



CITY COUNCIL MEETING
Tuesday, May 18, 2021, 7:30 PM
COUNCIL CHAMBERS
301 SYCAMORE STREET, BROOKVILLE, OH 45309

PUBLIC HEARINGS – 8:00 P.M.

ORDINANCE NO. 2021-05 AMEND ZONING CODE 1123.03(b)(2) & 1125.03(b)(2)

ORDINANCE NO. 2021-06 AMEND ZONING CODE 1157.01 & 1157.10

ORDINANCE NO. 2021-07 AMEND ZONING CODE 1103.03

Online: <https://brookvilleoh.webex.com/brookvilleoh/j.php?MTID=md21a6b46ce7d657df82238c4c3cb7c53>

Meeting number: 132 045 1294 Password: 5mMK3cwmVV3

Join by phone: +1-415-655-0001 US Toll Access code: 132 045 1294

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 4, 2021 Regular Meeting/Public Hearing Minutes

IV. Fire Department Recognition Awards

V. Reports of Municipal Officers

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

VI. Old Business

VII. New Business

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



VIII. Reports of Boards and Commissions

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

IX. Public Comments (5 minutes per speaker)

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.

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.

Brookville City Council
Regular Meeting
May 4, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on May 4, 2021. 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, Schreier, Swabb, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher and Police Chief Jerome were present. Clerk Duncan was absent.

Roll Call by Manager Keaton.

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

Motion by Zimmerlin, second by Fowler to approve the Regular Council Meeting Minutes of April 20, 2021. All yeas, motion carried.

Mayor Letner recognized Vicki Mills as the May Citizen of the Month for her community service to the citizens of Brookville.

Manager Keaton stated she is pleased to announce the City received notifications on several grants that we applied for this year through Montgomery County. The two Keep Montgomery County Beautiful Grants that were applied for on behalf of the Leaf & Blossom Club and the Brookville Community Theatre were approved. The Leaf & Blossom Club was awarded a \$1,000 grant for the flower planters that will line our Downtown Business District, and the Brookville Community Theatre was awarded a \$414 grant for new landscaping at the Theatre.

Manager Keaton reported all three Montgomery County Solid Waste Recycling Grants that we submitted were approved. This year, the Solid Waste District received 34 applications and approved 30 for full, or partial funding. Two of our projects, the brush chipper and the recycled plastic benches and picnic tables received the full 70% grant funding. The waste oil tank project received 59% partial grant funding. The freight charge of \$875 was not included. Manager Keaton stated on the grant for the brush chipper, she is waiting on a proposal from the State of Ohio Department of Administrative Services before she requests Council authorization to purchase the chipper. Manager Keaton stated she should have that quote by the next Council Meeting. Manager Keaton thanked the Solid Waste Management Policy Committee for this grant opportunity.

Manager Keaton reported the City received notice from the Ohio Division of Liquor Control that all permits to sell alcoholic beverages in the City will expire on July 1, 2021. To maintain permit privileges, every permit holder must file a renewal application. The O.R.C. provides the legislative authority with the right to object to the renewal of a permit and to request a hearing. Manager Keaton advised Police Chief Jerome has no objections to any of the renewals. Manager Keaton stated if City Council does not have any objections, she needs a motion to waive the right to object to the renewals of the yearly permits to sell alcoholic beverages in the City.

Motion by Fowler, second by Zimmerlin to waive the right to object to the renewals of the yearly permits to sell alcoholic beverages in the City. All yeas, motion carried.

Manager Keaton provided Council with a one-page overview of the Miami Valley TREEcovery Campaign that kicked off last Friday on Arbor Day. All owners of tornado impacted properties, regardless of where they live along the path of the storm, can complete their tree requests now online at www.retreet.org/mvvc. The projected investment necessary to plant 1,000 or more large native trees in targeted neighborhoods in the Miami Valley over the next 2 years, is projected to be at least \$300,000. To make a contribution online, please visit the [Miami Valley TREEcovery Campaign Fund](#) page. Manager Keaton advised the City is looking for local volunteers to assist with the tree plantings in Brookville and requested interested persons contact her directly.

Manager Keaton recognized Chief Fletcher for earning the Ohio Fire Chiefs' credential through the Ohio Fire Chief's Association. Manager Keaton reported Chief Fletcher originally became an

Ohio Credentialed Fire Chief in May 2018. A thorough review of one's work history, education, and on-going commitment to learning is completed against a known benchmark to achieve accreditation. In 2018, Chief Fletcher became the first department Chief in Montgomery County to attain Ohio Fire Chief Accreditation. This year his status as an accredited Chief was up for review, and Chief Fletcher successfully re-credentialed in April. Currently Chief Fletcher is one of four department Chiefs in Montgomery County to be accredited by the Ohio Fire Chief's Association. Manager Keaton congratulated Chief Fletcher on this achievement.

Finance Director Brandt presented the April 30, 2021 Fund Balance for Council review and approval.

Motion by Zimmerlin, second by Swabb to accept the April 30, 2021 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Ordinance No. 2021-08 that amends Ordinance No. 2021-01. This Ordinance shall take effect immediately after passage of this Ordinance as provided in 4.07(A)(4) of the Charter of the City.

