

Brookville City Council
Regular Meeting
August 6, 2024

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on August 6, 2024. The meeting was held in the City Council Chambers and virtually using the Cisco Webex application. The Pledge of Allegiance was recited. Members Crane, Fowler, Piper, Wilder and Zimmerlin; Manager Kuntz, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Member Schreier was absent.

Roll Call by Clerk Duncan.

Motion by Zimmerlin, second by Piper to accept the Agenda as presented. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the July 16, 2024 Regular Meeting Minutes as presented. All yeas, motion carried.

Manager Kuntz reported on the downgrading of the McKinley Street Bridge, specifically with new load level restrictions placed on the bridge via the Ohio Department of Transportation due to some deterioration of the bridge. Manager Kuntz stated the bridge continues to be safe for regular traffic, however some of our fire apparatus and other large commercial sized vehicles are no longer able to travel across the bridge. Staff has been working with Choice One Engineering and it has been determined the project should score favorably with this year's OPWC funding cycle. The total project cost would be \$335,673 and the city's local match would be from remaining ARPA funds and would total approximately \$135,673. Manager Kuntz requested Council authorization to sign any required documents and submit a funding application to the Ohio Public Works Commission's 2024 funding cycle for the McKinley Street Bridge Project.

Motion by Wilder, second by Piper to authorize the City Manager to sign any required documents and submit a funding application to the Ohio Public Works Commission's 2024 funding cycle for the McKinley Street Bridge Project. All yeas, motion carried.

Manager Kuntz reported the Ohio General Assembly passed several bills that temporarily permitted public bodies to meet virtually instead of in person, as is required by Ohio's Open Meetings Act (R.C 121.22). The most recent legislation allowing virtual meetings took effect February 17, 2022, and expired June 30, 2022. Brookville is one of the last remaining communities in our region that has continued to offer virtual participation despite state legislation expiring over two years ago. Moving forward, Brookville will continue to live stream public meetings on the city's digital Webex platform, however engagement options will no longer be available. Recordings of the city's public meetings will also continue to be available on the city's website. This transition will begin at the Parks Board meeting on August 13 and then the next City Council meeting on August 20.

Manager Kuntz reported the city recently entered into an agreement with Cargill for road salt for 2024/2025. Brookville went through SWOP4G, which is the state bid program for road rock salt. Cargill was the lowest bid. The city will be receiving up to 300 tons from Cargill at a price of \$65.11 per ton, which is almost \$20 per ton less than the next lowest bid.

Manager Kuntz reported the Brookville Records Commission held a meeting on July 30 to discuss and vote on the city's RC-3 form to be submitted to the state of Ohio for record disposal and the updated RC-2 form, specific for the city's Records Retention Schedule. This was the first Records Commission meeting since 2018 and the first time since 2005 the city's Records Retention Schedule was updated. These two items are very important in ensuring the city is transparent and consistent with keeping vital city records safe. The new updated schedule is also important to ensure new technology and virtual public records are kept and stored in accordance with industry

and state requirements. Records such as police body camera videos and social media posts were obviously not previously included with our retention schedule which was last updated almost 20 years ago. Manager Kuntz thanked the department heads and various staff members who worked on this very tedious project over the past several months. Manager Kuntz also specifically thanked Chief Jerome for spearheading this project and coordinating all the various department's RC-2 and RC-3 updates to be submitted to the state for review and final approval.

Manager Kuntz provided a list of items the Service Department completed over the past few weeks.

Manager Kuntz congratulated and thanked the Brookville Area Chamber of Commerce for an awesome Community Picnic at Golden Gate Park, stating it was a great event for the entire community. Manager Kuntz also thanked all the city departments and staff who worked with the Chamber over the course of the picnic week.

Manager Kuntz reminded everyone of the joint City Council Meeting with the School Board to be held on August 15, 2024 at 6:00 p.m.

Manager Kuntz reported Barton Mallow, the contractor at DMAX, has volunteered to do the demolition of our bank property on Hay Avenue. This project should happen at the end of August, once the necessary permits are obtained.

Service Department Superintendent and Wastewater Treatment Plant Class III Operator Joe Hamiel gave a brief presentation to Council on the Wastewater Treatment Plant in response to questions that have been raised at recent meetings. Superintendent Hamiel stated the plant treats an average of 500,000 gallons per day. The plant is designed to treat 1.2 million gallons per day with a maximum capacity of 5 million gallons per day. During rain events, we sometimes treat up to 3 million gallons per day. Our storm event plan is approved by the Ohio EPA, and we regularly report to the EPA as required to ensure compliance with their standards. Superintendent Hamiel reported we are proactively working to identify and reduce inflow and infiltration issues in our sewer system. Superintendent Hamiel invited interested parties to contact him for a tour of the WWTP facility.

