



CITY COUNCIL MEETING
Tuesday, October 20, 2020, 7:30 PM
BROOKVILLE FIRE DEPARTMENT TRAINING ROOM
775 E. UPPER LEWISBURG SALEM ROAD, BROOKVILLE, OHIO 45309
(937) 833-2135
www.brookvilleohio.com

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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 September 14, 2020 Special Meeting Minutes
- b. Approval of October 6, 2020 Regular Meeting Minutes

IV. Reports of Municipal Officers

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

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



V. Old Business

- a. Third reading of proposed Resolution No. 20-19 entitled "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR."
- b. Second reading of proposed Ordinance No. 2020-07 entitled "AN ORDINANCE ADOPTING CHAPTER 343-GOLF CARTS AND UNDER-SPEED VEHICLES TO PROVIDE REGULATIONS FOR THE OPERATION OF GOLF CARTS IN THE CITY OF BROOKVILLE."

VI. New Business

- a. First reading of proposed Resolution No. 20-20 entitled "A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE STATE-LOCAL GRANT AGREEMENT AND DESIGNATING SONJA KEATON AS THE PROJECT MANAGER AND PERSON RESPONSIBLE FOR IMPLEMENTING THE FEMA HAZARD MITIGATION GRANT PROGRAM ON BEHALF OF THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY."
- b. First reading of Resolution No. 20-21 entitled "A RESOLUTION AMENDING THE 2020 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE, AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW. "

VII. Reports of Boards and Commissions

- a. JD Fowler - Park Board Liaison
- b. Curt Schreier - Planning Commission Liaison

VIII. Public Comments (5 minutes per speaker)

IX. Executive Session

- a. Per ORC 121.22 G(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.

X. Motion for Adjournment

Please note: Council welcomes the comments and input of the public during Council Meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council Meeting or Public Hearing.

Any citizen who wishes to address Council should state their name, address and then their comments. Speakers should not approach Council Members without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

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



The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to other individuals to prevent any potential confusion or disruption.

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

Brookville City Council
Special Virtual Meeting
September 14, 2020

The Special Meeting of the Brookville City Council was called to order by Mayor Letner at 6:30 p.m. on September 14, 2020. The meeting was held virtually using the Zoom web application. The Pledge of Allegiance was recited. Members Crane, Fowler, Schreier, Swabb, Wilder and Zimmerlin; Manager Keaton, Law Director Stephan and Clerk Duncan were present. Finance Director Brandt, Fire Chief Fletcher and Police Chief Jerome were absent.

Roll Call by Clerk Duncan.

Motion by Zimmerlin, second by Fowler to approve the Agenda as presented. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to go into Executive Session per ORC 121.22 (G)(2) to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property. All yeas, motion carried.

Motion by Crane, second by Zimmerlin to go into Executive Session per ORC 121.22 (G)(2) to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property. All yeas, motion carried.

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

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

Kimberly Duncan, Clerk

Charles Letner, Mayor

Brookville City Council
Regular Meeting
October 6, 2020

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on October 6, 2020. The meeting was held virtually using the Zoom web application. The Pledge of Allegiance was recited. Members Crane, Fowler, Schreier, Swabb, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Clerk Duncan, Fire Chief Fletcher and Police Chief Jerome were present.

Roll Call by Clerk Duncan.

Motion by Swabb, second by Fowler to approve the Agenda as presented. All yeas, motion carried.

Motion by Fowler, second by Schreier to approve the Regular Council Meeting Minutes of September 15, 2020. All yeas, motion carried.

Manager Keaton reported last Thursday, Governor DeWine signed HB614, legislation that distributes the remaining CARES Act funds on a per capita basis. The City is estimated to receive \$211,674. The bill also extends the deadline by which municipalities must return unused funds to November 20; previously the CARES Act funds were to be encumbered by October 15. Manager Keaton advised staff is finalizing cost estimates on the items they would like to procure and will provide Council with a detailed list at the next Council Meeting.

Manager Keaton reported a two-page City Newsletter was re-implemented and will be inserted in the utility bills and mailed out later this week.

Manager Keaton reported leaf pickup will begin on October 12. Leaves will be picked up daily, beginning at one end of the city and working completely through all streets before starting the route over again. Manager Keaton advised raked leaves should be placed in the street, 6" away from curbs. Residents should make sure leaves are not under, between or around parked vehicles. Yard waste should not be mixed with leaves as grass, sticks, brush or spent flowers clog the vacuum.

Manager Keaton reported Absentee Voting by mail and early in-person voting begins today. Citizens can vote early at the Montgomery County Board of Elections, which is in the basement of the Montgomery County building located at 451 W. Third Street, Dayton.

Manager Keaton reported the water tower in Golden Gate Park went back online on September 23, 2020. Soon after the tower was back in operation, it was discovered the mud valve at the top of the tower, inside the column at the base of the bowl, does not seal. It has a slow leak. The mud valve is used to remove sediment from the bottom of the tower and drains into the overflow pipe. This is the original mud valve that was installed when the tower was built. It was not a part of the Water Tank Project, nor was it affected by the work that the contractors performed. The valve needs to be replaced before cold weather sets in, as this could potentially block the overflow pipe. Manager Keaton advised the estimate for the valve and installation is \$5,800. Replacing the mud valve will require the tower to be drained, refilled, and disinfected once the new valve is installed.

Manager Keaton reported next month, the City will be extending the 8" sanitary sewer line from the south edge of the school property across Johnsville-Brookville Road to a manhole that will be installed on the west side of the roadway. There are three vacant lots that sold recently on Johnsville-Brookville Road and the new property owners want to tie into our sewer. This project will also allow for future sewer tap-ins for homeowners along Johnsville-Brookville Road and for any future development in the area. The cost of the project is \$21,530 and will be paid out of our Sewer Fund.

Manager Keaton presented a resignation letter from Park Board Member Zach Music. Manager Keaton requested Council accept his resignation and authorize the Clerk of Council to advertise the open position.

Motion by Fowler, second by Swabb to accept the resignation of Park Board Member Zach Music and authorize the Clerk of Council to advertise the open position. All yeas, motion carried.

Manager Keaton reported work began yesterday on our Front Office Renovation Project. The contractor ran into an issue when existing floor tile was discovered under the existing reception counter and lobby area. The tile needs to be removed to create a suitable substrate for the new carpet. The existing carpet and tile need to be removed and new carpet installed in the hallway that is being created. Change Order #1 will increase the project by \$3,700 to a new contract price of \$51,950.

Motion by Zimmerlin, second by Crane to authorize Front Office Renovation Project Change Order #1 which will increase the project by \$3,700 to a new contract price of \$51,950. All yeas, motion carried.

Manager Keaton thanked Law Director Stephan for filling in as Acting City Manager while she was on vacation and again last week during her family emergency. Manager Keaton also thanked the Department Directors for everything they did for her last week, stating everyone went above and beyond, and she is very grateful for that.

Finance Director Brandt presented the September 30, 2020 Fund Balance.

Motion by Wilder, second by Fowler to accept the September 30, 2020 Fund Balance as presented.

Finance Director Brandt presented a list of items purchased with CARES Funds to date and reported the list will change as more CARES Act funds are released to us. Finance Director Brandt reported some of the items that will be purchased with the additional CARES act funds include AED's for each police cruiser and to replace units that are near end-of-life, a portable UV light disinfectant system, hands free faucets and towel dispensers for our City restrooms, internet roll-out within the community, a camera system for our Council Chambers and replacing the cloth seating in Council Chambers.

Fire Chief Fletcher reported there were some very serious crashes and fires in the past month. There has also been an uptick in heroin and fentanyl overdoses recently. Fire Chief Fletcher reported the Fire Department is participating in a study which gathers data regarding heroin and fentanyl use and may lead to grant funds in the future.

Fire Chief Fletcher reported the City's water, fire and dispatch system is currently being evaluated by the Insurance Services Office, which assigns an ISO rating that insurance rates are based upon. Fire Chief Fletcher reported last year we achieved a rating of 4, and he expects to keep the same rating we this year.

Police Chief Jerome reported another Brookville Police Officer was injured in the line of duty on September 23. This was the second Officer to be injured in the line of duty recently. The Officer is currently back to work, but on light duty.

Police Chief Jerome reported we are still experiencing an uptick in speeding violations and our Officers are continuing to enforce speed limits heavily.

Police Chief Jerome reported our Officers are also heavily enforcing parking violations on the highway ramps.

Police Chief Jerome reported our Officers recently issued several alcohol violations at Golden Gate Park.

Law Director Stephan reported proposed Ordinance 2020-07 to regulate the operation of golf carts within the City of Brookville is before City Council tonight for a first reading. This proposed Ordinance was discussed by Council at the last meeting after a presentation by Police Chief Jerome. Law Director Stephan asked if Council had any questions or comments?

Member Schreier stated the body of the proposed Ordinance mentions other under-speed vehicles and asked if the term under-speed vehicles should be included in the title?

Law Director Stephan replied it might be a good idea to include under-speed vehicles in the title as there may be other under-speed vehicles from time to time that we need to regulate.

Member Zimmerlin asked if the proposed Ordinance was modeled after legislation in other municipalities?

Law Director Stephan replied the proposed Ordinance is modeled after an Ordinance in Huber Heights regulating golf carts. We added specific language requiring the use of lights from sunset to sunrise, or when atmospheric conditions would require lights.

Motion by Schreier, second by Zimmerlin to read proposed Ordinance 2020-07. All yeas, motion carried.

Law Director Stephan stated the title can be amended at the next meeting.

Motion by Fowler, second by Schreier to accept the first reading of proposed Ordinance 2020-07 entitled "AN ORDINANCE ADOPTING CHAPTER 343-GOLF CARTS TO PROVIDE REGULATIONS FOR THE OPERATION OF GOLF CARTS IN THE CITY OF BROOKVILLE. All yeas, motion carried.

Mayor Letner encouraged everyone to "help us, help you" and vote yes on Issue 1 and Issue 2.

Mayor Letner thanked Gale Colston, the Pink Ribbon ladies, Mick Waltz, Police Chief Jerome and Fire Chief Fletcher for making the annual Breast Cancer Walk a success.

Motion by Fowler, second by Zimmerlin to read proposed Resolution No. 20-17. All yeas, motion carried.

Motion by Fowler, second by Swabb to accept the third reading and adopt Resolution No. 20-17 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED." All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to read proposed Resolution No. 20-18. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the third reading and adopt Resolution No. 20-18 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED." All yeas, motion carried.

Motion by Fowler, second by Swabb to read proposed Resolution No. 20-19. All yeas, motion carried.

Motion by Swabb, second by Schreier to accept the second reading of proposed Resolution No. 20-19 entitled "A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR." All yeas, motion carried.

Park Liaison Fowler had no report.

Planning Commission Liaison Schreier advised Planning Commission has a Public Hearing scheduled for October 22, 2020 on the proposed rezoning of the Meadows of Brookville.

Jessica Wells, of 21 Heckathorn Road, stated in regards to the Meadows of Brookville, Section Five, a Final Plat design was approved first by Brookville Planning Commission Regular Meeting January 19, 2006 and Brookville City Council Regular Meeting February 7, 2006, zoned R-1C with 45 single-family lots, with all yeas at both meetings. At Brookville Planning Commission Regular Meeting March 16, 2006, Law Director Rod Stephan "stated there was a Preliminary Plat for the Meadows of Brookville that was adopted many years ago. Preliminary Plats may be modified. They are not legally binding. The legally binding document that is filed through our process is the Final Plat." Mrs. Wells asked if the Meadows of Brookville, Section Five Final Plat filing has already been approved by the Brookville Planning Commission and the Brookville City Council in 2006 as a legally binding document between the City of Brookville and Tim Taylor, of Taywood Enterprises, the developer, why did she receive a certified letter from the City with a proposal to rezone and replat Section Five from R-1C to R-3 multi-family? It seems this matter has already been brought before Council and finalized.

Mrs. Wells also stated in regards to the same Meadows of Brookville, Section Five, at the Brookville Planning Commission Regular Meeting May 19, 2005, the Brookville Planning Commission discussed rezoning to build doubles and the Planning Commission was not in favor of rezoning the lots at that time. At the Brookville Planning Commission Regular Meeting on September 15, 2005, Tim Taylor, of Taywood Enterprises, indicated that he wanted to incorporate the concept of the single-family homes facing Westbrook Road. Planning Commission was in favor of single-family homes facing Westbrook Road. At the Brookville Planning Commission Regular Meeting March 16, 2006, Member Boose "indicated Planning Commission unanimously turned that down because they felt the citizens of the subdivision would not want doubles sitting out there, when they were told that it would be single family homes." Mrs. Wells stated procedurally, it seems to her that building doubles on the Meadows of Brookville, Section Five, has already been addressed and asked why is this coming up again? Why did the Planning Commission flip flop on rezoning from R-1C to R-3 from being so against it that is wasn't even brought to City Council in 2005 or 2006 but is now being brought up again 15 years later?

Law Director Stephan replied Planning Commission has not flip flopped. They have not made any kind of decision at this time. The applicant came in for a preliminary conference to propose rezoning to R-3 for zero lot line homes to be built along Westbrook Road. Planning Commission has not made a final decision. There will be a Public Hearing on October 22, 2020, after which Planning Commission will make a final recommendation to City Council. There will then be two more readings of the proposed Ordinance for rezoning. At any point in time, Planning Commission or City Council could vote no and this process would end. The bottom line is the applicant is coming in, the property is vacant, and they have a new developer who wants to build zero lot line homes. The evidence and public testimony from residents will be considered. Law Director Stephan stated Ms. Wells is correct, there was previous opposition to building doubles along Westbrook Road. Planning Commission will consider the current evidence and make a decision at that time.

Ms. Wells asked if she had time for another question?

Law Director Stephan stated he used some of her allotted 5 minutes and advised her to go ahead with her question.

Mrs. Wells stated she and her husband bought their current home in October of 2019. They used to live on Hull Court until the Memorial Day tornados. That night, she and her husband literally laid on top of their children to protect them from the wind and the debris. It is a miracle that the five of them walked away relatively physically unharmed. Her oldest child left the house that night in two different shoes because it was the best they could do when a 40-foot tree landed in the bed she was asleep in 10 minutes before. Her four-year-old asked her every day for months while they were displaced if they were safe in the house. All three of her children still show signs of extreme stress and anxiety during storms and on windy days. Immediately after things settled down that night, before they even knew the extent of the damage, she saw the Brookville community come together to help the victims of the tornado. Friends, family neighbors and complete strangers came

together to support them when they needed it the most. Mrs. Wells stated you don't find that sense of community just anywhere. Mrs. Wells stated they lost everything they had worked for and any sense of security they had. Their insurance company told them that they needed to demolish their pile of rubble to dirt. They were displaced for months, staying first with family and then in a rental outside of the city. When they started house hunting, they did not look anywhere except in Brookville, because they want to be here. They want to raise their family here and want their children to be Brookville graduates. Mrs. Wells stated they looked at over two dozen houses before they found this one. They were in the house for less than ten minutes before writing the offer, which was one of four made within the first 24 hours the house was on the market. Mrs. Wells stated they have worked hard over the last twelve months to make this house their forever home. The licensed realtor they worked with in 2019 assured them that the open field behind their property is zoned for single family homes. The final plat was approved in 2006. Mrs. Wells stated, in her opinion, the Brookville City Council, Brookville Planning Commission, Mike Oxner and Tim Taylor have all made comments and guarantees to the residents of Brookville on the public record that none of them have followed through with. Mrs. Wells stated the residents have been promised multiple times that single family homes would be built, sidewalks and street lights would be installed along Westbrook Road, the speed limit would be reduced to 35 miles per hour and that the annexation of Westbrook Road from the Ohio Department of Transportation was begun as an expedited type 2 process in March of 2006. It has been at least 14 years since these promises were made, one year since she has lived here and yet nothing has been done, except to antagonize the residents by bringing the issue of rezoning to multi-family lots once again to their attention, when the issue has already been entered into as a legally binding contract. Mrs. Wells stated they don't want duplexes, town houses, multi-dwelling structures, or whatever term you please to use to be built along Westbrook Road or in any remaining areas of the Meadows of Brookville. The residents who have invested here and have committed to living in the City of Brookville, such as herself have been clear in that. In her opinion it is time the current Brookville City Council and the developer pursue what they have promised the residents and agreed to previously.

Mayor Letner thanked Mrs. Wells for her comments.

Karen Braund, of 15 Heckathorn Road, thanked Law Director Stephan and City Staff for the timely response to her rather lengthy public records request, which she has shared with the residents of the Meadows of Brookville. Mrs. Braund stated she also appreciates Jessica Wells, who has partnered with her in the enlightenment and education of others in the plat. Mrs. Braund stated there are only a couple of people who are on Staff or Council that remember in 2006 when the residents were less than pleased. Mrs. Braund read from the Brookville Charter 1185.02 "REVISION OF PLAT AFTER APPROVAL. No changes, erasures, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Planning Commission." Mrs. Braund stated she spoke to Law Director Stephan yesterday on this topic and he stated he "was aware of this after-the fact." Mrs. Braund stated her question is when was the City aware of covenant changes made by Tim Taylor and Taywood Enterprises on Meadows of Brookville Section Five on September 24, 2015, without City knowledge or approval to downgrade the minimum floor area from 1,500 to 1,400 square feet? Mrs. Braund stated the residents of Meadows of Brookville were informed all covenants pertaining to entire plat were to remain in force with balance of construction back in 2006. This was recommitted to Planning and City Council in 2008 by Taywood Enterprises and Tim Taylor. It seems to be contra to Section 1185.02 as stated above. Mrs. Braund asked as the City is the primary enforcer of our covenants and restrictions, was this legal? What actions is the City undertaking to have Taywood Enterprises and Tim Taylor restore the covenants to the original approved status of 2006?

Law Director Stephan informed Council that Mrs. Braund submitted a public records request regarding the current zoning application and asked for the history of the Meadows of Brookville and a list of documents related to that, which she was provided. The Meadows of Brookville Subdivision, Section Five was approved January 16, 2006 by Planning Commission and on February 7, 2006 by City Council. The covenants of the Meadows of Brookville, Section 5 plat as filed provided for a minimum floor area of 1,500 square feet for a single-story residence and 1,700 square feet for a two-story residence. This was the same square footage that was previously set forth in Sections 1 through 3 in the Meadows of Brookville subdivision. The covenants state that it can be amended by written consent of 67% of the owners of record. Law Director Stephan stated

with respect to the Meadows of Brookville, Section 5, the sole owner is Taywood Enterprises, except for one lot that is currently owned by Mrs. Braund and her husband. On September 24, 2015, Taywood Enterprises filed an amendment to covenants. This amendment was signed by them as the owners of the lots. It amended Section 2 to reduce the minimum square footage from 1,500 square feet to 1,400 square feet. That amendment was filed with the Montgomery County recorder on September 24, 2015. Law Director Stephan indicated he researched Montgomery County records for covenants and found this amendment to the covenants, along with an earlier amendment to the covenants for Section 4. The 1,400 square feet is consistent with the R1-C zoning requirement for single family housing. The issue is that the covenants permit the owners to amend and Taywood Enterprises own more than 67% of the lots in the subdivision. The second issue is whether that in any way violates any previous approvals of Planning Commission or City Council with respect to that plat. Law Director Stephan stated the bigger issue is if you look at the earlier sections of the Meadows of Brookville, they were all 1,500 and 1,700 square feet. As the property owners are the primary enforcers of the covenants, they have rights to enforce the covenants. The covenant was amended pursuant to the terms that were filed on the original plat. They followed the amendment process. We are going to review whether there were statements made in the Planning Commission or City Council approval that specifically required that square footage. And will also review any application or any other information we had at that time that specifically said that would be the square footage. Law Director Stephan advised we will look at what our options are legally, but they followed the process set forth in the covenants for amendments. Law Director Stephan stated he hopes this answers Mrs. Braund's question.

Mrs. Braund stated it does, she was more interested in getting this on record for the City Council and Planning Commission. Mrs. Brand stated the largest concern of the residents is your word, is your word binding, and if there are time constraints or conditions on promises. There have been multiples made by Tim Taylor and Taywood of which she knows Law Director Stephan plans to enlighten City Council on. She thinks there is potentially something there that would void all of this. She is not interested in re-litigating 2006 once again. She is interested in putting this to bed once and for all so that the blood pressure of the 92 individuals that live here don't go through the roof yet again. Mrs. Braund advised she would like to make the Council aware that there was a resident meeting last night of the Meadows of Brookville and there will be an opening statement presented at the joint meeting. There will also be a presentation of a petition signed with requests of the City, the Council and Planning after all residents have had an opportunity to speak and be heard. Mrs. Braund stated they continue to gather signatures. A final tally, complete with copies, will be presented on October 22, 2020 at the joint meeting. There are some items that they as citizens are looking for Council to uphold as was previously stated in meeting minutes and promised to the residents. Mrs. Braund stated we live by what is read in the meeting minutes. If there is a promise made, we move on.

Mayor Letner advised Mrs. Braund that Council gets the gist of her concerns but her time limit to speak has expired.

Mrs. Braund stated she just had one other question relating to the due diligence.

Mayor Letner stated he thinks these things can be answered at the Public Hearing on October 22, 2020.

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

Kimberly Duncan, Clerk

Charles Letner, Mayor



To: Mayor & Council
From: Sonja M. Keaton, City Manager
RE: Manager's Report
Date: 10/19/2020

Reminder Trick-or-Treat is scheduled for Saturday, October 31 from 6-7:30 p.m.

Council has a copy of Budget Comparison sheets for May-September as a result of the COVID-19 pandemic.

FEMA approved the Hazard Mitigation Grant for the property located at 320 S. Wolf Creek Street. Federal Funding was approved in an amount not to exceed \$86,343, State funding in an amount not to exceed \$14,391, with local funds totaling \$14,391. A meeting with our Mitigation Specialist will be scheduled soon for program implementation requirements.

Proposed Resolution No. 20-20 authorizes the Mayor to sign the State-Local Grant Agreement and designates the City Manager as the Project Manager for the Hazard Mitigation Grant for 320 S. Wolf Creek Street. The reason for the emergency is for the timely submittal of the adopted Resolution to FEMA by October 29, 2020.

A reminder to get out and vote on November 3. The City has two levies on the ballot.

- Issue 1 is an additional tax for the benefit of the City of Brookville for parks and recreational purposes. This levy will generate \$125,000 annually and will cost a homeowner, with a home valued at \$100,000, \$40.60 annually for five years commencing in 2020, first due in calendar year 2021.
- Issue 2 is an additional tax for the benefit of the City of Brookville for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges. This levy will generate \$500,000 annually and will cost a homeowner, with a home valued at \$100,000, \$162.05 annually for five years commencing in 2020, first due in calendar year 2021.

The 500,000-gallon water tower in Golden Gate Park will come offline today, and work will begin on Wednesday to replace the mud valve. The tower will begin the disinfection process on October 26.

Our current Towing Agreements date back to 2011. Letters are being sent out to the three tow companies we currently use informing them of some minor changes to our Towing Contract.

The Service Department recently:

- Poured a concrete slab under the message board on Market Street
- Made repairs to the used oil furnace in the Service Garage
- Applied Fall spraying in the parks
- Repaved spots on Albert Rd., Johnsville Brookville, Hay Ave., and E. Westbrook Rd.
- Flail mowed Arlington Rd. north of I-70
- Began leaf collection

SEPTEMBER COMPARISON

<u>Revenue</u>	<u>2019</u>	<u>2020</u>	<u>Sum Difference</u>	<u>% Difference</u>
Income Tax	\$2,467,931.88	\$2,374,573.88	(\$93,358.00)	-3.8%
Motel Tax	\$36,546.32	\$20,598.36	(\$15,947.96)	-43.6%
Local Government County	\$51,799.48	\$51,445.10	(\$354.38)	-0.7%
Local Government State*	\$4,872.85	\$16,801.73	\$11,928.88	244.8%
Motor Vehicle Tax	\$45,664.11	\$43,725.53	(\$1,938.58)	-4.2%
Local Vehicle Tax	\$22,838.50	\$22,389.50	(\$449.00)	-2.0%
Gasoline Tax**	\$112,482.45	\$189,228.99	\$76,746.54	68.2%
Highway Dist. Fund	\$52,601.88	\$45,371.88	(\$7,230.00)	-13.7%
Park Permits	\$36,026.00	\$16,913.50	(\$19,112.50)	-53.1%

*State resumed LGF in July 2019.

**Gas Tax receipts increased in September 2019.

10/16/2020

AUGUST COMPARISON

<u>Revenue</u>	<u>2019</u>	<u>2020</u>	<u>Sum Difference</u>	<u>% Difference</u>
Income Tax	\$2,234,576.40	\$2,179,376.86	(\$55,199.54)	-2.5%
Motel Tax	\$31,479.60	\$18,086.85	(\$13,392.75)	-42.5%
Local Government County	\$45,525.22	\$44,774.12	(\$751.10)	-1.6%
Local Government State*	\$2,740.58	\$14,477.28	\$11,736.70	428.3%
Motor Vehicle Tax	\$39,546.68	\$39,138.14	(\$408.54)	-1.0%
Local Vehicle Tax	\$20,221.00	\$19,697.00	(\$524.00)	-2.6%
Gasoline Tax**	\$90,522.53	\$166,371.95	\$75,849.42	83.8%
Highway Dist. Fund	\$46,208.63	\$39,284.04	(\$6,924.59)	-15.0%
Park Permits	\$31,768.50	\$13,470.50	(\$18,298.00)	-57.6%

*State resumed LGF in July 2019.

**Gas Tax receipts increased in September 2019.

8/31/2020

JULY COMPARISON

<u>Revenue</u>	<u>2019</u>	<u>2020</u>	<u>Sum Difference</u>	<u>% Difference</u>
Income Tax	\$2,103,863.89	\$1,623,520.31	(\$480,343.58)	-22.8%
Motel Tax	\$25,399.11	\$15,351.68	(\$10,047.43)	-39.6%
Local Government County	\$40,383.80	\$37,557.97	(\$2,825.83)	-7.0%
Local Government State*	\$1,174.13	\$11,885.73	\$10,711.60	912.3%
Motor Vehicle Tax	\$33,073.74	\$29,553.05	(\$3,520.69)	-10.6%
Local Vehicle Tax	\$17,379.00	\$15,792.00	(\$1,587.00)	-9.1%
Gasoline Tax**	\$79,083.93	\$144,349.22	\$65,265.29	82.5%
Highway Dist. Fund	\$40,024.91	\$33,591.47	(\$6,433.44)	-16.1%

*State resumed LGF in July 2019.

**Gas Tax receipts increased in September 2019.

8/3/2020

JUNE COMPARISON

<u>Revenue</u>	<u>2019</u>	<u>2020</u>	<u>Sum Difference</u>	<u>% Difference</u>
Income Tax	\$1,913,895.59	\$1,559,053.47	(\$354,842.12)	-18.5%
Motel Tax	\$18,286.37	\$12,757.34	(\$5,529.03)	-30.2%
Local Government County	\$33,936.18	\$31,020.75	(\$2,915.43)	-8.6%
Local Government State*	\$0.00	\$9,609.75	\$9,609.75	
Motor Vehicle Tax	\$29,012.36	\$23,640.86	(\$5,371.50)	-18.5%
Local Vehicle Tax	\$15,102.00	\$12,604.50	(\$2,497.50)	-16.5%
Gasoline Tax**	\$67,382.25	\$124,544.18	\$57,161.93	84.8%
Highway Dist. Fund	\$34,150.42	\$28,623.40	(\$5,527.02)	-16.2%

*State resumed LGF in July 2019.

**Gas Tax receipts increased in September 2019.

7/7/2020

MAY COMPARISON

<u>Revenue</u>	<u>2019</u>	<u>2020</u>	<u>Sum Difference</u>	<u>% Difference</u>
Income Tax	\$1,676,214.61	\$1,316,974.22	(\$359,240.39)	-21.4%
Motel Tax	\$13,744.47	\$11,272.97	(\$2,471.50)	-18.0%
Local Government County	\$27,670.76	\$25,743.44	(\$1,927.32)	-7.0%
Local Government State*	\$0.00	\$7,947.60	\$7,947.60	
Motor Vehicle Tax	\$23,713.62	\$20,227.65	(\$3,485.97)	-14.7%
Local Vehicle Tax	\$12,254.00	\$10,772.00	(\$1,482.00)	-12.1%
Gasoline Tax**	\$55,923.16	\$107,351.37	\$51,428.21	92.0%
Highway Dist. Fund	\$27,932.60	\$26,101.24	(\$1,831.36)	-6.6%

*State resumed LGF in July 2019. Monthly average - \$1,772 (\$8,862 for 5 months)

**Gas Tax receipts increased in September 2019. Monthly average - \$23,026 (\$92,104 for 4 months)

5/31/2020

Memo

To: Mayor and Council

From: Michelle Brandt, Finance Director

Date: October 20, 2020

Subject: Finance Report

→ I am requesting Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution 20-21 that amends the 2020 Appropriations and Estimated Resources. This Resolution shall take effect immediately after passage of this Resolution as provided in 4.07(A)(1) of the Charter of the City.

CARES ACT EXPENSES

Check #	Date	Vendor	Purpose	Amount
57271	4/8/2020	AMAZON CAPITAL SERVICES (AA0545)	INFECTION CONTROL CAN/DOLLY	\$ 67.98
			BIOHAZARD WASTE BAGS	\$ 34.61
57272	4/8/2020	BOUND TREE MEDICAL LLC (BB0572)	EMS SUPPLIES	\$ 2,393.44
57588	6/24/2020	AMAZON CAPITAL SERVICES (AA0545)	FACE MASKS	\$ 444.16
57647	7/10/2020	GRAINGER	DISINFECTANT SOAP	\$ 655.68
57671	7/10/2020	FLEXPAC	DISINFECTANT SPRAY	\$ 279.80
			GLOVES	\$ 352.00
57657	7/10/2020	LIBERTY SERVICES	DISINFECTING OF CITY BUILDINGS	\$ 400.00
57755	8/11/2020	AMAZON CAPITAL SERVICES (AA0545)	HAND SANITIZER	\$ 2,505.68
57772	8/11/2020	DASH MEDICAL GLOVES	GLOVES	\$ 171.80
57781	8/11/2020	LIBERTY SERVICES	DISINFECTANT SPRAY	\$ 136.00
57802	8/11/2020	AMAZON CAPITAL SERVICES (AA0545)	HAND SANITIZER	\$ 473.95
			ZOOM SUBSCRIPTION	\$ 119.92
57822	8/19/2020	CODE CREDIT UNION	HAND SANITIZER	\$ 560.00
			CUBICAL PARTICIANS	\$ 1,743.66
57902	9/10/2020	LIBERTY SERVICES	DISINFECTING OF CITY BUILDINGS	\$ 850.00
57882	9/10/2020	CODE CREDIT UNION	REFUND OF TAXES - PARTICIANS	\$ (121.66)
57935	9/10/2020	VERIZON	IPAD	\$ 1,049.99
57923	9/10/2020	FLEXPAC	SOAP/TOUCH FREE DISPENSERS	\$ 1,435.25
57866	9/10/2020	AMAZON CAPITAL SERVICES (AA0545)	GLOVES	\$ 54.76
57967	9/24/2020	VANDALIA RENTAL	STAKES FOR COVID SIGNS	\$ 83.98
58027	10/13/2020	FLEXPAC	DISINFECTANT	\$ 75.78
				<u>\$ 13,766.78</u>

CARES ACT ENCUMBRANCES

VENDOR	DISCRIPTION	BALANCE
LIBERTY SERVICES	DISINFECTION OF CITY BUILDINGS	3,800.00
BROOKS PIPING & PLUMBING CO	SENSORED DRINKING FOUNTAINS & FAUCETS	36,125.00
BRUMBAUGH CONSTRUCTION	FRONT OFFICE RENO	36,890.00
CDW GOVERNMENT	FIRE STATION VIDEO CONFERENCING KIT	20,910.88
CDW GOVERNMENT	COUNCIL CHAMBERS CONFERENCE SYSTEM	21,739.71
LARSON ELECTRONICS	INDUSTRIAL PORTABLE/HANDHELD UV DISINFECTION LIGHTS	30,809.77
STRYKER	AED'S	27,161.20
		\$ 177,436.56