Motion by Wilder, second by Crane to read proposed Ordinance No. 2021-08. All yeas, motion carried.

Motion by Swabb, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2021-08 entitled "AN ORDINANCE AMENDING ORDINANCE 2021-01 FOR THE LEVYING ASSESSMENTS FOR DELINQUENT UTILITY BILLS FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Ordinance No. 2021-09 that amends Ordinance No. 2021-02. This Ordinance shall take effect immediately after passage of this Ordinance as provided in 4.07(A)(4) of the Charter of the City.

Motion by Zimmerlin, second by Swabb to read proposed Ordinance No. 2021-09. All yeas, motion carried.

Motion by Swabb, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Ordinance No. 2021-09 entitled "AN ORDINANCE AMENDING ORDINANCE 2021-02 FOR THE LEVYING OF ASSESSMENTS FOR THE CUTTING AND REMOVAL OF WEEDS, VINES, GRASS AND/OR OTHER VEGETATION DURING THE YEAR 2020 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Fire Chief Fletcher reported April was an odd month, stating had it not been for several incidents where we helped our neighbors, it could have been one of the least active months in a long time. Crews handled 127 calls for service, and there were no dollar loss fires in the Brookville Fire District during the month. COVID-19 related calls continue to decline, and influenza calls were almost non-existent. We received EMS mutual aid on five incidents, all due to insufficient available personnel to respond with two ambulances to simultaneous calls.

Fire Chief Fletcher reported our personnel responded to 108 EMS and 21 Fire incidents during April. This was 21 less EMS/Rescue calls and 10 less Fire/Service calls than one year ago. Amazingly there was just one vehicle crash response in our district for the entire month. Fire Chief Fletcher commented April was about as opposite as we can get from the activity we experienced in March.

Fire Chief Fletcher reported personnel recently began familiarization training at the DMAX Brookville facility, touring the facility and reviewing Fire and EMS preplanning for emergencies at this state of-the-art manufacturing facility. Fire Chief Fletcher reported Fire Department

personnel are also training in apparatus driver/operator evaluations and annual EMS Operating Protocol training. Hydrant preventative maintenance will begin in May.

Fire Chief Fletcher advised he hopes to see a return to some of our community activities. In addition to being scheduled to participate in a couple parades, fire crews expect to visit with first grade classes at Westbrook Park and provide First Aid/CPR/AED training to area workers.

Fire Chief Fletcher reported that all four warning sirens were successfully tested this week. Our weather warning sirens are tested monthly, on the first Monday of the month, at noon. We deviate from this schedule only when there is a statewide test, or in the case of threatening weather. If threatening weather is occurring in our area at the normally scheduled test time, we do not test the sirens to avoid causing undue panic. Fire Chief Fletcher stated a concerned citizen contacted him because it was raining at the time the sirens were tested, and questioned policy. Fire Chief Fletcher advised the test would only be cancelled if there was a severe weather potential, not just a rain event. Fire Chief Fletcher also reminded everyone that the weather warning sirens are to warn people who are outdoors when there is a threat of a tornado. Those indoors should rely on a weather alert radio, cellular weather applications or the media to alert them of threatening weather.

Police Chief Jerome advised reportable incidents were up for the month of April. Citations and traffic stops continue to be up as our Officers continue to get a handle on excessive speeds and registration violations.

Police Chief Jerome reported he spoke with Karen Osswald and Tim Hopkins regarding a Community Thanksgiving Dinner at the Board of Education building. Both are in favor of supporting the event.

Police Chief Jerome advised he is planning to resume the Ghostly Night Out event and holding Citizens Police Academy in the fall.

Police Chief Jerome reported the Police Department received the Lexipol Connect Gold Standard Award. The criteria for agencies to receive the award is greater than 80% in policies issued, greater than 80% in policies acknowledged, less than 10% in updates pending and greater than 80% in both Daily Bulletin Trainings issued and Daily Bulletin Trainings taken.

Mayor Letner opened the Public Hearing to consider Ordinance No. 2021-03, which amends the zoning classification of 201 Sycamore Street from OR (PD) to I-1 (PD).

Manager Keaton announced a Legal Notice was published in the April 21 and April 28, 2021 editions of the Brookville Star. Certified letters were mailed out to nine property owners that are adjacent to 201 Sycamore Street. Eight of the nine property owners received their letters. One property owner has not signed for his letter at the Post Office. We have not received that certified card back to date.

Manager Keaton reported Clerk of Council Kim Duncan received one phone call on April 13, 2021 from the resident of 304 Hay Avenue regarding what could eventually go on the empty lot. The call was transferred to Zoning Officer Snedeker. The owner of the apartments at 115-119 Sycamore Street came into the office on April 14 with questions on the proposed rezoning. Clerk Duncan also received an email requesting a copy of proposed Ordinance No. 2021-03.

Law Director Stephan announced this Public Hearing is to consider the proposed rezoning of the property at 201 Sycamore St. from its present zoning classification of Office Residential Planned Development Overlay District to a new classification of Light Industrial Planned Development Overlay District. Law Director Stephan displayed a map of the area with the property at 201 Sycamore Street outlined in green.

Law Director Stephan then displayed the zoning map for this area. Law Director Stephan stated the surrounding properties on the east side of Sycamore Street are zoned I-1 Light Industrial. This property at 201 Sycamore Street was formerly zoned I-1 Light Industrial and was rezoned to its

current classification of Office Residential Planned Development Overlay District for a proposed multi-family housing project that was not developed.

Law Director Stephan stated the application for rezoning in this Public Hearing was filed by the property owner, Thomas McCoy. The proposed planned development project for the property is to construct a store and lock facility on the property. A preliminary plan for the store and lock facility is depicted on the next document displayed. There are existing storage units at the east end of this property up against the bike path.

Law Director Stephan announced we will now proceed with public comments on the project. Anyone who wishes to participate in the public hearing will be sworn in. You will need to state your name and address, and that you have been sworn in.

Law Director Stephan advised first the applicant, Thomas McCoy, as the proponent for the proposed rezoning, will present testimony.

Law Director Stephan administered the Oath of Witness to Mr. McCoy.

Mr. McCoy stated he would like to expand on the existing storage units on the property. He will start by adding one 8-unit structure and move forward once those are rented out. Mr. McCoy stated he will add screening on Sycamore Street. Mr. McCoy advised he has a 4-year contract with the current tenant, Smokehouse Flavors.

There were no other citizen comments.

Mayor Letner called for a motion to close the Public Hearing and go back into Regular Session.

Motion by Wilder, second by Swabb to close the Public Hearing and go back into Regular Session. All yeas, motion carried.

Police Chief Jerome thanked Manager Keaton and Council for supporting the contract with Lexipol, who continually updates our policies and procedures and keeps our Officers up to date on training issues.

Police Chief Jerome reported last week our School Resource Officer was a prom chaperone. Police Chief Jerome stated many students have made poor choices over the years on prom night, however, he is proud to report that Brookville students made good choices and we had no incidents.

Police Chief Jerome reported last night he briefly attended the dedication for the Blessing Box constructed by Cub Scout Pack 47 and installed at First United Methodist Church. Police Chief Jerome stated this is a great addition to the community and thanked all those responsible for this project.

Police Chief Jerome announced the Rolling to Remember motorcycle group, formally known as Rolling Thunder and Ride to the Wall, will be stopping in Brookville on May 26 at approximately 2:00 p.m. Council is invited to attend this event.

Police Chief Jerome advised the Senior Parade will also be held on May 26 at 6:30 p.m. Council is also invited to attend this event.

Police Chief Jerome reported he and Administrative Assistant Alexa Staas attended a groundbreaking this week at the Wild Hearts African Farm in Lewisburg, Ohio. Police Chief Jerome advised he wanted to show his support as they have always supported our Ghostly Night Out event and brought their animals for the children to enjoy.

Police Chief Jerome thanked the administrators of the 45309 Neighbors Helping Neighbors Facebook page for removing posts containing false information that caused undue panic, false accusations and threats of taking matters into their own hands. This site was designed to help citizens with information and coordinate resources. Police Chief Jerome encouraged citizens to

call the police to report suspicious activity or if they want to know if they should be concerned about something in their neighborhood, rather than speculating on Facebook.

Police Chief Jerome reported a 3-year-old child was found this week, walking down Westbrook Road, wearing only a shirt. A citizen brought her to the Police Department, where staff cleaned her up and clothed her. Children's Services were contacted, and an arrest was made the next day.

Mayor Letner congratulated Police Chief Jerome on receiving the Lexipol Gold Certificate, stating this is money well-spent.

Law Director Stephan reported the sale of the old firehouse at Main and Mulberry is complete and J.B. Wright Ventures, LLC has started work on the project.

Mayor Letner commented the old safe that was left in that firehouse was opened by a professional and there was nothing but mold and wood filing drawers inside.

Mayor Letner thanked Vicki Mills for accepting the Citizen of the Month award, stating her and her family's heritage here in town dates itself way back.

Mayor Letner reported the Blessing Box at First United Methodist is fully stocked and will be a great community resource. Mayor Letner encouraged citizens to donate.

Mayor Letner stated he is optimistic about the levies on the ballot tonight and thanked all the citizens no matter how they voted, stating our citizens are head and shoulders above everyone else. Mayor Letner thanked Council, staff and volunteers who passed out levy doorhangers and spoke with citizens regarding the levy.

Member Fowler, Park Board Liaison, had no report.

Member Schreier, Planning Commission Liaison, had no report.

State Representative Rodney Creech, of 5062 Bantas Creek Road, West Alexandria, Ohio stated his goal is constituent services and encouraged citizens to contact him if they have any concerns. Representative Creech stated he is working hard to get everything opened back up for the residents of Ohio.

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

Sonja M. Keaton, City Manager

Charles Letner, Mayor



To: Mayor & Council
From: Sonja M. Keaton, City Manager
RE: Manager's Report
Date: 5/17/2021

The Agreement between the City of Brookville and Brookville Local Schools that established a School Resource Officer (SRO) expires on July 31, 2021. Brookville Schools and City Staff would like to continue with the School Resource Officer. If Council authorizes the continuation of this program, a new Agreement will be drafted identical to the expiring contract where the City pays 60% of the wages and benefits and Brookville Local Schools pays 40% of the wages and benefits of the School Resource Officer.

An update on our Montgomery County Solid Waste Recycling Grants, the Brush Chipper that we received grant funding for is on the Ohio State Term Schedule (STS). The quote from Ohio STS is \$3,330 less than the quote received from Sourcewell. I am requesting Council authorization to purchase a BC1500 Brush Chipper at a cost of \$59,280 through Ohio STS and to declare our current BC1400 Brush Chipper as surplus property to list on GovDeals.

Earlier this year, the City installed sanitary sewer across Johnsville-Brookville Road to service property owners on the west side of Johnsville-Brookville Road. We recently received OEPA approval for a sanitary sewer line to be installed on three vacant parcels on Johnsville-Brookville Road. Due to the depth and the invert grade of the sewer line, Staff felt this should be a project the City administers and invoice the property owners based on their frontage. The property owners have agreed with this proposal. Request for proposals to install the sewer line were sent out to five contractors and are due today.

We received our Notice to Negotiate with the Ohio Patrolmen's Benevolent Association.

The City's two levies that appeared on the May 4 ballot were defeated, the park levy by 169 unofficial votes and the street levy by 154 unofficial votes. I provided Council with a breakdown of each levy vote by precinct. We should be receiving our certified vote count soon.

We are experiencing leaks in the roof at our building at 401 Albert Road. Four contractors looked at the roof and I am waiting on proposals.

Project Updates:

- Hay Avenue Roadway Improvements Project – Engineering is nearing completion. We are looking to schedule an informational Open House in June with the property owners.
- Walnut Street Waterline Replacement Project – Engineering is nearing completion. We are meeting with the OPWC Committee this month to modify this project. During field work, it was decided not to replace the waterline beyond the current Walnut Street dead-end as it does not need replaced. Instead, we are requesting to install a new 8" waterline on Salem Street at Walnut Street and connect with a large waterline on the north side of the bikeway. This modification will increase flow throughout the area. The estimated cost increase is \$30,000. If prices come back lower than expected, we can use OPWC funds on some, or all improvements on Salem Street.
- Request for Proposals for appraisal service for the Mitigation Grant for 320 S. Wolf Creek Street were sent out and are due on June 4, 2021.
- Engineering is complete on the drainage issue on Albert and Westbrook Roads. The engineers estimate for the drainage improvements are \$39,702.50. This project should be completed before we resurface E. Westbrook Road.
- Golden Gate Park Walking Path-CDBG Project – We are currently advertising for bids, which will be opened on May 25.



City of
BROOKVILLE
POLICE

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda
May 18, 2021

Reportable Incidents

1/1/2020 – 5/14/2020 = 208

1/1/2021 – 5/14/2021 = 290

Citations

1/1/2020 – 5/14/2020 = 118

1/1/2021 – 5/14/2021 = 349

Traffic Stops

May 2020- 81

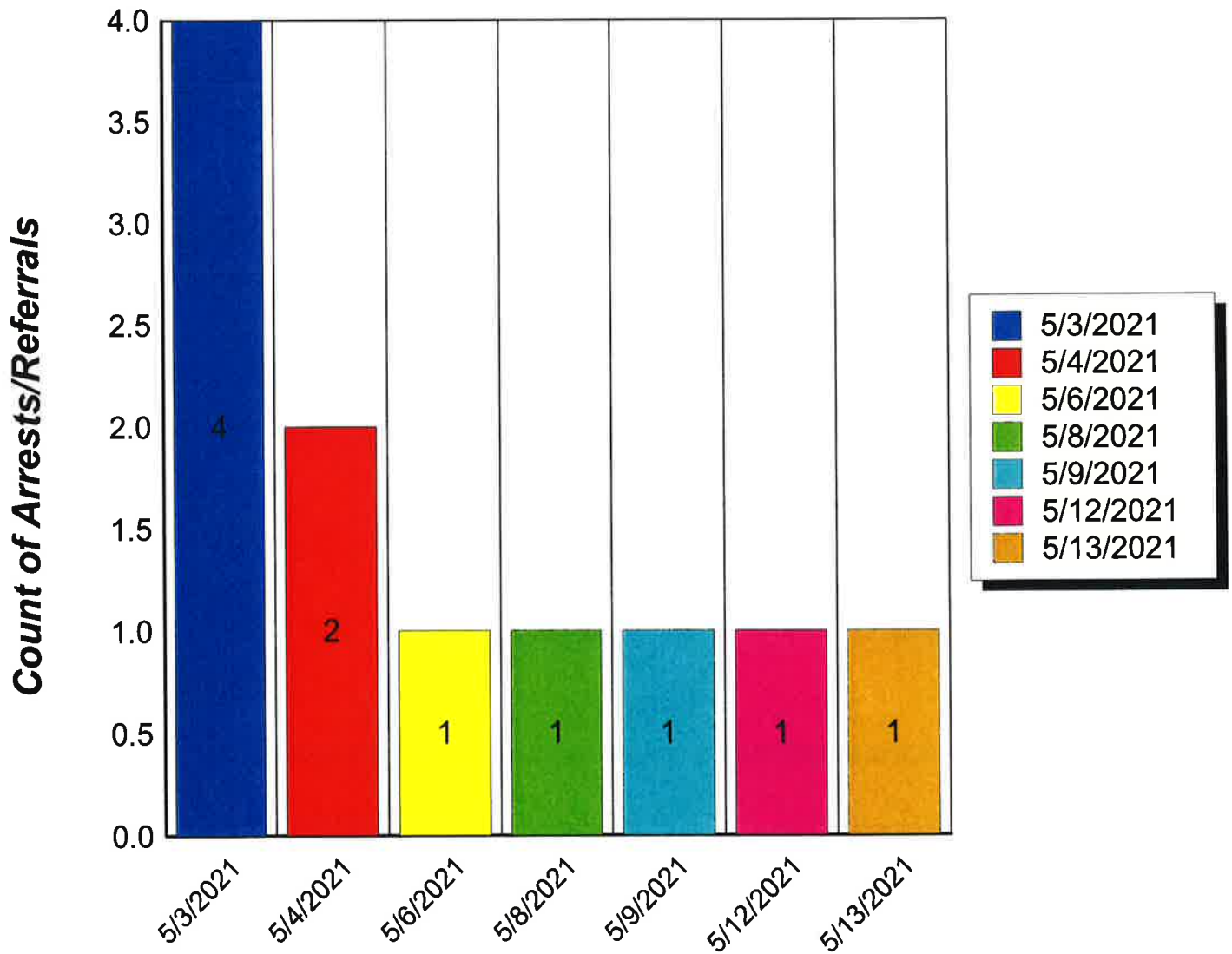
May 2021 to date - 82

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
May 03, 2021	4
May 04, 2021	2
May 06, 2021	1
May 08, 2021	1
May 09, 2021	1
May 12, 2021	1
May 13, 2021	1
Total Selected = 11	

Arrest Log by Date



Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
05/03/2021		JAMIE R. MCDANIEL	3948 MADRID AVE, DAYTON, OH 45414 35: WARRANT ARREST 292131: Obstructing official business	2021-00277
		JOHN T. FUERST	246 ORCHARD ISLAND RD, RUSSELLS POINT OH, OH 43081 35: WARRANT ARREST	2021-00277
		TONYA M. MCCARTY	4735 CELTIC DR, DAYTON, OH 45432 35: WARRANT ARREST	2021-00277
		MATTHEW R. GARTON	8350 DOREMAN DR, COTATI, CA 94931 290313A: Assault - knowingly harm victim	2021-00278
05/04/2021		OLIVIA M. NATH	47 W MCKINLEY ST APT C, BROOKVILLE, OH 45309 291922A: Endangering children - risk of harm 291922A: Endangering children - risk of harm 291922A: Endangering children - risk of harm	2021-00279
		DAVID S. MAY	1498 WESTMONT DR, SPRINGFIELD, OH 45501 35: WARRANT ARREST	2021-00282
05/06/2021		DUSTINA D. FYKE	215 CUSICK, BROOKVILLE, OH 45309 291924: Contribution to the unruliness/delinquency of a ch	2021-00285
05/08/2021		LARRY E. SPENCE	126 CORONADO, BROOKVILLE, OH 45309 451119A1: DUI - alcohol/drugs 451119A8: OVI (.170 and higher by breath) 4511202: REASONABLE CONTROL	2021-00286
05/09/2021		TODD J. TREMAIN	1475 EDGEWOOD DR APT F4, LIMA, OH 45805 35: WARRANT ARREST	2021-00288
05/12/2021		JACOB P. PORTER	8355 WILDCAT RD, TIPP CITY, OH 45371 292514C1: Illegal use or possession of drug paraphernalia	2021-00292
05/13/2021		CRYSTAL D. FLETCHER	372 LEISURE ST APT 6, BROOKVILLE, OH 45309 291925: Domestic violence	2021-00295