City Manager Kuntz commented the recent study on the WWTP is in the final draft stages and should be available soon for Council and the public.

Fire Chief Fletcher reported the Brookville Fire Department is thrilled to have in service a "new to us" brush truck which replaced an overloaded 2006 Ford F250. The 2018 GMC Sierra 3500HD was transformed by Fleet Mechanic Dave Schmitt into a much more functional and safer brush truck. This vehicle will be used for field and brush fires, and fires in locations where larger fire equipment cannot go. Fire Chief Fletcher reported the Fire Department saves money by refurbishing vehicles and extending their lifespan through preventative maintenance.

Fire Chief Fletcher reported the Community Picnic was uneventful for the Fire Department. Everything went smoothly with the vendors and there were no calls for EMS or Fire services at the picnic.

Police Chief Jerome reported the third Walk the Block with a Cop event will be held this Thursday in the Rona Parkway area. Attendees should meet in the dental lot on Rona Parkway. The Police Department will also lead the Brookville Soccer Parade Saturday morning.

Police Chief Jerome urged residents to avoid being an easy target by locking their vehicles and homes due to an increase in thefts in the area.

Law Director Stephan reported the Meadowlark Subdivision, Phase One record plan is before City Council for approval. Planning Commission approved the Meadowlark Subdivision, Phase One Record Plan at its July 18, 2024 meeting. The plan is consistent with the preliminary plan that was

approved by Planning Commission at its July 21, 2022 meeting. The Meadowlark Subdivision-Phase One consists of 26 lots that will have thirteen paired patio homes built on the 26 lots. Each side of the paired patio home will be sold separately. Law Director Stephan noted this property is in the city and the zoning has been in place for over 40 years. Law Director Stephan requested City Council approve the Meadowlark Subdivision Phase One Final Record Plan.

Motion by Zimmerlin, second by Fowler to approve the Meadowlark Subdivision Phase One Record Plan as presented. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2024-10 amends our code of ordinances to prohibit the possession and use of marijuana in any of our city parks.

Motion by Zimmerlin, second by Wilder to read proposed Ordinance No. 2024-10. All yeas, motion carried.

Motion by Fowler, second by Piper to accept the first reading of proposed Ordinance No. 2024-10. All yeas, motion carried.

Law Director Stephan reported proposed Ordinance No. 2024-11 imposes a temporary moratorium on the issuance of any zoning permits for retail establishments selling primarily tobacco or vaping products.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2024-11. All yeas, motion carried.

Motion by Piper, second by Wilder to accept the first reading of proposed Ordinance No. 2024-11. All yeas, motion carried.

Member Fowler inquired about potential zoning restrictions and planned development overlay for businesses on Market Street.

General discussion followed.

Mayor Letner thanked the Brookville Chamber of Commerce and everyone who helped make the Brookville Community Picnic successful.

Motion by Zimmerlin, second by Crane to read proposed Resolution No. 24-14. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the first reading of proposed Resolution No. 24-14. All yeas, motion carried.

Member Fowler, Park Board Liaison, thanked the Brookville Chamber of Commerce and everyone involved in the Community Picnic for doing a fantastic job.

Member Piper thanked the Park Board and the local businesses for their help with the Community Picnic.

Jami Iaquina, 924 Salem thanked Council for Superintendent Hamiel's presentation. She also had concerns about the vape shop and thanked Council for considering zoning changes to control the appearance of new businesses. Ms. Iaquina stated she heard a rumor that the police raided the vape shop and found THC.

Police Chief Jerome stated that is not true. The vape shop was temporarily shut down regarding fire and building regulations.

Bruce Garber, 434 Sycamore Street, talked about Northmont and Clayton regarding the grow and die issue news front. Bruce Garber questioned how Council is passing ordinances and resolutions, and not following Planning Commission recommendations or citizen input. Mr. Garber stated Council should extend the moratorium on annexations until new Council members are in place. Mr. Garber stated there is a recall petition being circulated on several Council members and stated there may be a phase II recall depending on what Council does. Mr. Garber commented on the treatment of water during storm events at the WWTP.

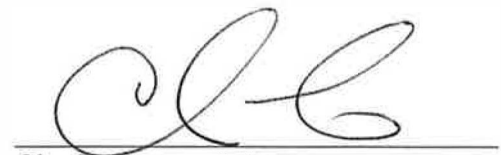
Mike Hughes, 278 Johnsville Brookville Road, had questions about the joint meeting with the school board. Mr. Hughes expressed concerns regarding the report from the WWTP study. Mr. Hughes had questions about whether zoning of a property can expire after a length of time, whether the moratorium would apply to the current vape shop and about stopping the online community engagement in Council meetings.

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

Motion by Fowler, second by Zimmerlin, to resume Regular Session. All yeas, motion carried.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor