

Brookville City Council
Regular Meeting
June 1, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on June 1, 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, Schreier and Swabb; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Vice Mayor Zimmerlin, Member Fowler and Member Wilder were absent.

Mayor Letner announced Vice Mayor Zimmerlin, Member Fowler and Member Wilder have each been excused from tonight's meeting.

Roll Call by Clerk Duncan.

Mayor Letner advised the Agenda should be amended to add the recognition of Amanda Friedlander as the Citizen of the Month.

Motion by Crane, second by Swabb to approve the Agenda with an amendment. All yeas, motion carried.

Motion by Schreier, second by Swabb to approve the Regular Council Meeting Minutes of May 18, 2021. All yeas, motion carried.

Mayor Letner announced the Citizen of the Month for the month of June is Amanda Friedlander, proprietor of the Brookville Flower Shop. Mayor Letner read a proclamation honoring her for her good deeds and recognized her as a valuable asset to the community.

Manager Keaton reported Taywood Enterprises submitted a Zoning Application for a Final Subdivision Plat for Meadows of Brookville, Section 7. This is the same as the Preliminary Plan approved by City Council in January 2021. This is a Final Plat, and they are platting this in sections. Manager Keaton advised Planning Commission approved the Final Plat for Meadows of Brookville, Section 7, and it is before City Council this evening for approval.

Motion by Schreier, second by Swabb to approve the Final Plat for Meadows of Brookville, Section 7, as presented, contingent on Manager Keaton's and Choice One Engineering's final review and approval of the Construction Plans, all proper permits being completed, and a Performance Surety shall be posted to meet the requirements of the Brookville Design Criteria and Subdivision Regulations. All yeas, motion carried.

Manager Keaton reported we took delivery of our new BC1500 Brush Chipper and our 2004 BC1400 Brush Chipper is currently listed on GovDeals. Manager Keaton reported as of this afternoon, we have had 16 bidders, and we are currently sitting at \$15,400. The auction ends next Monday evening.

Manager Keaton reported the Ohio Public Works Commission Committee met on May 27 and approved our request to amend our Walnut Street Waterline Replacement Project to include a portion of Salem Street.

Manager Keaton reported as a follow up on the previous Council discussion about the expiring SRO Agreement with Brookville Local Schools, she had a lengthy discussion with Tim Hopkins following the last Council Meeting. Manager Keaton reported Mr. Hopkins has an upcoming meeting with the School Board soon and he will follow up with her afterward.

Manager Keaton reported Council has been provided a copy of the Certificate of Result of Election from the Montgomery County Board of Elections for the May 2021 Election.

Manager Keaton received four proposals on repairing/replacing the roof at 401 Albert Road. This

is our former Fire Station #2 building, which we are currently leasing for five years. Council has a spreadsheet that shows the proposals and warranties along with the revenue generated from our 5-year lease. The last repair on this roof was made in 2018 at a cost of \$2,900. The metal roof is the original roof when the building was constructed in the early to mid-1980's. Manager Keaton recommended we have a new Mansea Metal Premium Roof System installed by Campbell's Roofing Company at a cost of \$8,000 and to repair any damaged sheathing at a cost of \$65 a sheet. The funding for this project will come out of the General Fund, where the lease payments are receipted into.

Motion by Crane, second by Schreier to authorize Manager Keaton to enter into an agreement with Campbell's Roofing Company to install a new Mansea Metal Premium Roof System in the amount of \$8,000 and to repair any damaged sheathing at a cost of \$65 per sheet. All yeas, motion carried.

Manager Keaton reported we received three bids for the Golden Gate Park Walking Path, Phase 1 Project. The Engineer's Estimate for this project is \$95,200. Bids ranged from \$80,020.67 to \$94,234.00. This project is funded with 70% CDBG funds and 30% City funds. The City's portion will be paid out of the Capital Improvement Fund. Two of the three bids submitted were not responsive, which means they did not submit all required forms with their bids. Manager Keaton recommended that Council accept the bid from Arcon Builders in the amount of \$94,234 as the responsive bid.

Member Schreier observed the City's portion would fall under discretionary spending. Member Schreier asked what the time frame is on the grant if we do not use it immediately?

Manager Keaton replied we must complete the project by the end of this year in order to receive the grant funds. The City's portion will come out of the Capital Improvement Fund. We had budgeted to transfer \$50,000 from the General Fund to the Capital Improvement Fund, but this will not be necessary since we deposited \$75,000 in proceeds from the sale of Fire Station 1 into the Capital Improvement Fund.

Member Schreier asked if the project could be completed by the Community Picnic if Council waits to discuss it at the upcoming Council Work Session.

Manager Keaton replied the bid specs stipulate the project must be completed by July 16. This will be funded from the sale of Station 1 and the carryover proceeds from last year.

Member Crane asked exactly how much the City's share will be?

Manager Keaton replied the City's share is \$28,270.

Member Schreier stated it will definitely be a big improvement to Golden Gate Park.

Manager Keaton stated the funding was awarded because the improvements are making the park more handicap accessible.

Member Crane asked what the odds are we could get a similar grant next year or in the future if Council does not approve this tonight?

Manager Keaton replied this is the fourth year she has applied for this grant. We were approved for this grant several years ago but had to redirect the money to the water tower in the Northbrook Industrial Park. Last year, all of the funds went toward COVID, and in 2019 all of the funds went to tornado cleanup.

Member Schreier stated the current path is not usable as it is.

Motion by Schreier, second by Swabb to authorize Manager Keaton to accept the bid from Arcon Builders for the Golden Gate Park Walking Path, Phase 1, in the amount of \$94,234 as the responsive bid. All yeas, motion carried.

Manager Keaton reported the Public Hearing for Ordinance No. 2021-04 for the rezoning of the 18-acre site at the corner of Upper Lewisburg Salem and Albert Road will not be held this evening. The developer, DDC Management, is making revisions to the plans and will be taking this back to Planning Commission.

Finance Director Brandt presented the May 31, 2021 Fund Balance.

Motion by Crane, second by Swabb to approve the May 31, 2021 Fund Balance as presented.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution No. 21-10 that amends the 2021 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.

Motion by Schreier, second by Swabb to read proposed Resolution No. 21-10. All yeas, motion carried.

Law Director Stephan advised per the City Charter, Council cannot dispense with the second and third reading without two-thirds of the City Council members present.

Motion by Schreier, second by Crane to accept the first reading of proposed Resolution No. 21-10 entitled "A RESOLUTION AMENDING THE 2021 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." All yeas, motion carried.

Finance Director Brandt requested Council read proposed Resolution No. 21-09 which establishes the Local Fiscal Recovery Fund in anticipation of the American Rescue Plan Act Funds.

Motion by Swabb, second by Crane to read proposed Resolution No. 21-09. All yeas, motion carried.

Motion by Schreier, second by Crane to accept the first reading of proposed Resolution No. 21-09 entitled "A RESOLUTION ESTABLISHING THE LOCAL FISCAL RECOVERY FUND NO. B12 AND AUTHORIZING THE FINANCE DIRECTOR TO MAINTAIN REQUIRED BOOKS AND RECORDS TO EVIDENCE PAYMENTS INTO AND WITHDRAWALS FROM SAID FUND." All yeas, motion carried.

Fire Chief Fletcher reported May was a very busy month. Mutual aid was received and provided several times during the month. The Fire Department continues to hire and train personnel as quickly as possible but maintaining shifts at full strength continues to be a challenge.

Fire Chief Fletcher reported he is still waiting to hear the results of our grant application that would allow us to hire several full-time personnel.

Fire Chief Fletcher reported two of our Fire Department Officers recently completed a Blue Card Incident Command Certification course. The goal is to get the entire Officer staff certified in this nationally recognized certification, which is specific incident command training for structural fires.

Fire Chief Fletcher reported we are still waiting to hear the results of our ISO rating classification.

Police Chief Jerome reported the Senior Parade and the Ride to Remember went well last week. Police Chief Jerome thanked the Amvets and the VFW for sponsoring the riders and providing meals.