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda October 20, 2020

Reportable Incidents

1/1/2019 – 10/16/2019 = 557

1/1/2020 – 10/16/2020 = 541

Citations

1/1/2019 – 10/16/2019 = 357

1/1/2020 – 10/16/2020 = 351

Traffic Stops

October 2019- 162

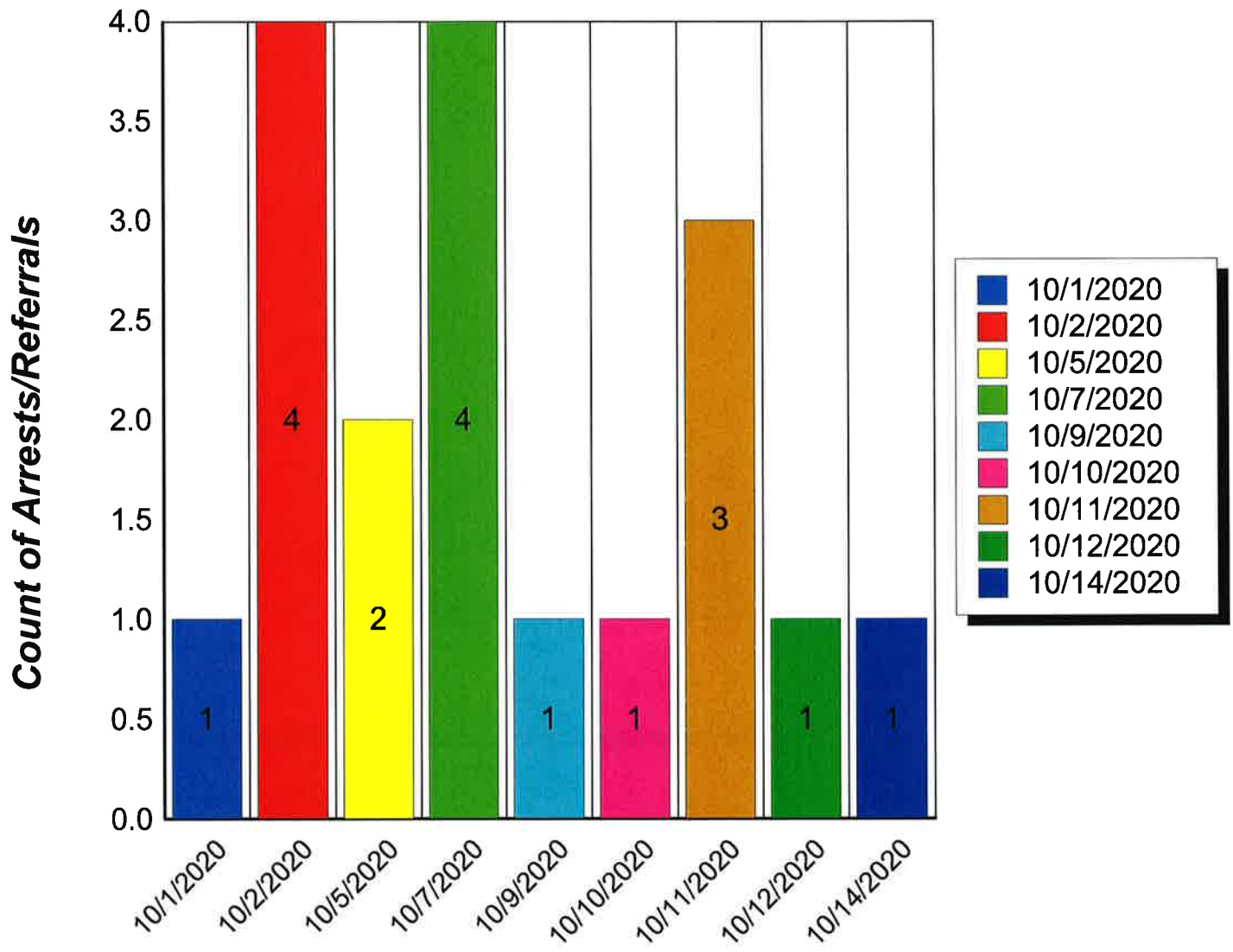
October 2020 to date- 72

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
October 01, 2020	1
October 02, 2020	4
October 05, 2020	2
October 07, 2020	4
October 09, 2020	1
October 10, 2020	1
October 11, 2020	3
October 12, 2020	1
October 14, 2020	1
Total Selected = 18	

Arrest Log by Date



Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
10/01/2020		TREVOR A. DUNCAN	3552 OZIAS RD, EATON, OH 45320 35: WARRANT ARREST	2020-00504
10/02/2020		MICHAEL W. SHILT	405 SWEITZER ST, GREENVILLE, OH 45331 291731: Inducing panic	2020-00505
		LEA A. STUDEBAKER	26 WESTERN AVE, BROOKVILLE, OH 45309 292131: Obstructing official business	2020-00505
		BETH L. PENNEY	19 MARILYN AVE, BROOKVILLE, OH 45309 35: WARRANT ARREST	2020-00506
		JEFFREY S. FETZER	5192 PYRMONT RD, LEWISBURG, OH 45338 35: WARRANT ARREST	2020-00506
10/05/2020		VICTORIA K. BURKE	352 BAKER ST APT 2, BROOKVILLE, OH 45309 292512: Possessing drug abuse instrument - obtain, use 292511C3: Drug abuse - marijuana	2020-00512
		SARAH M. LARIVIERE	10079 ARCH ST, GERMANTOWN, OH 45327 35: WARRANT ARREST	2020-00513
10/07/2020		GAGE R. MOORE	3640 US RT 35 E, WEST ALEXANDRIA, OH 45381 292512: Possessing drug abuse instrument - obtain, use	2020-00514
		ANTHONY V. TRAVERS	29 S. JUNE ST, DAYTON, OH 45401 4510.111: CHILD SUPPORT SUSPENSION	2020-00515
		SARAH C. CICONETT	71 E. BURTON AVE, DAYTON, OH 45405 292511C1: Drug abuse - sched. I or II substance	2020-00515
		RAYMOND I. GINN	14434 BROOKVILLE PYRMONT RD, BROOKVILLE, OH 45 292514: Drug paraphernalia	2020-00516
10/09/2020		SCHAMARIA S. MAY-MC	8469 WILDCAT DR, HUBER HEIGHTS, OH 45424 35: WARRANT ARREST	2020-00523
10/10/2020		TRAVIS H. SLONE	321 S MATTESON ST, BRONSON, MI 49028 292511C3: Drug abuse - marijuana	2020-00528
10/11/2020		DAVID T. TOWNSEND	132 1/2 SOUTH 14TH ST., RICHMOND, IN 47374 292514C1: Illegal use or possession of drug paraphernalia	2020-00532
		JAMES H. ABNEY	414 GARDNER ST, RICHMOND, IN 47374 35: WARRANT ARREST	2020-00532
10/11/2020	02:33 PM	DOUGLAS MCDANIEL	7130 MILLER LANE RM 203, DAYTON, OH 45414 292514: Drug paraphernalia 430162B4: Open container liquor - operator or passenger of v	2020-00531
10/12/2020		DAVID E. GRUBB	117 SYCAMORE ST APT 202, BROOKVILLE, OH 45309 291925A: Domestic violence - knowingly cause physical harm	2020-00534

Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
10/14/2020		DANIEL S. PARRETT	13 E. WORLEY AVE, TROTWOOD, OH 45426 291925A: Domestic violence - knowingly cause physical harm 291925C: Domestic violence - knowingly force, threat of	2020-00540

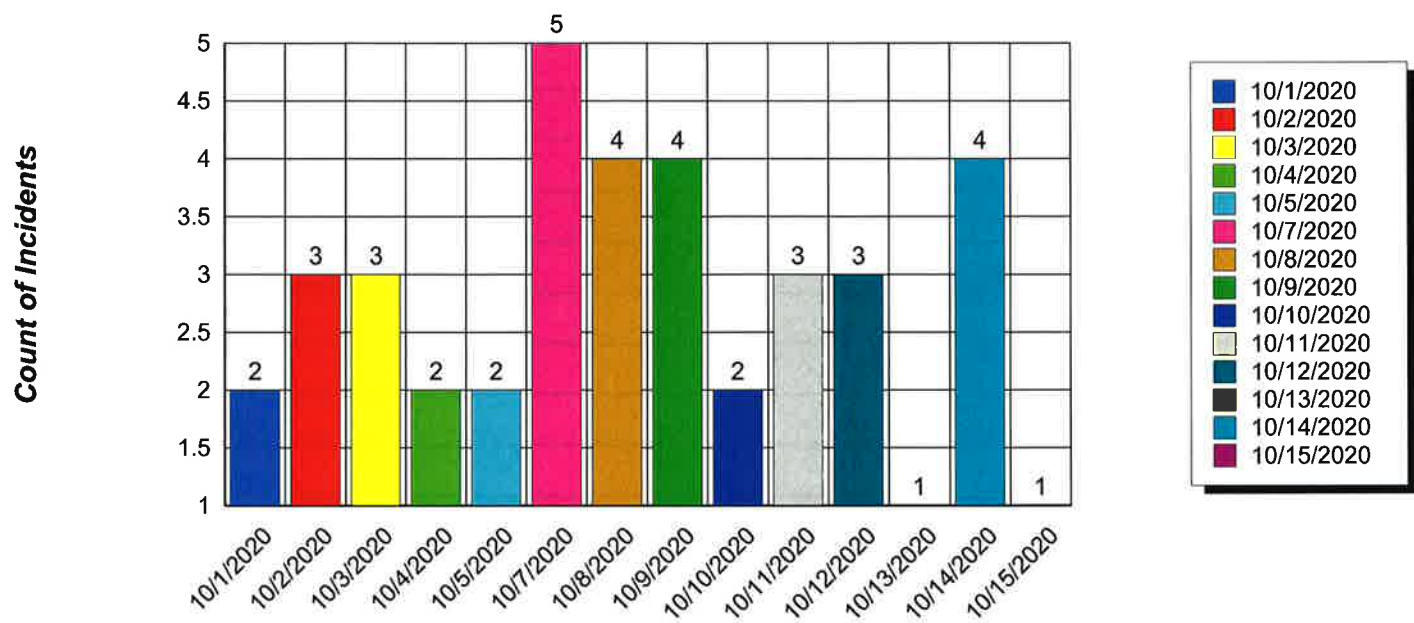
Total Selected = 18

Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
10/01/2020	Thursday	2
10/02/2020	Friday	3
10/03/2020	Saturday	3
10/04/2020	Sunday	2
10/05/2020	Monday	2
10/07/2020	Wednesday	5
10/08/2020	Thursday	4
10/09/2020	Friday	4
10/10/2020	Saturday	2
10/11/2020	Sunday	3
10/12/2020	Monday	3
10/13/2020	Tuesday	1
10/14/2020	Wednesday	4
10/15/2020	Thursday	1
Total Selected = 39		

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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October 01, 2020

2020-00503	55 ROBERT WRIGHT BROOKVILLE PD	SIGNAL 26O - BOMB THREAT	10/01/2020	10/01/2020	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26O - ALL OTHER CRIMINAL OFFENSES

2020-00504	36 CORONADO DR BROOKVILLE PD	SIGNAL 35 - WARRANT	10/01/2020	10/01/2020	ARREST
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Offenses	UCR	Offense Description
1	N/A	35 - WARRANT ARREST

Total Incidents Reported for Date: 2

October 02, 2020

2020-00524	210 E UPPER LEWISBURG SALEM ROAD BROOKVILLE PD	SIGNAL 26I - CRIMINAL TRESPASS	10/02/2020	10/09/2020	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	291121 - Criminal trespass

2020-00505	799 ARLINGTON RD BROOKVILLE PD	SIGNAL 18HO - HEROIN OVERDOSE	10/02/2020	10/02/2020	ARREST
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Offenses	UCR	Offense Description
2	02	291731 - Inducing panic
	02	292131 - Obstructing official business

2020-00506	100 PARKVIEW BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	10/02/2020	10/02/2020	ARREST
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Offenses	UCR	Offense Description
2	N/A	35 - WARRANT ARREST
	N/A	35 - WARRANT ARREST

Total Incidents Reported for Date: 3

October 03, 2020

2020-00507	58 URBAN LANE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/02/2020	10/03/2020	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2020-00508	ARLINGTON @ WOLF CREEK	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	10/03/2020	10/03/2020	
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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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October 03, 2020

BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description

1 N/A 451142 - RIGHT OF WAY WHEN TURNING LEFT

2020-00509 510 E. UPPER LEWISBURG RD SIGNAL 55 - TRAFFIC STOP 10/03/2020 10/03/2020
BROOKVILLE PD EXCEPTIONALLY CLEARED

Offenses UCR Offense Description

1 N/A 451016 - FRA SUSPENSION

Total Incidents Reported for Date: 3

October 04, 2020

2020-00510 119 SYCAMORE STREET SIGNAL 18- DRUG ABUSE 10/04/2020
BROOKVILLE PD

Offenses UCR Offense Description

1 01 292512 - Possessing drug abuse instrument - obtain, use

2020-00511 833 SHANEY LN SIGNAL 17 - SEX OFFENSES 10/04/2020
BROOKVILLE PD OPEN CASE

Offenses UCR Offense Description

1 01 290705 - Gross sexual imposition

Total Incidents Reported for Date: 2

October 05, 2020

2020-00512 BAKER STREET AT SALEM STREET SIGNAL 18 - DRUG OFFENSES 10/05/2020 10/05/2020
BROOKVILLE PD ARREST

Offenses UCR Offense Description

2 01 292512 - Possessing drug abuse instrument - obtain, use
01 292511C3 - Drug abuse - marijuana

2020-00513 ARLINGTON @ I70 SIGNAL 35 - WARRANT ARREST 10/05/2020 10/05/2020
BROOKVILLE PD ARREST

Offenses UCR Offense Description

1 N/A 35 - WARRANT ARREST

Total Incidents Reported for Date: 2

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
October 07, 2020					
2020-00514	100 PARKVIEW DR NORTH BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	10/07/2020	10/07/2020	ARREST
Offenses UCR Offense Description 2 01 292512 - Possessing drug abuse instrument - obtain, use 01 292511C1 - Drug abuse - sched. I or II substance					
2020-00515	706 MARKET ST BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	10/07/2020	10/07/2020	ARREST
Offenses UCR Offense Description 4 01 292511C1 - Drug abuse - sched. I or II substance N/A 4510.111 - CHILD SUPPORT SUSPENSION N/A 451012 - DRIVING WITHOUT VALID LICENSE N/A 451322 - EXCESSIVE SMOKE					
2020-00516	450 N Wolf Creek Street BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	10/07/2020	10/07/2020	ARREST
Offenses UCR Offense Description 2 02 292514 - Drug paraphernalia N/A 451016 - FRA SUSPENSION					
2020-00517	SIGNAL 26I - CRIMINAL TRESPASS BROOKVILLE PD	SIGNAL 26I - CRIMINAL TRESPASS	10/07/2020	10/07/2020	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 291121 - Criminal trespass					
2020-00518	INTERSTATE 70 EASTBOUND EXIT RAMP BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	10/07/2020	10/07/2020	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 2 N/A 451012 - DRIVING WITHOUT VALID LICENSE N/A 451016 - FRA SUSPENSION					
Total Incidents Reported for Date: 5					

October 08, 2020

2020-00519	ARLINGTON RD @ MOUND ST BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	10/08/2020	10/08/2020	EXCEPTIONALLY CLEARED
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Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
October 08, 2020					
Offenses UCR Offense Description 3 N/A 451182 - LITTERING OFFENSE N/A 451182 - LITTERING OFFENSE N/A 4513263B - SEAT BELT					
2020-00520	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/08/2020		OPEN CASE
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2020-00521	220 WALNUT ST BROOKVILLE PD	SIGNAL 11 - FRAUD	10/08/2020	10/08/2020	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 06 291349A - Taking identity of another					
2020-00522	301 SYCAMORE ST BROOKVILLE PD	SIGNAL 26I - INFORMATION	10/08/2020	10/08/2020	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 4					

October 09, 2020

2020-00523	ALBERT RD & SALEM ST BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	10/09/2020	10/09/2020	ARREST
Offenses UCR Offense Description 5 N/A 35 - WARRANT ARREST 01 451315A1 - HEADLIGHT ILLUMINATION N/A 451011 - DRIVING UNDER SUSPENSION N/A 451002B6 - NON COMPLIANCE SUSPENSION N/A 451012 - DRIVING WITHOUT VALID LICENSE					
2020-00525	COLLECTIVE WAY @ NUTRITION WAY BROOKVILLE PD	SIGNAL 53HR - HIT-SKIP ACCIDENT	10/09/2020	10/09/2020	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 N/A 53H&R - HIT & RUN CRASH					
2020-00526	CARR DR @ ALBERT RD BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	10/09/2020	10/09/2020	EXCEPTIONALLY CLEARED

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 09, 2020

Offenses UCR Offense Description
 3 N/A 451012 - DRIVING WITHOUT VALID LICENSE
 N/A 451016 - FRA SUSPENSION
 N/A 450319 - Expired registration

2020-00527	ARLINGTON @ I70 BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	10/09/2020	10/09/2020	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 2 N/A 4510.111 - CHILD SUPPORT SUSPENSION
 N/A 454908 - FICTICIOUS PLATES

Total Incidents Reported for Date: 4

October 10, 2020

2020-00528	N. Wolf Creek Street at Western Ave BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	10/10/2020	10/10/2020	ARREST
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Offenses UCR Offense Description
 2 01 292511C3 - Drug abuse - marijuana
 N/A 450321 - FAILURE TO DISPLAY REGISTRATION

2020-00529	720 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 15 - IMPROPER HANDLING OF A FIREARM IN VEHICLE	10/10/2020	10/10/2020	ARREST
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Offenses UCR Offense Description
 4 N/A 451012 - DRIVING WITHOUT VALID LICENSE
 N/A 451016 - FRA SUSPENSION
 N/A 451139 - FAILURE TO SIGNAL
 01 292316 - Improperly handling firearms in motor vehicle

Total Incidents Reported for Date: 2

October 11, 2020

2020-00530	609 Hunters Run BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	10/11/2020	10/11/2020	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 3 N/A 451014 - DRIVING UNDER ALS SUSPENSION
 N/A 4513263B - SEAT BELT
 N/A 450321 - FAILURE TO DISPLAY REGISTRATION

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 11, 2020

2020-00531	450 N. WOLF CREEK ST BROOKVILLE PD	SIGNAL 18 - DRUG OFFENSE	10/11/2020	10/11/2020	ARREST
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Offenses	UCR	Offense Description
4	N/A	450311A - Expired Registration
	N/A	454908 - FICTICIOUS PLATES
	02	292514 - Drug paraphernalia
	02	430162B4 - Open container liquor - operator or passenger of v

2020-00532	799 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	10/11/2020	10/11/2020	ARREST
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Offenses	UCR	Offense Description
6	N/A	451021 - FAILURE TO REINSTATE
	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	454908 - FICTICIOUS PLATES
	N/A	450311A - Expired Registration
	02	292514C1 - Illegal use or possession of drug paraphernalia
	N/A	35 - WARRANT ARREST

Total Incidents Reported for Date: 3

October 12, 2020

2020-00533	9875 PLEASANT PLAIN ROAD BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/12/2020	10/12/2020	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2020-00535	7 SHORELINE BROOKVILLE PD	SIGNAL 26A - ASSIST ANOTHER AGENCY	10/12/2020		OPEN CASE
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Offenses	UCR	Offense Description
1	02	26A - ASSIST ANOTHER AGENCY/OFFICER

2020-00534	117 SYCAMORE ST #202 BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	10/12/2020	10/12/2020	ARREST
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Offenses	UCR	Offense Description
1	02	291925A - Domestic violence - knowingly cause physical harm

Total Incidents Reported for Date: 3

October 13, 2020

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 13, 2020

2020-00536	3 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	10/13/2020		OPEN CASE
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

October 14, 2020

2020-00537	428 N WOLFCREEK BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	10/14/2020	10/14/2020	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

2020-00538	926 ARLINGTON RD BROOKVILLE PD	SIGNAL 06B - PETTY THEFT	10/14/2020		OPEN CASE
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Offenses	UCR	Offense Description
1	01	291302A3 - Theft - deception

2020-00539	85 RIDGE RD UNIT 44 BROOKVILLE PD	SIGNAL 26I - PINK SLIP	10/14/2020	10/14/2020	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	5122.10 - APPLICATION FOR EMERGENCY ADMISSION

2020-00540	43 W. MCKINLEY ST APT F BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	10/14/2020	10/14/2020	ARREST
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Offenses	UCR	Offense Description
2	02	291925A - Domestic violence - knowingly cause physical harm
	02	291925C - Domestic violence - knowingly force, threat of

Total Incidents Reported for Date: 4

October 15, 2020

2020-00541	ALBERT ST & MARILYN WAY BROOKVILLE PD	SIGNAL 55 - TRAFFIC VIOLATION	10/15/2020	10/15/2020	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
4	01	451315A1 - HEADLIGHT ILLUMINATION
	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	451007 - LICENSE FORFEITURE SUSPENSION
	N/A	451002B6 - NON COMPLIANCE SUSPENSION

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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October 15, 2020

Total Incidents Reported for Date: 1

Total Selected = 39

RESOLUTION NO. 20-19

Tax Year 2020/2021

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

(City Council)

Revised Code, Secs, 5705.34 - 5705.35

The Council of the City of Brookville, Montgomery County, Ohio met in
Regular session on the _____ day of _____ 2020, at the office of
City of Brookville with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Brookville Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

City of Brookville - Tax Year 2020/2021**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
City of Brookville - Tax Year 2020/2021	Column I	Column II	III	IV
General Fund C05, L54.....	140,015		1.30	
General Fund L56.....	198		0.65	
General Fund C04-1.....	63		0.71	
TOTAL	140,276	0	2.66	0.00

City of Brookville - Tax Year 2020/2021

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION

Carry to Sch A

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)	
SPECIAL LEVIES:			

RESOLUTION NO. 20-19

Tax Year 2020/2021

and be it further

RESOLVED, That the Clerk of the Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____	1
_____	1
_____	1
_____	1
_____	1
_____	1
_____	1

This Resolution shall take effect 30 days after passage by City Council as provided in the Charter of the City of Brookville.

Adopted the _____ day of _____ 2020.

Charles Letner, Mayor

Kimberly Duncan, Clerk of Council
Brookville City
Montgomery County, Ohio

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 20-19 was posted at the City Building, U.S. Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the ____ day of October 2020, to the ____ day of _____ 2020, both days inclusive.

Kimberly Duncan, Clerk

RESOLUTION NO. 20-19

Tax Year 2020/2021

CERTIFICATE OF COPY

Original on File

The State of Ohio, Montgomery County, ss.

I, Kimberly Duncan, Clerk of this Council of Brookville City, in said County, and in whose custody the Files and Records of said Board required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original minutes of _____ now on file with said Council, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____ 2020.

Kimberly Duncan, Clerk of Council
Brookville City
Montgomery County, Ohio

RESOLUTION NO. 20-19

Tax Year 2020/2021

**COUNCIL OF THE CITY OF
BROOKVILLE
MONTGOMERY COUNTY, OHIO**

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
AUDITOR.

(City Council)

Adopted _____, 2020

Kimberly Duncan, Clerk of Council

Filed _____, 2020

County Auditor

By _____
Deputy

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2020-07

Ordinance No. _____ Passed _____, 20 _____

AN ORDINANCE ADOPTING CHAPTER 343-GOLF CARTS AND UNDER-SPEED VEHICLES TO PROVIDE REGULATIONS FOR THE OPERATION OF GOLF CARTS IN THE CITY OF BROOKVILLE.

WHEREAS, Ohio Revised Code Section 4511.215 permits local authorities, by ordinance or regulation, to authorize low-speed and under-speed vehicles to travel on public streets and to provide regulations for operation of low-speed and under-speed vehicles on public streets; and

WHEREAS, golf carts are under-speed vehicles that may be subject to regulation under Ohio Revised Code 4511.215; and

WHEREAS, to insure the safe operation of golf carts in the City of Brookville, the Council of the City of Brookville desires to adopt certain regulations for the operation of golf carts within the City of Brookville.

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

SECTION I: The Council of the City of Brookville hereby adopts Chapter 343 entitled Golf Carts, as set forth in Exhibit "A" attached hereto and incorporated herein by reference, to provide regulations for the safe operation of golf carts in the City of Brookville.

SECTION II: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council were in meetings open to the public 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 as provided by the Charter of the City of Brookville, Ohio.

PASSED this _____ day of _____, 2020.

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. 2020-07, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____, 2020.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2020-07 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____, 2020, to the _____ day of _____, 2020, both days inclusive.

Kimberly Duncan, Clerk

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2020-07

Ordinance No. _____ Passed _____, 20____

EXHIBIT "A"

CHAPTER 343-GOLF CARTS

343.01 Definitions

A "golf cart" is a motor vehicle as the term is defined under Ohio Revised Code 4501.01(B). This section may also apply to other under-speed vehicles at the discretion of the Chief of Police based on the definitions set forth in the Ohio Revised Code, as amended from time to time.

343.02 Restrictions

No person shall operate a golf cart on the streets within the City of Brookville unless the golf cart has first passed an inspection by the Chief of Police or designee for compliance with the State of Ohio's requirements that are applicable to motor vehicles and such golf cart contains all equipment required by this chapter.

343.03 Equipment

A list of equipment required for safe operation by the Ohio Revised Code Chapter 4513 shall be maintained at the Police Division, and shall include:

- (a) Two working headlights;
- (b) At least one working taillight and one working brake light;
- (c) Direction signals;
- (d) A rearview mirror;
- (e) A white light illuminating the rear license plate legible from a distance of 50 feet;
- (f) A working horn;
- (g) Windshield made of glass or safety glass;
- (h) One license plate, located in the rear, bracketed to the cart;
- (i) One seat belt per occupant.

343.04 Licensing requirements of operator

- (a) No person who is less than 16 years of age shall operate a golf cart on the streets of the City.
- (b) The operator of a golf cart on permitted streets within the City must hold a valid current motor vehicle driver's license.
- (c) No person who is the owner or operator of a golf cart shall fail to display, in plain view on the rear of the golf cart, the distinctive number and registration mark, including any county identification sticker and any validation sticker.

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2020-07 Passed , 20

343.05 City Inspection

- (a) No person shall operate a golf cart on the streets within the City unless the golf cart has been inspected for compliance with the State of Ohio statutory requirements that are applicable to motor vehicles and the Codified Ordinances of the City entitling the owner or operator to secure a title and license for the golf cart.
- (b) The owner of the golf cart shall provide proof of insurance at the time of inspection.

343.06 Usage and Restrictions; Waiver

- (a) No golf carts shall be permitted to travel on any City street where the speed limit is greater than 25 mph. Golf carts will be permitted to cross intersections with higher speeds, so long as they remain on a street that has a posted speed limit of 25 mph or less.
- (b) Occupants of golf carts shall always be seated on the seat of the golf cart buckled by the seat belt when the golf cart is on and in motion. Standing on any portion of the golf cart while it is in motion is prohibited.
- (c) Any child who falls under the child restraint criteria set by Ohio Revised Code 4511.81 is prohibited from being a passenger in a golf cart operated on any City street, right-of-way, or public area in the City of Brookville.
- (d) No person shall operate a golf cart on sidewalks.
- (e) Golf carts shall be operated in compliance with Ohio Revised Code Section 4513.03, which requires display of lighted lights and illuminating devices as required by sections 4513.04 to 4513.57 of the Revised Code during all the following times:
 - (1) The time from sunset to sunrise;
 - (2) At any other time when, due to insufficient natural light or unfavorable atmospheric conditions, persons, vehicles, and substantial objects on the highway are not discernable at a distance of one thousand feet ahead;
 - (3) At any time when the windshield wipers are in use because of precipitation on the windshield.
- (f) Golf carts must be operated in accord with all State of Ohio traffic laws in addition to the applicable sections of the City of Brookville Codified Ordinances.
- (g) The provision of this section may be waived during a limited period of special events for which the operators of golf carts have received prior approval for the use of golf carts from the City's Chief of Police or designee.

343.99 Penalty

Whoever violates the provisions of this Chapter is guilty of a minor misdemeanor on a first offense. On a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; and for subsequent offenses within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

No. **RESOLUTION NO. 20-20**

Passed

Yr. _____

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE STATE-LOCAL GRANT AGREEMENT AND DESIGNATING SONJA KEATON AS THE PROJECT MANAGER AND PERSON RESPONSIBLE FOR IMPLEMENTING THE FEMA HAZARD MITIGATION GRANT PROGRAM ON BEHALF OF THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY.

WHEREAS, Before the project can be started and funds disbursed, City Council is required to designate the person responsible for implementing the Program as the project manager; and

WHEREAS, Council desires to designate Sonja Keaton as the person responsible for implementing the HMGP FEMA-DR-4424-OH as the project manager on behalf of the City of Brookville; and

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

SECTION I: The Council of the City of Brookville hereby authorizes Mayor Letner to sign the State-Local Grant Agreement, Hazard Mitigation Grant Program - CFDA 97.039 FEMA-DR-4424-OH.

SECTION II: The Council of the City of Brookville hereby authorizes Sonja Keaton as the Project Manager responsible for implementing the HMGP FEMA-DR-4424-OH on behalf of the City of Brookville.

SECTION III: This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Brookville, Ohio and to submit the adopted Resolution to FEMA by October 29, 2020. This Resolution shall take effect from and after its passage as provided for in the Charter of the City of Brookville, Ohio.

PASSED this _____ day of _____ 2020.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Resolution No. 20-20, passed by the Council of said City on the _____ day of _____ 2020.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio hereby certifies that the foregoing Resolution No. 20-20 was posted at the City Building, U.S. Post Office, and the Brookville Branch of the Montgomery County Library, Brookville, Ohio on the _____ day of _____ 2020 to the _____ day of _____ 2020, both days inclusive.

Kimberly Duncan, Clerk

RESOLUTION NO. 20-21

No. _____

Passed _____

Yr. _____

A RESOLUTION AMENDING THE 2020 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE, AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW.

WHEREAS, the Council of the City of Brookville, Ohio approved the 2020 Original Certificate of Estimated Resources and the 2020 Appropriation Resolution; and

WHEREAS, the City of Brookville, Ohio needs to comply with the 2020 Budget; and

WHEREAS, the Finance Director has requested amendment of the Certificate of Estimated Resources and Appropriations for 2020.

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

SECTION I: That the following amendments to the Certificate of Estimated Resources are approved as follows:

<u>FUND</u>	<u>ACTION</u>	<u>AMOUNT</u>
Local Coronavirus Relief Fund	Increase	\$ 253,793.83

SECTION II: That the following expense line items be increased by:

<u>AMOUNT</u>	<u>LINE ITEM</u>	<u>FUND</u>
\$ 145,000.00	B11-06A2-2110	Local Coronavirus Relief Fund
\$ 4,152.59	B11-06A2-2340	Local Coronavirus Relief Fund
\$ 36,125.00	B11-06A2-2352	Local Coronavirus Relief Fund
\$ 119.92	B11-06A2-2390	Local Coronavirus Relief Fund
\$ 46,350.59	B11-06A2-2530	Local Coronavirus Relief Fund
\$ 27,034.93	B11-06A2-2560	Local Coronavirus Relief Fund

SECTION III: That the following expense line items be decreased by:

<u>AMOUNT</u>	<u>LINE ITEM</u>	<u>FUND</u>
\$ 3,996.87	B11-06A2-2415	Local Coronavirus Relief Fund
\$ 992.33	B11-06A2-2420	Local Coronavirus Relief Fund

SECTION IV: This Resolution shall take effect immediately after passage of this Resolution as provided in 4.07(A)(1) of the Charter of the City of Brookville, Ohio.

PASSED this _____ day of _____ 2020.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Resolution No. 20-21 passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2020.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 20-21 was posted at the City Building, U.S. Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____ day of _____ 2020 to the _____ day of _____ 2020, both days inclusive.

Kimberly Duncan, Clerk