



CITY COUNCIL
Tuesday, May 20, 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 May 6, 2025 Regular Meeting Minutes

IV. Envision Group - Land Use Plan Update

V. Executive Session

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

VI. Reports of Municipal Officers

- a. City Manager
- b. Finance Director
 - 1. Fund Balance of April 30, 2025
- c. Fire Chief
- d. Police Chief
- e. Law Director
- f. Mayor Chuck Letner

VII. Old Business

- a. Third reading of proposed Ordinance No. 2025-06 entitled "AN ORDINANCE AMENDING CHAPTER 1141 COMMUNITY CENTER DISTRICT OF THE CITY OF BROOKVILLE, OHIO."



- b. Third 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 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."
- d. Second reading of proposed Ordinance No. 2025-11 entitled "AN ORDINANCE AMENDING CHAPTER 1353 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO."
- e. Third 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."
- f. Third reading of proposed Resolution No. 25-06 entitled "A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE MONTGOMERY COUNTY SOLID WASTE DISTRICT."

VIII. New Business

- a. First reading of proposed Resolution No. 25-07 entitled "A RESOLUTION AUTHORIZING AN AGREEMENT FOR THE PROVISION OF EMERGENCY PREPAREDNESS, HOMELAND SECURITY, AND EMERGENCY MANAGEMENT SERVICES."
- b. First reading of proposed Ordinance No. 2025-12 entitled "AN ORDINANCE EXPRESSING THE CITY'S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON A ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING."
- c. First reading of proposed Ordinance No. 2025-13 entitled "AN ORDINANCE ESTABLISHING A CHARTER REVIEW COMMISSION IN THE CITY OF BROOKVILLE, OHIO."

IX. Public Comments (5 minutes per speaker)

X. Council Comments

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
May 6, 2025

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on May 6, 2025. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Members Crane, Fowler, Piper, Schreier, Wilder and Zimmerlin; Manager Kuntz, Law Director Stephan, Finance Director Brandt. Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present.

Roll Call by Clerk Duncan.

Mayor Letner stated the Agenda should be corrected to read chapter 1353, not 1153, under New Business on the Agenda.

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

Motion by Piper, second by Fowler to accept the April 15, 2025 Regular Meeting Minutes as presented. Crane yea, Fowler yea, Piper yea, Schreier yea, Wilder yea, Letner yea, Zimmerlin abstained. Motion carried with six yeas and one abstention.

Todd Clemmons, Brookville Soccer Association, requested permission to install field lights on Field 2 at Westbrook Soccer Park. The league serves approximately 350 kids per season and lights are needed in order to get all the games in before dark. The proposed lighting includes four 30-foot stadium lights, at a cost of approximately \$60,000, with partial funding of \$43,000 already secured. Mr. Clemmons also discussed the need for a lightning detector and potential wiring for flagpoles at the soccer park.

Manager Kuntz advised Mr. Clemmons previously presented the field light proposal to Park Board and they recommended Council approval of the project. City staff is willing to apply for grants on behalf of the Brookville Soccer Association to help fund the project.

Motion by Fowler, second by Zimmerlin to approve the proposal for field lights on Field 2 at Westbrook Park as presented, with funding to be secured by Brookville Soccer Association. All yeas, motion carried.

Manager Kuntz reported we have received seven letters of interest for the Charter Review Commission. Manager Kuntz suggested Council review the applicants and take action to appoint the commission at the next Council meeting.

Manager Kuntz reported last year, 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 additional changes and some commonsense additions to the code, many of which are similar to code sections the city previously had in place. The majority of changes are 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 charges against habitual violators in court.

Manager Kuntz reported he recently joined other jurisdictions, along with the Miami Valley Communications Council (MVCC) and our consultant, Palmer Energy regarding the status of both the electric and gas aggregation program for our residents. Manager Kuntz reported that Palmer Energy is recommending moving forward with the gas aggregation bid from Archer Energy, which is a 20-month fixed rate at \$6.90 per MCF. This would start with the October 2025 billing cycle.

Manager Kuntz reported since gas providers change their monthly pricing, based primarily on weather patterns and market scenarios, it is 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 will realize savings. Manager Kuntz reported bids on electric aggregation are due the first full week of May. Palmer Energy should have recommendations to MVCC by the end of the month. Manager Kuntz commented aggregation is simply locking in the top rate for our residents if they opt into the program. Residents are free to shop for better deals if they desire to do so.

Member Crane inquired how to convert the MCF figures to CCF in order to compare on the apples-to-apples website?

Manager Kuntz replied he will research this and report back to Council so they can make a more informed decision on the gas aggregation program.

Manager Kuntz Montgomery County has recently released some CDBG information to local communities, specifically regarding the status of the regional CDBG program and timeframes for submittals. They do have some remaining funds from previous funding cycles available for immediate disbursement via their newly named CDBG Accelerated Project Program. Staff has submitted a \$50,000 funding application for the Lieber Center Sidewalk Project, which would allow replacement of the sidewalk and curbs in front of the Leiber Center as well as extending the sidewalk towards the western parking lot. This would provide 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.

