



CITY COUNCIL
Tuesday, July 20, 2021, 7:30 PM
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<https://brookvilleoh.webex.com/brookvilleoh/j.php?MTID=mc6c374af28bbf931ca2e5ed5b9dd1199>

Meeting number: 132 803 5721 Password: 4FpwrMpt76

Join by phone: +1-415-655-0001 US Toll Access code: 132 803 5721

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 Work Session Minutes from June 22, 2021
- b. Approval of Regular Meeting Minutes of July 6, 2021

IV. Breast Cancer Walk - Gale Colston

V. Picnic Run - Ann Stammen

VI. BSA Opening Day Parade - Dustin Holcomb

VII. Reports of Municipal Officers

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

VIII. Old Business

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

- a. Second reading of proposed Ordinance 2021-04 entitled "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART LOT 1743 OF THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF R-1B (PD) URBAN RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE NEW CLASSIFICATION OF (PR) PLANNED RESIDENTIAL DISTRICT."

IX. New Business

- a. First reading of proposed Resolution No. 21-13 entitled "A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF BROOKVILLE AT THE ELECTION OF NOVEMBER 2, 2021 THE QUESTION OF AN ADDITIONAL PROPERTY TAX LEVY AT THE ANNUAL RATE OF THREE AND EIGHTY-FIVE HUNDREDTHS (3.85) MILLS FOR A PERIOD OF FIVE YEARS TO BE PLACED ON THE TAX LIST AND DUPLICATED FOR TAX YEAR 2021 TO BE COLLECTED IN CALENDAR YEAR 2022, FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS AND BRIDGES IN THE CITY OF BROOKVILLE, PURSUANT TO OHIO REVISED CODE SECION 5705.19(G), AND DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUTNY TO PLACE THE ISSUE ON THE BALLOT."
- b. First reading of proposed Resolution No. 21-14 entitled "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME HOURLY CITY EMPLOYEES, AND DECLARING IT AN EMERGENCY."
- c. First reading of proposed Resolution No. 21-15 entitled "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR SEASONAL AND/OR TEMPORARY, PERMANENT PART -TIME HOURLY CITY EMPLOYEES, AND DECLARING IT AN EMERGENCY."
- d. First reading of proposed Resolution No. 21-16 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CITY MANAGER, AND DECLARING IT AN EMERGENCY."
- e. First reading of proposed Resolution No. 21-17 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FINANCE, AND DECLARING IT AN EMERGENCY."
- f. First reading of proposed Resolution No. 21-18 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FIRE, AND DECLARING IT AN EMERGENCY."
- g. First reading of proposed Resolution No. 21-19 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF POLICE, AND DECLARING IT AN EMERGENCY."



- h. First reading of proposed Resolution No. 21-20 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CLERK OF COUNCIL, AND DECLARING IT AN EMERGENCY."
- i. First reading of proposed Resolution No. 21-21 entitled "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF LAW, AND DECLARING IT AN EMERGENCY."
- j. First reading of proposed Resolution No. 21-22 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."
- k. First reading of proposed Resolution No. 21-23 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."
- l. First reading of proposed Resolution No. 21-24 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."
- m. First reading of proposed Ordinance No. 2021-10 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, SECTION 937.04 (b), FIXING THE USER FEES TO ALL STORMWATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO."
- n. First reading of proposed Ordinance No. 2021-11 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.20 (a), FIXING THE USER FEES TO ALL WATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO."

X. Reports of Boards and Commissions

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

XI. Public Comments (5 minutes per speaker)

XII. Executive Session

- a. Per ORC 121.22(G)(1) to consider the appointment of a public official.



XIII. 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
Work Session
June 22, 2021

The Work Session of the Brookville City Council was called to order by Mayor Letner at 7:45 p.m. on June 21, 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, Clerk Duncan, Fire Chief Fletcher and Police Chief Jerome were present.

Roll Call by Clerk Duncan.

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

Manager Keaton advised Council has a number of papers in front of them. The first is basically a condensed version of the Revenue Insufficiency Presentation that was presented on January 12th of this year. Council also has a copy of the Moody's Credit Opinion issued in March of 2020. Manager Keaton advised there is also a spreadsheet that contains proposed budget cuts that she put together over the last month, a copy of our current employee count by department and a copy of an income tax report that we received from City of Vandalia through May of 2021. The report provides the breakdown of our year-to-date income tax receipts for May of 2020, 2019 and 2018. It provides a breakdown between the net profits and the individual withholding. Manager Keaton advised there were some surprising things on that report which she will bring up later.

Manager Keaton provided some options to increase our revenue stream and an updated memorandum on the American Rescue Plan Act. Manager Keaton stated she hoped to have good news until she got emails this afternoon and found the State is taking away some of the money that we were projected to get. The last projection she saw was \$1.151 million and now it is down to \$615,000.

Manager Keaton reported first thing tomorrow morning, AARP will be sending a letter to our State Representatives, State Senators and the Governor's Office. Manager Keaton advised Council can stop in and sign if they would like to attach their names or she can sign it from the City Manager and City Council. Manager Keaton stated she would like to get the letters out quickly as they will probably vote on it this week.

Manager Keaton presented the 2021 Revenue Insufficiencies Report.

Member Schreier stated we really do not know if the net profit is going to stay consistent with other years or drop down closer to what the monthly is for 2020. It is a variable.

Manager Keaton replied last year there must have been a big tax loss for businesses in 2019 because in 2020 they would have been paying their 2019 business net profits. We do not know if they had a bigger loss here and maybe some of the businesses had bigger gains last year and you did not have any losses to offset. Manager Keaton stated she would not know unless we actually pull every return and look at it, which she can do by meeting with the City of Vandalia Income Tax Department.

Member Fowler stated we are putting in the sidewalk at Golden Gate which we had matching funds for. Going forward, we should consider foregoing non-essential improvements to the City. It's going to be a hard pill to swallow when people can say you spent \$30,000 to put a sidewalk but we are not going to clear the roads or salt or possibly let an employee go?

Manager Keaton replied those are the types of questions we will get from the public because they don't understand how our funds work. It is very complex. The CDBG sidewalk project at the park is coming out of the Capital Improvement Fund, which is where all our grant funds come out of. The public needs to understand that if we are not going to plow their streets, it is because it strictly comes out of the Street Fund. The Service Department payroll and benefits come out of several Funds. It does not come out of Capital Fund. That is the hard part to get across to people.

Finance Director Brandt stated we cannot spend Capital funds to pay people.

Manager Keaton advised there are restrictions on what we use Capital Improvement Funds and Fire Capital Improvement Funds for. It has to be \$5,000 dollars or greater and it cannot be for ongoing maintenance or salaries.

Manager Keaton advised all of our CDBG projects have been driven by making the City handicap accessible. We put in the ADA ramps and to help those with disabilities. For many years we were contacted by people that live near Flanders, Edgebrook and the Arlington Road area as they had no way to get from their house to the park in a wheelchair. This was the last piece of the puzzle so that they have the ability to go in our parks.

Manager Keaton stated right now she is not applying for any CDBG grants because most require matching funds.

Member Zimmerlin asked if we have any projections on what we are going to be sitting financially by the end of the year?

Manager Keaton stated she thinks if we can get past June/July we can get a better picture of where we are. Last year, the income tax deadline was extended to July.

Discussion followed regarding the complicated process on how to project the revenue calculation and revenue loss calculation.

Manager Keaton presented proposed budget cuts with the first being cutting snow removal from neighborhoods and only removing salt from collector roads. Manager Keaton discussed the yearly expenditures on salt & calcium chloride from 2018 through 2021 year-to-date. Manager Keaton also discussed eliminating overtime for snow removal and proposed only plowing and salting during normal working hours.

Member Zimmerlin inquired what kind of impact would these cuts be from a public safety perspective?

Police Chief Jerome stated he does not think it would have a big impact on them because most accidents occur on the main roads. If Council passes a snow ordinance that would also help by getting cars off the streets.

Fire Chief Fletcher stated Brookville roads are cleared quickly compared to many other communities. The Fire Department travels outside of the city limits, so they have invested in four-wheel drive vehicles and have taken care of themselves in regard to understanding not every road will be cleared.

Police Chief Jerome stated the impact might be more school cancellations and delays.

Member Schreier asked what normal working hours are for the service department?

Manager Keaton replied our Service Department hours are 7:30 a.m. to 4:00 p.m.

Mayor Letner advised we could set up fire routes with our main arteries going into our subdivisions. We would have to consider whether we want to salt these roads or just complete two passes with the plow.

Discussion continued regarding cutting the overtime and amount of salt used, which would save the City roughly \$25,000 per year, dependent upon the weather.

Manager Keaton advised we could also increase the fees for our limb chipping service or eliminate it altogether. Manager Keaton reported we receipted \$1,402 in limb chipping fees in 2020.