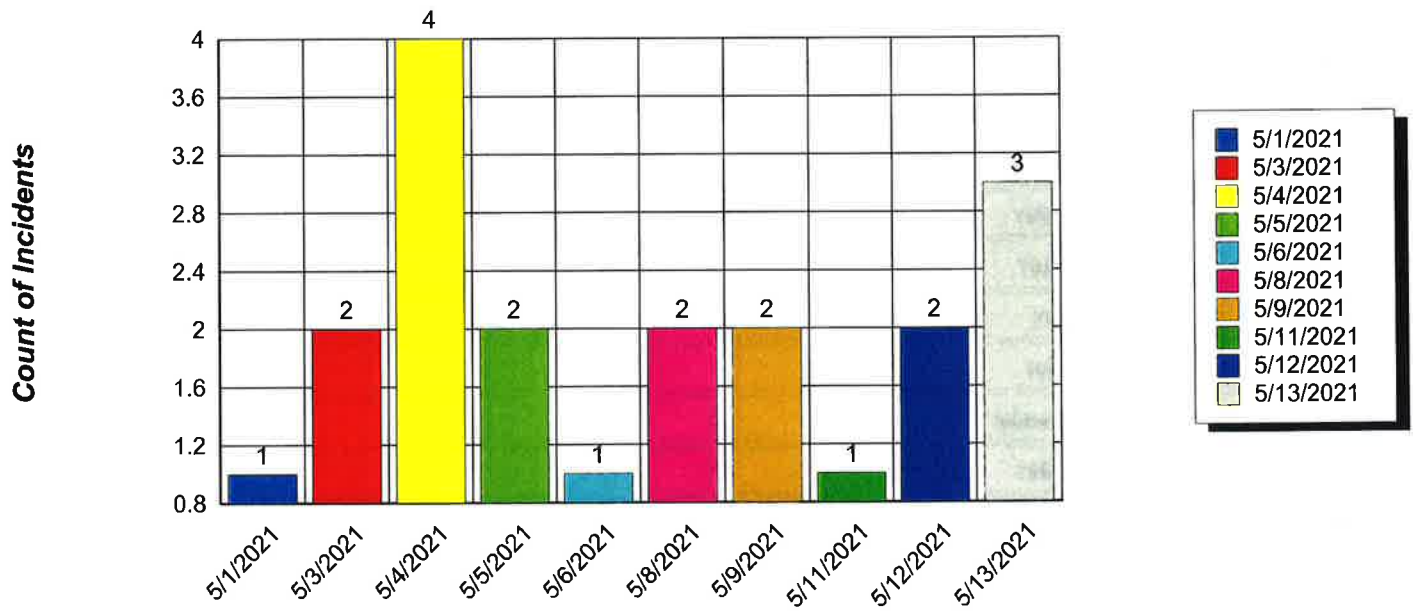
Total Selected = 11

Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
05/01/2021	Saturday	1
05/03/2021	Monday	2
05/04/2021	Tuesday	4
05/05/2021	Wednesday	2
05/06/2021	Thursday	1
05/08/2021	Saturday	2
05/09/2021	Sunday	2
05/11/2021	Tuesday	1
05/12/2021	Wednesday	2
05/13/2021	Thursday	3
Total Selected = 20		

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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May 01, 2021

2021-00276	509 SALEM STREET BROOKVILLE PD	SIGNAL 26I - PINK SLIP	05/01/2021	05/01/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
Total Incidents Reported for Date: 1					

May 03, 2021

2021-00277	100 PARKVIEW DRIVE NORTH ROOM 107 BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	05/03/2021	05/03/2021	ARREST
Offenses UCR Offense Description 4 N/A 35 - WARRANT ARREST N/A 35 - WARRANT ARREST N/A 35 - WARRANT ARREST 02 292131 - Obstructing official business					
2021-00278	MOSIER @ WESTBROOK BROOKVILLE PD	SIGNAL 9 - ASSAULT	05/03/2021	05/03/2021	ARREST
Offenses UCR Offense Description 1 04 290313A - Assault - knowingly harm victim					
Total Incidents Reported for Date: 2					

May 04, 2021

2021-00279	47 W MCKINLEY ST APT C BROOKVILLE PD	SIGNAL 260 - CHILD ENDANGERING	05/04/2021	05/04/2021	ARREST
Offenses UCR Offense Description 3 02 291922A - Endangering children - risk of harm 02 291922A - Endangering children - risk of harm 02 291922A - Endangering children - risk of harm					
2021-00280	591 UPPERLEWISBRUG-SALEM RD BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	05/01/2021	05/04/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2021-00281	715 ARLINGTON	SIGNAL 55 - TRAFFIC STOP	05/04/2021	05/04/2021	

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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May 04, 2021

BROOKVILLE PD

EXCEPTIONALLY CLEARED

Offenses UCR Offense Description
 2 N/A 451016 - FRA SUSPENSION
 N/A 451012 - DRIVING WITHOUT VALID LICENSE

2021-00282	8007 OHIO 235 BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	05/04/2021	05/04/2021	ARREST
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Offenses UCR Offense Description
 1 N/A 35 - WARRANT ARREST

Total Incidents Reported for Date: 4

May 05, 2021

2021-00283	70 RIDGE APT. 25 BROOKVILLE PD	SIGNAL 06A - THEFT	05/05/2021	05/09/2021	INACTIVE
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Offenses UCR Offense Description
 1 06 291302 - Theft

2021-00284	300 N WOLFCREEK BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	05/05/2021	05/05/2021	EXCEPTIONALLY CLEARED
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Total Incidents Reported for Date: 2

May 06, 2021

2021-00285	301 SYCAMORE ST BROOKVILLE PD	SIGNAL 46 - JUVENILE ASSAULT	05/06/2021	05/06/2021	ARREST
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Offenses UCR Offense Description
 1 02 291924 - Contribution to the unruliness/delinquency of a ch

Total Incidents Reported for Date: 1

May 08, 2021

2021-00286	313 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 21 - DRIVING WHILE INTOXICATED	05/08/2021	05/08/2021	ARREST
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Offenses UCR Offense Description
 3 02 451119A1 - DUI - alcohol/drugs
 N/A 451119A8 - OVI (.170 and higher by breath)
 N/A 4511202 - REASONABLE CONTROL

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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May 08, 2021

2021-00287	COLUMBIA @ HAY BROOKVILLE PD	SIGNAL 22 - OPEN CONTAINER IN MOTORVEHICLE	05/08/2021	05/08/2021	ARREST
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Offenses	UCR	Offense Description
4	02	430162B4 - Open container liquor - operator or passenger of v
	N/A	451132 - DRIVING WRONG WAY ON ONE WAY POSTED ROADWAY
	01	292511 - Drug abuse - obtain, possess, use controlled subst
	02	292514 - Drug paraphernalia

Total Incidents Reported for Date: 2

May 09, 2021

2021-00288	100 PARKVIEW DR. NORTH BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	05/09/2021	05/09/2021	ARREST
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Offenses	UCR	Offense Description
1	N/A	35 - WARRANT ARREST

2021-00289	352 BAKER STREET APT 2 BROOKVILLE PD	SIGNAL 20 - PROTECTION ORDER VIOLATION	05/09/2021	05/09/2021	ARREST
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Offenses	UCR	Offense Description
1	02	291927 - Violate protection order or consent agreement

Total Incidents Reported for Date: 2

May 11, 2021

2021-00290	2 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 260 - THREATS	05/11/2021	05/11/2021	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

May 12, 2021

2021-00291	HAY @ S WOLF CREEK BROOKVILLE PD	SIGNAL 53B - INJURY ACCIDENT	05/12/2021	05/12/2021	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	451142 - RIGHT OF WAY WHEN TURNING LEFT

2021-00292	HAY @ MAPLE	SIGNAL 18 - DRUG ABUSE	05/12/2021	05/12/2021	
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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 12, 2021

BROOKVILLE PD

ARREST

Offenses UCR Offense Description
 3 02 292514C1 - Illegal use or possession of drug paraphernalia
 N/A 451016 - FRA SUSPENSION
 N/A 451305 - NO TAIL LIGHTS; REAR PLATE LIGHT

Total Incidents Reported for Date: 2

May 13, 2021

2021-00293	20 RIDGE APT. 20 BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	05/08/2021	05/13/2021	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

2021-00294	430 N. WOLF CREEK ST BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	05/13/2021		OPEN CASE
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Offenses UCR Offense Description
 1 N/A 53101 - LOUD STEREO OVER 25'

2021-00295	372 LEISURE DRIVE APT 6 BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	05/13/2021	05/13/2021	ARREST
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Offenses UCR Offense Description
 1 02 291925 - Domestic violence

Total Incidents Reported for Date: 3

Total Selected = 20

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-05 Passed, 20

AN ORDINANCE AMENDING SECTION 1123.03(b)(2) and 1125.03(b)(2) OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, Section 1123.03(b)(2) and 1125.03(b)(2) of the Code of Ordinances establish the required rear yard for the R-1B and R-1C zoning districts in the City of Brookville; and

WHEREAS, the Planning Commission and City Council desire to amend the zoning code to modify the required rear yard depth for the R-1B and R-1C zoning districts in the City of Brookville to permit larger single family residential structures to be built on these lots; and

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 1123.03(b)(2) is hereby amended to provide the following:

(b) Minimum rear yard depth 35 feet

SECTION II: Section 1125.03(b)(2) is hereby amended to provide the following:

(c) Minimum rear yard depth 30 feet

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 2021.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-05 Passed , 20

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-05, passed by the Council of the City of Brookville, Ohio, on the day of 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-05 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 2021, to the day of 2021, both days inclusive.

Kimberly Duncan, Clerk

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-06 Passed, 20

AN ORDINANCE AMENDING SECTIONS 1157.01 AND 1157.10 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO REGULATE SOLAR ENERGY EQUIPMENT.

WHEREAS, Section 1157.10 of the Code of Ordinances regulates solar energy equipment in the City of Brookville; and

WHEREAS, the Planning Commission and City Council desire to amend the zoning code to amend regulations regarding solar energy equipment in the City of Brookville; and

WHEREAS, this Ordinance amends Section 1157.10 of the Code of Ordinances to modify regulations regarding solar energy equipment within the City of Brookville, and amends Section 1157.01 to include solar energy systems as a permitted accessory use subject to the provisions of Section 1157.10 as amended.

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 1157.10 is hereby amended and replaced to provide new and amended regulations regarding solar energy equipment in the City of Brookville. The amended Section 1157.10 is set forth in Exhibit "A" attached hereto and incorporated herein by reference and is hereby approved.

SECTION II: Section 1157.01 is amended to add solar energy systems as a permitted accessory use in Section 1157.01(l) and existing 1157.01(l) is renumbered to 1157.01(m) as follows:

1157.01(l) Solar Energy Systems subject to the required provisions of Section 1157.10.

1157.01(m) Any other use customarily incidental, related, or subordinate to a residential use.

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 2021.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-06 Passed , 20

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-06, passed by the Council of the City of Brookville, Ohio, on the day of 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-06 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 2021, to the day of 2021, both days inclusive.

Kimberly Duncan, Clerk

EXHIBIT "A"

1157.10 Solar Energy Systems

(a) The use of Solar Energy Systems for collection of solar energy to provide electricity, heat, or otherwise provide energy to a residential, commercial, or industrial building is a permitted accessory use subject to the following standards.

(b) General Provisions:

(1) All solar energy systems shall comply with all applicable zoning, building, fire, plumbing and electrical codes of the City of Brookville.

(2) This section shall apply to solar energy systems on private property for use by the property owner and shall not be construed to permit a solar energy farm as a business. A "solar energy farm" is defined as an energy generation facility or area of land principally used to convert solar energy to electricity.

(3) Only commercially produced solar energy systems are permitted. The manufacturer specifications shall be submitted as part of the application for approval.

(b) Ground-Mounted Solar Energy Systems

(1) Ground-mounted solar energy systems shall only be permitted in the rear yard and shall be set back a minimum of 10 feet from all lot lines.

(2) In conservation and residential districts, no ground mounted solar energy system shall exceed six feet in height as measured from the average grade at the base of the system. In commercial and industrial districts, no ground mounted solar energy system shall exceed 25 feet in height, or the maximum height of the building, whichever is less; provided, however, that if the ground mounted solar energy system is located in a rear yard that is adjacent to a residential property or adjacent to a residential zoning district, the maximum height shall be six feet.

(3) Ground-mounted solar energy systems shall be screened from any adjacent lot lines of lots used for residential purposes by a fence, wall, landscaping or combination thereof.

(4) Ground-mounted solar energy systems shall not be positioned so as to reflect sunlight onto neighboring property, public streets or sidewalks, including on any neighboring structures.

(5) The total area of the ground-mounted solar energy system shall not exceed more than fifteen percent (15%) of the rear yard area in residential districts.

(c) Roof-Mounted Solar Energy Systems

(1) Roof-mounted solar panels that are integrated with the surface layer of the roof structure and which resemble common roofing materials may be permitted on any roof surface of a principal building or accessory building.

(2) Roof-mounted solar panels that are separated panels mounted flush with the roof structure may be permitted on any roof surface of a principal building or accessory building that does not face a street. Such panels shall be mounted flush to the roof and not extend vertically from the roof structure more than eight inches.

(3) Solar panels may be mounted on flat roofs provided there is a parapet wall or other architectural feature that screens the view of the panels. Such panels may be mounted at an angle provided they do not extend more than five feet above the roof surface.

(4) All wires and other associated appurtenances related to the solar energy systems shall be installed below the roofline and not visible from the street.

(5) Solar energy systems located on the roof shall provide, as part of their permit application, evidence of design review and structural certification signed by an engineer.

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8084 FORM NO. 30043

Ordinance No. 2021-07 Passed _____, 20____

AN ORDINANCE AMENDING THE DEFINITION OF BUILDING LINE, SETBACK LINE AND YARD IN SECTION 1103.03 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, in Section 1103.03 of the Code of Ordinances, which contains definitions for certain terms in the City of Brookville Zoning Code, sets forth definitions for the terms “Building Line”, “Setback Line”, and “Yard”; and

WHEREAS, the Planning Commission and City Council desire to amend Section 1103.03 of the Code of Ordinances to modify the definition for the terms “Building Line”, “Setback Line” and “Yard”; and

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: The definition of the terms “Building Line”, “Setback Line, and “Yard” in Section 1103.03 of Code of Ordinances of the City of Brookville is hereby amended 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 _____ 2021.

ATTEST:

Kimberly Duncan, Clerk Charles Letner, Mayor

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

CERTIFICATE

CERTIFICATE OF POSTING

Kimberly Duncan, Clerk

EXHIBIT "A"

1103.03 BUILDING LINE: A line parallel to the street right-of-way line or, lot line at the foundation of the principal building and representing the distance which the foundation of the principal building is to be set back from the street right-of-way line, or lot line, except as specified in Chapter 1153.

1103.03 SETBACK LINE: The line that is the required minimum distance from the street right-of-way line, or any other lot line and the foundation of the principal building that establishes the area within which the foundation of the principal building must be erected or placed.

1103.03 YARD: A required open space unoccupied and unobstructed by the foundation of a principal building. Other structural elements of a principal building above the foundation at ground level may extend into a yard. Accessory buildings may be located in the yard as permitted in Chapter 1157.

YARD, FRONT:

(a) Front Yard: An open space extending the full width of the lot between the foundation of the principal building at the ground level and the front lot line.

(b) Front Yard (Least Depth): The shortest distance, measured horizontally, between the foundation of the principal building and the front lot line.

(c) Front Yard (Least Depth) The depth shall be measured from the right-of-way line of the existing street or proposed street on which the lot fronts.

YARD, REAR:

(a) Rear Yard: An open space extending the full width of the lot between the foundation of the principal building at the ground level and the rear lot line.

(b) Rear Yard (Least Depth) The average distance measured horizontally between the foundation of the principal building and the nearest rear lot line.

YARD, SIDE

(a) Side Yard: An open space extending from the front yard to the rear yard between the foundation of the principal building and the nearest side lot line.

(b) Side Yard (Least Width): The shortest distance, measured horizontally, between the foundation of the principal building and the nearest side lot line.

(c) Side Yard (Least Width, How Measured): Such width shall be measured from the nearest side lot line and the foundation of the principal building. On a corner lot when the side lot line is a side street lot line, the required side yard shall be the same as the required front yard of the lot adjacent thereto.