Motion by Fowler, second by Wilder to authorize the city manager to apply for and accept CDBG Accelerated Project Program grant funds for the Leiber Center Sidewalk Project. All yeas, motion carried.

Manager Kuntz reported the traditional CDBG funding cycle is moving forward at this time and requested Council authorization to apply for and sign all documents associated with an application for a \$50,000 grant, with a 20% match to fund an update of the Leiber Center restrooms in order to make them more ADA compliant.

Motion by Zimmerlin, second by Schreier to authorize Manager Kuntz to apply for CDBG funding in the amount \$50,000 to fund a renovation of the Leiber Center restrooms for ADA compliance and to sign all documents related to the project. All yeas, motion carried.

Manager Kuntz requested Council accept all bids on the 2025 Brookville Street Resurfacing Project and award the project to Wagner Paving as the lowest and most responsive bidder. Manager Kuntz also requested Council authorization to sign all documents associated with this project, which includes the resurfacing of Maple Street, from Hay Avenue to Westbrook Road, E. Upper Lewisburg Salem Road, from the bridge to the exit of Golden Gate Park and Osage Street from Harshman Avenue to Western Avenue.

Motion by Wilder, second by Fowler to accept the 2025 Brookville Street Resurfacing Project bids and award the project to Wagner Paving, and to authorize the city manager to sign all documents associated with this project. All yeas, motion carried.

Manager Kuntz reported our street light contract with Miami Valley Lighting and DPL Energy Resources, Inc. expires on December 31, 2025. 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.

Motion by Zimmerlin, second by Piper to participate in the Miami Valley Communications Council regional coalition for street lighting contract negotiation at a cost of \$493. All yeas, motion carried.

Manager Kuntz reported the Dayton Foundation and MVRPC have awarded the city a \$10,000 grant to help with the installation of Wi-Fi and audio/visual equipment in the Leiber Center, which will help with programming for our Age Friendly Community programming.

Manager Kuntz announced upcoming events are the Age Friendly Lunch and Learn Program on May 15 at noon and the Third Thursday event on May 15 from 5:00 p.m. until 8:00 p.m.

Manager Kuntz reported the City of Brookville utility bills are due tomorrow.

Motion by Fowler, second by Zimmerlin to allow the Brookville Soccer Association to move forward with their stadium field lights project at Westbrook Soccer Park as presented. All yeas, motion carried.

Finance Director Brandt had no report.

Fire Chief Fletcher reported unprecedented activity during the month of April, including a fire at the school, which was quickly contained after appropriate action by students and staff.

Fire Chief Fletcher urged motorists and cyclists to use caution as motorcycle season is approaching.

Police Chief Jerome reported recent community engagement by the Police Department included the drug take-back event, catalytic converter event, BBC Parade and Brookville High School prom. Upcoming events are the Brookville Schools Serve Brookville event on May 9 and the Lights, Sirens and Pizza event on May 12 at the Brookville Library. The Police Department will provide an escort for the Ride to the Wall cyclists on May 21. The Brookville High School commencement will be held on May 18, 2025.

Police Chief Jerome presented the 2025 Brookville Police Department Annual Report.

Law Director Stephan requested Council approve the second reading of proposed Ordinance No. 2025-06 as recommended by Planning Commission, with an amended Exhibit A, which adds "sexually oriented businesses" as a prohibited use.

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

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

Law Director Stephan requested Council approve the second reading of proposed Ordinance No. 2025-07 as recommended by Planning Commission.

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

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

Law Director Stephan requested Council approve the third reading of proposed Ordinance No. 2025-09, with updated signage requirements and additional documentation which adds the publication date and the DORA application.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2025-09 as amended. All yeas, motion carried.

Motion by Fowler, second by Piper to accept the third reading and adopt Ordinance No. 2025-09 entitled “AN ORDINANCE APPROVING AN APPLICATION FOR AND ESTABLISHING AN OUTDOOR REFRESHMENT AREA IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

Mayor Letner reported Brave Church will be holding a “Blessing of the Bikes” on May 18. The public is welcome to participate.

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

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

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

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

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

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

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

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

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

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

Motion by Fowler, second by Zimmerlin to read proposed Ordinance No. 2025-11. All yeas, motion carried.

Motion by Wilder, second by Schreier to accept the first reading of proposed Ordinance No. 2025-11. All yeas, motion carried.

Lindsey Gray, 71 N. Hill, advocated for keeping backyard chickens, stating it has been a great educational experience for her children.

Joshua Johnson, 440 Albert Road, stated many could benefit from having chickens in order to be more self-sufficient.

Trevor Hopkins, 430 Albert Road, stated he is concerned about pedestrian safety on Albert Road, due to the fact there are no sidewalks or stop signs near the bikeway. Mr. Hopkins requested a four-way stop at Albert and Cusick Avenue. Mr. Hopkins highlighted the benefits of chickens, including organic waste management.

Troy Tyree, 281 Doyle Avenue, spoke in favor of keeping chickens, stating they are helpful for yard pest control.

Member Piper commented the City of Brookville promo videos are a great addition to our social media.

Member Fowler thanked Manager Kuntz for having the unauthorized signs removed from the utility poles.

Member Zimmerlin thanked the citizens who advocated raising chickens, stating Council will research the issue.

Member Schreier commented on motorcycle safety, reminding residents that blowing grass into the street creates a hazard for riders.

Motion by Zimmerlin, second by Wilder to go into Executive Session per O.R.C. 121.22(G)(1) to consider the employment of a public employee or official. All yeas, motion carried.

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

Motion by Fowler, second by Zimmerlin 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: 05/13/25

At the last City Council meeting, City Council approved, via a voice vote, and authorized to have Miami Valley Communications Council ("MVCC") enter into an agreement to negotiate with Miami Valley Lighting on a new 10-year contract. Staff's requesting the City Council approve this via the included Ordinance and dispense of the 2nd and 3rd readings due to the time sensitivity of the legislation needed for MVCC to enter into the agreement. All local legislation is due to MVCC by May 30. As stated at the previous meeting, Brookville's estimated participation cost is \$493 out of the total amount of \$60,000. Participation costs are based on the populations found in the 2020 Census of each jurisdiction.

Another topic discussed at the previous meeting was gas aggregation. Prior to authorizing staff to move forward with entering into a 20-month agreement with Archer Energy for \$6.90 per MCF, starting in October, there was a question about the difference between MCF's and CCF's. MCF is one thousand cubic feet of gas and CCF is 100 cubic feet of gas. MCF's naturally are 10 x larger. As stated at the previous meeting, our consultant Palmer Energy has recommended we move forward with the bid from Archer. This price will serve as a "price ceiling" and residents will continue to be able to opt in and out at their discretion, per billing cycle, if they find a better provider price at no fee.

Staff passed along letters of interest for appointments to the city's Charter Review Commission to City Council at the last City Council meeting for review. One of the interested parties has withdrawn their name. This leaves 7 interested residents. Staff request City Council appoint their chosen residents to the Charter Review Commission to review and make recommendations to City Council for suggestions/edits of the City's Charter, to be placed on a future ballot for consideration by registered voters of the City of Brookville. The Charter Review Commission will work with the City Manager and Law Director on this project.

The Montgomery County Office of Emergency Management has requested all area jurisdictions enter into a new Emergency Management Intergovernmental Agreement. This agreement requires the City of Brookville to pay \$ 898.35 for the second half of 2025 and \$1,796.70 for the entirety of 2026. This agreement will remain in effect indefinitely unless amended or altered at any time by a majority of the member jurisdictions. Staff requests the City Council approve the Resolution included with tonight's agenda and authorize the city manager to sign all documents associated with this agreement. Due to Montgomery County requesting signatures to the agreement in May, staff request the City Council dispense of the 2nd and 3rd readings.

The Service Department completed the following tasks/projects over the past few weeks:

- Mowed grass in parks and out in town,
- Worked on Main St watermain. Project connections should be completed by the City Council meeting and then the Service Department is planning on giving the ditch a few weeks to settle prior to paving,
- Chipped limbs,
- Trash in parks and town picked up,
- Black topping watermain break on Market St.,
- Fertilized all ball fields and soccer fields,
- Mowed 10 acres in the industrial park,
- Pothole patched in town, and
- Trimmed all trees along the bike trail in the center of town



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda May 20, 2025

Reportable Incidents

01/01/2024 – 05/14/2024 = 146

01/01/2025 – 05/14/2025 = 234

Citations

01/01/2024 – 05/14/2024 = 143

01/01/2025 – 05/14/2025 = 249

Traffic Stops

May 2024 - 210

May 1, 2025 to date - 64

Brookville Police Department

Incident Arrest Blotter

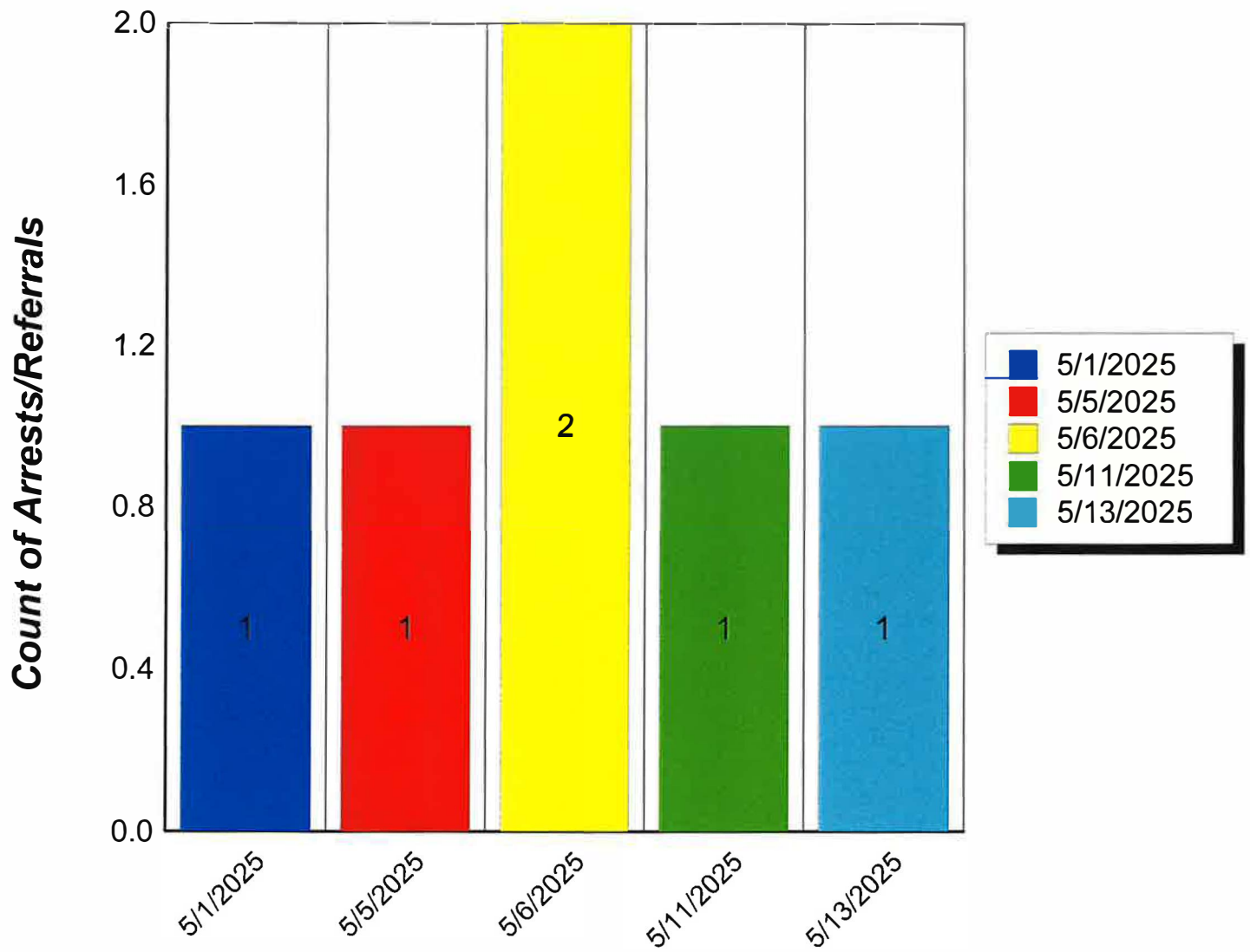
Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
05/01/2025	09:04 AM	BRANDON N. CRUTE	402 OTTERBEIN AVE, DAYTON, OH 45406 451011: DRIVING UNDER SUSPENSION	2025-00216
05/05/2025	04:35 PM	TERRI L. PELKEY	4517 SULPHUR SPRINGS RD, BROOKVILLE, OH 45309 291121: Criminal trespass	2025-00220
05/06/2025	09:55 AM	PERRY LEE MAHONE,	328 CHESTNUT AVE, SPRINGFIELD, OH 45503 35: WARRANT ARREST	2025-00221
05/06/2025	05:27 PM	ORIN L. BUCHANAN	7517 LEWISBURG RD, LEWISBURG, OH 45335 290313A: Assault - knowingly harm victim	2025-00224
05/11/2025	11:03 AM	DOUGLAS A. HAUSER	103 BAYVIEW AVE, BROOKVILLE, OH 45309 451014: DRIVING UNDER ALS SUSPENSION	2025-00235
05/13/2025	10:54 PM	MATTHEW J. MCKINNE	66 CORONADO DR, BROOKVILLE, OH 45309 291925A: Domestic violence - knowingly cause physical harm	2025-00240
Total Selected = 6				

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
May 01, 2025	1
May 05, 2025	1
May 06, 2025	2
May 11, 2025	1
May 13, 2025	1
Total Selected = 6	

Arrest Log by Date

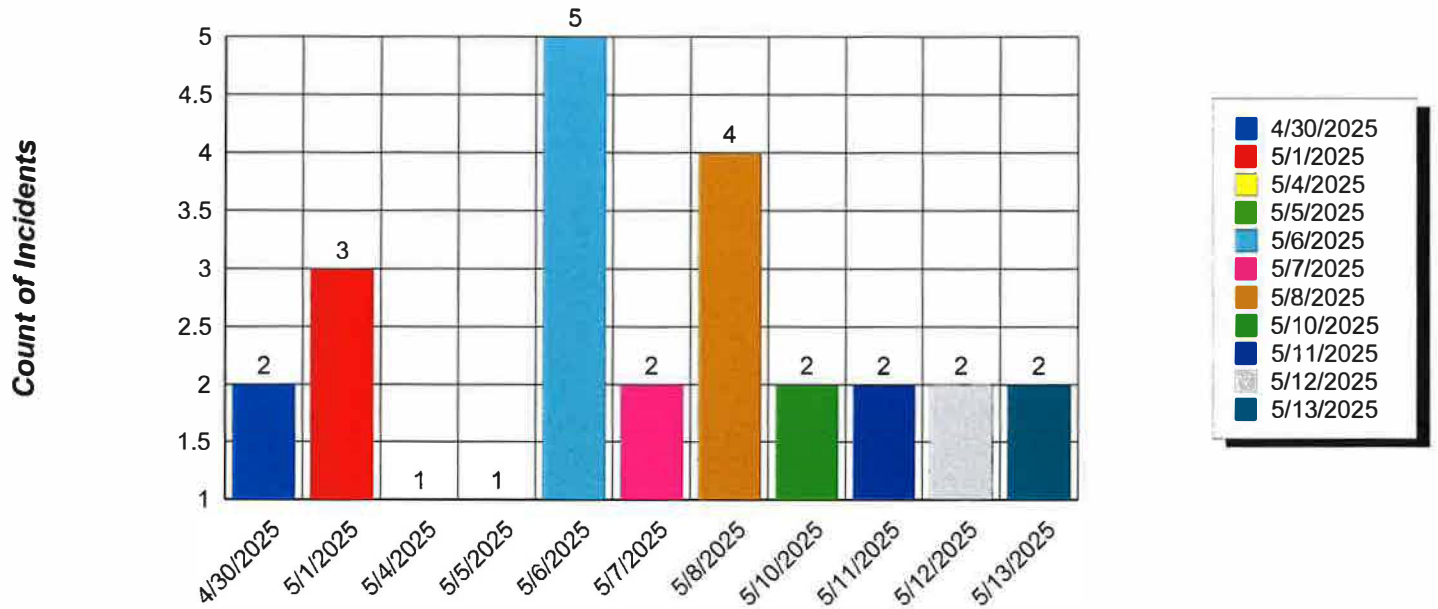


Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
04/30/2025	Wednesday	2
05/01/2025	Thursday	3
05/04/2025	Sunday	1
05/05/2025	Monday	1
05/06/2025	Tuesday	5
05/07/2025	Wednesday	2
05/08/2025	Thursday	4
05/10/2025	Saturday	2
05/11/2025	Sunday	2
05/12/2025	Monday	2
05/13/2025	Tuesday	2
Total Selected = 26		

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 30, 2025

2025-00214 402 HAY ST SIGNAL 26I - INFORMATION 04/28/2025
BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

2025-00215 437 N WOLF CREEK STREET SIGNAL 26I - FOUND PROPERTY 04/30/2025 05/01/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 2

May 01, 2025

2025-00216 SYCAMORE ST & SIGNAL 55 - TRAFFIC STOP 05/01/2025 05/01/2025
WESTBROOK RD
BROOKVILLE PD ARREST

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

2025-00217 16 TERRACE PARK SIGNAL 26I - APPLICATION FOR EMERGENCY 05/01/2025 05/01/2025
BROOKVILLE PD ADMISSION EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 5122.10 - APPLICATION FOR EMERGENCY ADMISSION

2025-00218 216 N WOLF CREEK STREET SIGNAL 53A - PROPERTY DAMAGE CRASH 05/01/2025 05/01/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

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

Total Incidents Reported for Date: 3

May 04, 2025

2025-00219 ARLINGTON RD @ TRIGGS SIGNAL 55 - TRAFFIC VIOLATION 05/04/2025 05/04/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 N/A 450321 - FAILURE TO DISPLAY REGISTRATION

Total Incidents Reported for Date: 1

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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May 05, 2025

2025-00220	377 MALLARD CT BROOKVILLE PD	SIGNAL 260 - CRIMINAL TRESPASS	05/05/2025	05/05/2025	ARREST
Offenses UCR Offense Description 1 02 291121 - Criminal trespass					
Total Incidents Reported for Date: 1					

May 06, 2025

2025-00221	120 N. FOUNTAIN AVENUE BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	05/06/2025	05/06/2025	ARREST
Offenses UCR Offense Description 1 N/A 35 - WARRANT ARREST					
2025-00222	548 E WESTBROOK RD BROOKVILLE PD	SIGNAL 11 - FRAUD	05/02/2025	05/01/2025	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 06 291302 - Theft					
2025-00223	ARLINGTON RD AT W UPPER LEWISBURG BROOKVILLE PD	SIGNAL 53B - INJURY ACCIDENT	05/06/2025	05/07/2025	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 33303A - SPEED-UNREASONABLE FOR CONDITIONS/ ACD AHEAD					
2025-00224	510 E UPPER LEWISBURG SALEM ROAD BROOKVILLE PD	SINGAL 09 - ASSAULT	05/06/2025	05/06/2025	ARREST
Offenses UCR Offense Description 1 04 290313A - Assault - knowingly harm victim					
2025-00225	130 JUNE PLACE BROOKVILLE PD	SIGNAL 06A - GRAND THEFT	05/06/2025		OPEN CASE
Offenses UCR Offense Description 2 01 291302A3 - Theft - deception N/A 291305A - TELECOMMUNICATION FRAUD					
Total Incidents Reported for Date: 5					

May 07, 2025

2025-00226	705 ARLINGTON ROAD	SIGNAL 20 - DOMESTIC VIOLENCE	05/07/2025	05/07/2025	
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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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May 07, 2025

BROOKVILLE PD ARREST

Offenses UCR Offense Description
 1 02 291925C - Domestic violence - knowingly force, threat of

2025-00227 301 SYCAMORE STREET SIGNAL 26I - INFORMATION REPORT 05/07/2025
 BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 2

May 08, 2025

2025-00228 I-70 WB @ ARLINGTON RD SIGNAL 55 - TRAFFIC VIOLATION 05/08/2025 05/08/2025
 BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
 3 N/A 451011 - DRIVING UNDER SUSPENSION
 N/A 451012 - DRIVING WITHOUT VALID LICENSE
 N/A 451112 - OBEYING TRAFFIC CONTROL DEVICES

2025-00229 301 SYCAMORE STREET SIGNAL 26I - FOUND PROPERTY 05/08/2025
 BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

2025-00230 510 E. UPPER LEWISBURG SIGNAL 06B - PETTY THEFT 05/08/2025
 SALEM ROAD
 BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 1 06 291302 - Theft

2025-00232 431 MAIN STREET SIGNAL 26I - INFORMATION REPORT 05/08/2025
 BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 4

May 10, 2025

2025-00233 TRIGGS RD & ARLINGTON RD SIGNAL 53A - PROPERTY DAMAGE CRASH 05/10/2025 05/10/2025
 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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May 10, 2025

Offenses UCR Offense Description
1 N/A 451142 - RIGHT OF WAY WHEN TURNING LEFT

2025-00234 415 POPLAR STREET SIGNAL 53A - PROPERTY DAMAGE CRASH 05/10/2025 05/10/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
1 03 451138A - IMPROPER BACKING

Total Incidents Reported for Date: 2

May 11, 2025

2025-00235 BAYVIEW/TERRACE SIGNAL 55 - DRIVING UNDER SUSPENSION 05/11/2025 05/11/2025
BROOKVILLE PD ARREST

Offenses UCR Offense Description
1 N/A 451014 - DRIVING UNDER ALS SUSPENSION

2025-00236 ALBERT RD @ URBAN LN SIGNAL55 - TRAFFIC VIOLATION 05/11/2025 05/11/2025
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
2 N/A 450311C - ANNUAL REGISTRATION OF MOTOR VEHICLES
N/A 451012 - DRIVING WITHOUT VALID LICENSE

Total Incidents Reported for Date: 2

May 12, 2025

2025-00237 203 VILLA DR. SIGNAL 07 - AUTO THEFT 05/12/2025
BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
1 07 291302B5 - Auto Theft

2025-00238 1 BLUE PRIDE DRIVE SIGNAL 18 - POSSESSION OF DRUGS 05/12/2025
BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description
1 01 292511C3 - Drug abuse - marijuana

Total Incidents Reported for Date: 2

May 13, 2025

Brookville Police Department

Incident Log by Date Reported

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

May 13, 2025

2025-00239	545 E. UPPER LEWISBURG SALEM RD. BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	05/13/2025		OPEN CASE
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Offenses	UCR	Offense Description
1	N/A	451012 - DRIVING WITHOUT VALID LICENSE

2025-00240	66 CORONADO DRIVE BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	05/13/2025	05/13/2025	ARREST
------------	------------------------------------	-------------------------------	------------	------------	--------

Offenses	UCR	Offense Description
1	02	291925A - Domestic violence - knowingly cause physical harm

Total Incidents Reported for Date: 2

Total Selected = 26

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.

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;

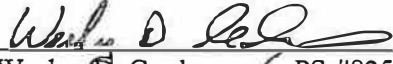
thence, South 89°36'11" West, 875.45 feet, along the north right-of-way line of East Upper Lewisburg Salem Road to the principal place of beginning.

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.

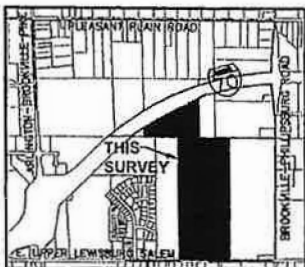
The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated March 29, 2023.

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



PROPOSED ANNEXATION TO THE CITY OF BROOKVILLE

SECTION 27, TOWN 6, RANGE 4 E
SECTION 34, TOWN 6, RANGE 4 E
CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO

85.611 ACRES TOTAL

THE BEARING OF N 89°34'11" E ALONG THE
CENTERLINE OF EAST UPPER LEWISBURG SALEM
ROAD WAS BASED ON RAD 85 CORRS SO
ADJUSTMENT, OLD SOUTH ZONE,
NAD 83 CORRS NETWORK

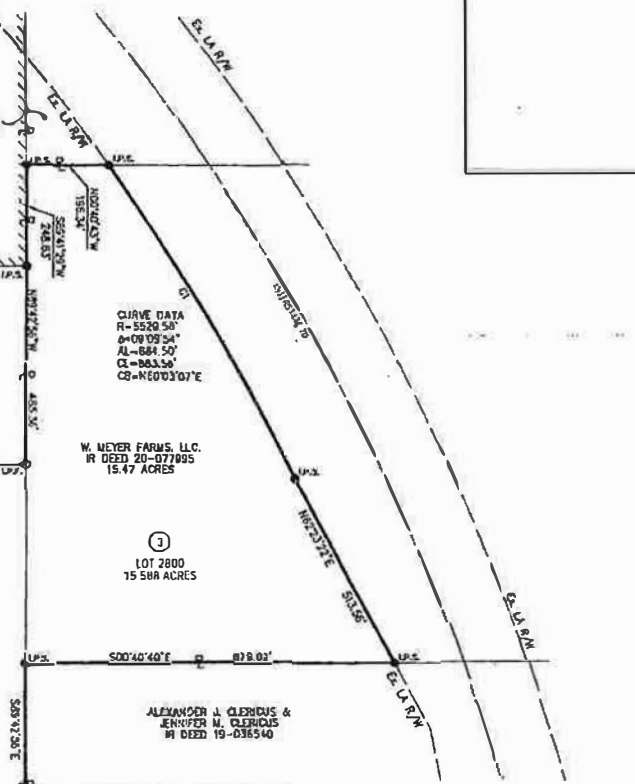
SCALE: 1"=200'



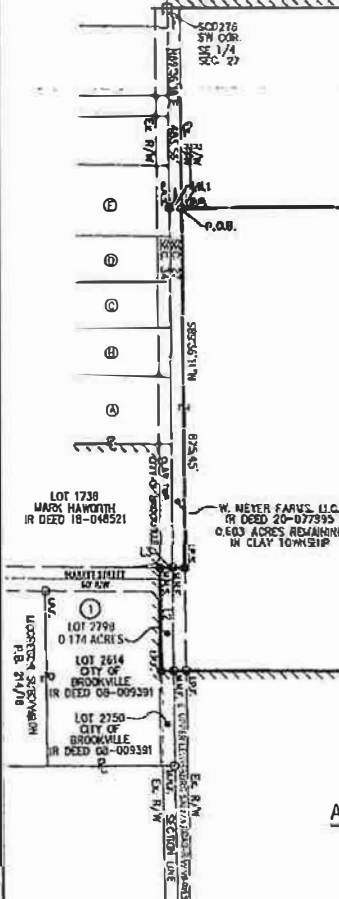
ANNEXATION PLAT TO
THE CITY OF BROOKVILLE
REC. P.B. 159, PG. 43

MAN HOLDINGS I, LLC
IR DEED 21-008708
0.75 ACRES

LOT 1899
H.W. HOLDINGS I, LLC
IR DEED 20-031065



VICINITY MAP



LOT 2799
69.849 ACRES

85.611 ACRES TOTAL
TO BE ANNEXED

ADJOINING OWNERS INDEX & TAX MAILING ADDRESS

W. MEYER FARMS, LLC 11150 BALTIMORE-PHILIPPSBURG PIKE BROOKVILLE, OH 45309 IR DEED 20-077895 C04-006-03-0004	JAY S. KINSLEY & MONICA R. KINSLEY 10310 UPPER LEWISBURG SALEM RD. BROOKVILLE, OH 45309 B.U.F. 93-007103 C04-006-10-0010	MAN HOLDINGS I, LLC 8043 GEORGETOWN-VERONA RD. LEWISBURG, OH 45338 IR DEED 20-031065 B.U.F. 21-006109 C04-006-03-0070
ALEXANDER J. CLEBURS & JENNIFER M. CLEBURS 7403 BROOKVILLE PHILIPPSBURG RD. BROOKVILLE, OH 45309 IR DEED 18-016540 C04-006-03-0021	MARK HAWORTH 10352 UPPER LEWISBURG SALEM RD. BROOKVILLE, OH 45309 IR DEED 06-025110 C04-006-10-0018	W.W. LLC 8043 GEORGETOWN-VERONA RD. LEWISBURG, OH 45338 IR DEED 09-038059 C04-006-03-0007
CITY OF BROOKVILLE 301 STAMORE ST. BROOKVILLE, OH 45309 IR DEED 08-009251 (2.713 AC. DEED) C03-001-09-0032	THOMAS R. HEMMERICK & TORJA R. HEMMERICK 10358 UPPER LEWISBURG SALEM RD. BROOKVILLE, OH 45309 IR DEED 09-037417 C04-006-10-0021	
MARK HAWORTH 10352 UPPER LEWISBURG SALEM RD. BROOKVILLE, OH 45309 IR DEED 18-049521 C03-001-09-0015	JOHN R. EAGLE & COREY S. EAGLE 10354 UPPER LEWISBURG SALEM RD. BROOKVILLE, OH 45309 IR DEED 03-101461 C04-006-10-0008	
BEVERLY J. SHANK & DAVID L. SHANK 10420 UPPER LEWISBURG SALEM RD. BROOKVILLE, OH 45309 B.U.F. 07-010701 C04-006-03-0010	JAMES L. TIDLEY & KATHLEEN R. TIDLEY 10410 UPPER LEWISBURG SALEM RD. BROOKVILLE, OH 45309 B.U.F. 07-010701 C04-006-10-0012	

ANNEXATION OWNERS INDEX

- CITY OF BROOKVILLE
301 STAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009251
(2.713 AC. DEED)
C03-001-09-0032
- W. MEYER FARMS, LLC
11150 BALTIMORE-PHILIPPSBURG PIKE
BROOKVILLE, OH 45309
IR DEED 20-077895
C04-006-03-0008
- W. MEYER FARMS, LLC
11150 BALTIMORE-PHILIPPSBURG PIKE
BROOKVILLE, OH 45309
IR DEED 20-077895
C04-006-03-0004

ANNEXATION NOTE:
PERIMETER OF ANNEXATION AREA=10425.83 FT.
CONTIGUOUS BOUNDARY WITH CITY=3206.68 FT.

PERTINENT INFORMATION

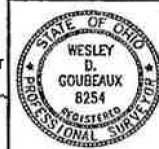
PLAT BOOK 214, PAGE 16A
PLAT BOOK 240, PAGE 4
LAND SURVEY 2003-0657
LAND SURVEY 2006-0570
LAND SURVEY 2007-0363
LAND SURVEY 2011-0204
LAND SURVEY 2021-0138

LINE	BEARING	DIST.
L1	N00°38'31"W	30.00'
L2	S89°36'11"W	252.92'
L3	N00°28'32"E	60.01'

CERTIFICATION

I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C.
CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS
TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED
UNDER MY DIRECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED
IN NOVEMBER, 2022. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET
OR TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC.

Wesley D. Goubeaux, P.S. #8254
3/29/2023
DATE



PREPARED BY:

Choice One
Engineering

30401.010 937.497 0230
LOVELAND, OH 43135.8511

DATE:
03-29-2023

DRAWN BY:
RMF

JOB NUMBER:
MOT-BRO-2215

SHEET NUMBER
1 OF 1

EXHIBIT "B"

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

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

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

RESOLUTION 25-07

A RESOLUTION AUTHORIZING AN AGREEMENT FOR THE PROVISION OF EMERGENCY PREPAREDNESS, HOMELAND SECURITY, AND EMERGENCY MANAGEMENT SERVICES AND DECLARING IT AN EMERGENCY.

WHEREAS, the Montgomery County Office of Emergency Management desires to enter into an Agreement to provide mitigation, preparation, response, and recovery support for emergencies, disasters, acts of terrorism, large-scale planned events, or any other action too great to be dealt with unassisted, as outlined in the Montgomery County Jurisdictional Emergency Management Services Agreement; and

WHEREAS, an annual cost for these services will be determined by a representative executive committee and approved by the Montgomery County Board of Commissioners; and

WHEREAS, this Agreement shall remain in effect unless amended by a majority of the participating parties in accordance with the Montgomery County Jurisdictional Emergency Management Services Agreement.

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

SECTION I: The Montgomery County Board of County Commissioners hereby authorizes an agreement to provide mitigation, preparedness, response, and recovery support for emergencies, disasters, acts of terrorism, large-scale planned events, and any other incidents that exceed local response capabilities.

SECTION II: The Clerk shall certify a copy of this Resolution to the Office of Management and Budget (OMB), the Montgomery County Office of Emergency Management, and all respective jurisdictions subject to this agreement

SECTION III: This Resolution is hereby declared to be an emergency measure to meet an emergency in the government of the City, which is the timely filing of this Resolution with the Montgomery County Office of Emergency Management. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

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. 25-07, 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 Resolution No. 25-07 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

ORDINANCE 2025-12

AN ORDINANCE EXPRESSING THE CITY’S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON A ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING.

WHEREAS, the City is currently under contract with Miami Valley Lighting, LLC (“MVL”) and DPL Energy Resources, Inc. (nka “AES Ohio”) for the provision of street lighting; and

WHEREAS, the current contract expires on December 31, 2025; and

WHEREAS, Ohio Revised Code Section 74.28(B) allows two or more municipal corporations to negotiate one price schedule under which an electric light company shall furnish its services to the residents of the municipal corporations; and

WHEREAS, the City Council has determined that it would be in the best interests of the City to negotiate jointly with other cities in the region on one price schedule for the provision of electric light services to the residents of the City for the purpose of street lighting; and

WHEREAS, the City is authorized as a charter municipality to exercise all powers of local self-government.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

Pursuant to Ohio Revised Code Section 743.28(B), the City of Brookville, Ohio hereby expresses its intent to negotiate and authorize the City Manager to participate as a member of the negotiation committee jointly with other cities in the region on one price schedule under which electric light services shall be furnished to the residents of the City for the purpose of street lighting.

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. 2025-12, 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. 2025-12 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 2025-13

AN ORDINANCE ESTABLISHING A CHARTER REVIEW COMMISSION IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, Section 7.06 of the Charter of the City of Brookville provides that the City Council may create boards and commissions as it determines to be necessary, and may provide for their organization, membership, method of appointment, terms of office of members, and powers, duties and functions by ordinance or resolution; and

WHEREAS, the City Council desires to establish a Charter Review Commission to review the Charter of the City of Brookville, and to make recommendations to City Council regarding any proposed amendments to the Charter of the City of Brookville.

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

SECTION I: The City Council hereby establishes a Charter Review Commission to review the Charter of the City of Brookville and to make recommendations to City Council regarding proposed amendments to the Charter of the City of Brookville. The Charter Review Commission shall consist of seven (7) members appointed by motion approved by a majority of the members of City Council. Members of the Charter Review Commission shall serve a term of one (1) year. All meetings of the Charter Review Commission shall be open to the public and shall be subject to the provisions of the Ohio Public Records law. The Charter Review Commission shall be organized in compliance with Section 7.07 of the Charter.

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. 2025-13, 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. 2025-13 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