Police Chief Jerome advised reportable Incidents and Citations are up. This same time last year our activity was down considerably due to COVID.

Police Chief Jerome reported we have several Officers processing employment applications with other departments. Employment is currently very competitive in the both the Police and Fire Department personnel throughout Montgomery County.

Law Director Stephan reported proposed Ordinance No. 2021-03 amends the zoning classification of the property located at 201 Sycamore from its present classification of OR (PD) Office Residential Planned Development Overlay District to the new classification of I-1 (PD) Light Industrial Planned Development Overlay District. This Ordinance was reviewed by Planning Commission and they unanimously recommended approval. Planning Commission also approved the Preliminary Development Plan for this Store-n-Lock facility. Law Director Stephan advised we are asking for Council approval of the second reading of proposed Ordinance No. 2021-03 and approval of the Preliminary Development Plan for 201 Sycamore Street.

Member Schreier commented the Preliminary Development Plan will be phased in over a number of years. The developer will start with building one or two buildings. When those are completed, the next phase will start.

Motion Schreier, second by Crane to read proposed Ordinance No. 2021-03. All yeas motion carried.

Motion Schreier, second by Crane to accept the second reading of proposed Ordinance No. 2021-03 entitled "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED AT 201 SYCAMORE STREET IN THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF OR (PD) OFFICE RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE NEW CLASSIFICATION OF I-1 (PD) LIGHT INDUSTRIAL PLANNED DEVELOPMENT OVERLAY DISTRICT." All yeas, motion carried.

Motion by Schreier, second by Crane to approve the Preliminary Development Site Plan for 201 Sycamore Street for a store-n-lock facility. All yeas, motion carried.

Law Director Stephan reported Planning Commission reviewed and unanimously made a final recommendation to Council to move forward with the second reading of proposed Ordinance No. 2021-05 which amends Sections 1123.03 (b)(2) and 1125.03(b)(2) of the Code of Ordinances to amend rear yard setbacks for zoning districts R-1B and R-1C.

Motion by Schreier, second by Swabb to read proposed Ordinance No. 2021-05. All yeas, motion carried.

Motion by Crane, second by Swabb to accept the second reading of proposed Ordinance No. 2021-05 entitled "AN ORDINANCE AMENDING SECTION 1123.03 (b)(2) and SECTION 1125.03(b)(2) OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Law Director Stephan reported Planning Commission reviewed and unanimously made a final recommendation to Council to move forward with the second reading of proposed Ordinance No. 2021-06 which amends Section 1157.01 and 1157.10 of the Code or Ordinances to regulate solar energy equipment.

Motion by Swabb, second by Crane to read proposed Ordinance No. 2021-06. All yeas, motion carried.

Motion by Crane, second by Swabb to accept the second reading of proposed Ordinance No. 2021-06 entitled "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." All yeas, motion carried.

Law Director Stephan reported Planning Commission reviewed and unanimously made a final recommendation to Council to move forward with the second reading of proposed Ordinance No. 2021-07 which amends the definition of building line, setback line and yard in Section 1103.03 of the Code or Ordinances.

Motion by Swabb, second by Crane to read proposed Ordinance No. 2021-07. All yeas, motion carried.

Motion by Schreier, second by Swabb to accept the second reading of proposed Ordinance No. 2021-07 entitled "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." All yeas, motion carried.

Member Schreier, Planning Commission Liaison, reported a Public Hearing was held to review the Preliminary Plan for 10400 Upper Lewisburg Salem Road. There were a fair amount of questions and public comments. Planning Commission did not recommend moving forward with the Preliminary Plan as presented. Planning Commission also heard an appeal to a previous decision regarding installing ground mounted solar panels at 561 Golden Maple. No new information was presented and Planning Commission did not grant this appeal. Planning Commission also approved a Mobile Food Vendor permit.

Mayor Letner thanked Amanda Friedlander for being the Citizen of the Month, stating she has done a great job taking over the Brookville Flower Shop from Myrna Fasnacht and is making strides to make the community and downtown a better place.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor