT DISTRICT.

WHEREAS, The City of Brookville is a member of the Montgomery County Solid Waste Management District (“District”); and

WHEREAS, the District completed the draft amended Solid Waste Management Plan (“Plan”) and submitted it to the Ohio Environmental Protection Agency (“OEPA”) for review and comment on February 19, 2024, and the OEPA provided comments in a non-binding advisory opinion on June 3, 2024;

WHEREAS, this Solid Waste Management District Policy Committee (“SWMDPC”) has reviewed the non-binding advisory opinion received from the Ohio Environmental Protection Agency and taken into consideration these comments, incorporating some changes into the amended Plan where necessary.

WHEREAS, the Solid Waste Management District (“District”) conducted a 30-day public comment period from December 9 – January 9, 2025, and held a public hearing January 21, 2025, to provide the public an opportunity to have input in this Plan, and;

WHEREAS, the District staff made recommendations to the SWMDPC to incorporate changes from the OEPA and changes read into the record at the Public Hearing and read into the record at the SWMDPC meeting held on February 5, 2025; and

WHEREAS, the Montgomery County Solid Waste Management District, by its Solid Waste Management Policy Committee, has adopted a Solid Waste Management Plan for the District incorporating the staff changes and the new solid waste management generation fee increases from \$3.00 per ton to \$3.65 beginning in January 1, 2026 and increasing 6% each year thereafter or until the next Plan Update in five (5) years; and

WHEREAS, pursuant to Ohio Revised Code Section 3734.55(B), the Board of County Commissioners and the legislative authority of each municipal corporation or township under the jurisdiction of the District, must approve or disapprove the Plan by ordinance or resolution; and

WHEREAS, the City of Brookville, Montgomery County, Ohio have reviewed the Plan and considered it at a duly called meeting; and

WHEREAS, the Plan furthers the public interest; and

NOW THEREFORE BE IT ORDAINED, that the Solid Waste Management Plan of the Montgomery County Solid Management District, adopted by the Solid Waste Management Policy Committee on February 5, 2025, is hereby approved;

AND BE IT FURTHER ORDAINED, that a copy of this Ordinance of Approval shall promptly be delivered, or caused to be delivered, to the Solid Waste Management Policy Committee of the Montgomery County Solid Waste Management District.

THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY, necessary for the immediate preservation of the public health, safety, and welfare for the reason that solid waste management is a primary concern and the activities of the Montgomery County Solid Waste Management District need to proceed without delay.

Motion made by _____, seconded by _____
Upon call of the roll the following vote resulted:

Passed this _____ day of _____, 2025.

Mayor (or President of the Township Trustees)

President of Council (Township Trustee)

Township Trustee

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 25-06, 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 Resolution No. 25-06 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

ORDINANCE 2025-11

AN ORDINANCE AMENDING CHAPTER 1353 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, Chapter 1353 of Code of Ordinances regulates property maintenance within the City of Brookville; and

WHEREAS, the City of Brookville desires to amend its property maintenance code to improve property maintenance in the City of Brookville.

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

SECTION I: Chapter 1353, Property Maintenance Code is hereby amended and replaced in its entirety by a new Property Maintenance Code, Chapter 1353, which is set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION II: 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 III: 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. 2025-11, 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. 2025-11 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