Manager Keaton stated we could also eliminate leaf pick-up.

Discussion followed regarding whether to charge for leaf pick-up, the cost savings and the risk to our storm sewers if the service was eliminated. The consensus was to not cut this service.

Manager Keaton reported we could also cut back on mowing in our parks and city owned properties. Manager Keaton reminded everyone that Golden Gate Park is our greatest asset.

Discussion followed regarding upkeep of the parks and what the cost savings would be to cut back on mowing. The consensus was the savings would be minimal.

Manager Keaton proposed closing down the playgrounds, tennis & basketball courts if we cannot purchase replacement parts. Manager Keaton also proposed eliminating fertilizing and spraying for weeds in our parks.

Discussion followed with the consensus being the savings would be minimal for these cuts.

Manager Keaton proposed eliminating pavement repairs and crack sealing.

Manager Keaton reported we could delay the repaving of East Westbrook Road. The \$69,000 Permissive Tax funds that we applied for can be used next year.

The consensus is to delay the East Westbrook Road re-paving.

Manager Keaton advised Park Board approved an increase in park shelter rentals that begins with January 1, 2022 rentals.

Manager Keaton reported the outdoor restrooms at Golden Gate Park could be shut down from January to March.

Member Fowler stated this cost savings is very minimal. If we shut down the restrooms people will find another place to go.

Manager Keaton reported approximately how much would be saved in wages and benefits by laying off a full-time Service Department employee. The City is a reimbursing employer, so we pay 50% of the filer's wage, up to \$672 with three dependents. There are several Service Department employees who are eligible to retire but they or their spouse are not old enough for Medicare.

Manager Keaton reported the salary and benefits that the full-time Deputy Clerk who recently retired received, and proposed hiring a part-time Deputy Clerk.

Manager Keaton proposed eliminating parades, walks, runs and the Community Picnic coverage, stating it will eliminate O/T in the Police Department, plus pension and Medicare.

Discussion followed on charging for parades and how much a parade costs in overtime wages.

Member Zimmerlin stated if it is between cutting personnel versus cutting a parade, this is an easy choice. Cutting parades and other non-essential events will be noticeable in the community.

Finance Director Brandt commented there is also Service Department overtime involved in parades.

Discussion followed. The consensus is to set a level of public safety personnel needed to hold a parade or event and bill organizations accordingly for city services beginning January 1, 2022.

Manager Keaton proposed increasing the stormwater rates to alleviate some of the payroll and benefit burden on the Street M & R Fund.

Discussion followed. The consensus is to double the current stormwater rate.

Manager Keaton proposed throttling down the water flow if a water main break occurs during non-

working hours, which would eliminate Service Department overtime.
Mayor Letner explained how the water would be throttled back.

Fire Chief Fletcher stated this concerns him because throttling back the water could create a potential water pressure issue in the event of a fire. Fire Chief Fletcher commented the Service Department personnel are not under a bargaining unit agreement and the City could flex their hours to avoid paying overtime to make essential repairs.

Discussion followed with Mayor Letner assuring that the stretch of road that would be throttled back would be miniscule, and the water can be throttled back up if needed.

Member Zimmerlin inquired whether salary for water main break repairs would be compensated out of the Water Fund?

Manager Keaton explained that the Service Department salaries are funded by percentages out of the Street, Park, Water, Sewer, Stormwater and Refuse Funds. Manager Keaton advised increasing the stormwater charges would release some of that burden from the Street Fund.

Member Zimmerlin suggested a small increase in the water rates to help decrease the burden on the Street Fund.

Member Schreier commented Council discussed slowing moving the rates up in the past in anticipation of a rate increase from the City of Dayton. Increasing the rates slowly would make it not such a big hit at one time to our residents.

Manager Keaton replied she will work on that Ordinance.

Manager Keaton advised we could save on electric costs by changing the City Office hours to 4 10-hour days versus 5 8-hour days to save on electricity.

Member Schreier inquired if salary and benefits would be impacted.

Manager Keaton replied not at this time, but some entities cut back the hours during the recession, which is something we could look at.

Manager Keaton advised we could implement hard EMS billing, versus our current soft billing. Manager Keaton stated she is waiting on the increase in revenue estimate from EMS Billing Company.

Member Zimmerlin commented residents already pay for the service in taxes, so billing is like a double hit. We do receive an insurance payment in many cases. Member Zimmerlin asked if there is any way we could do an intermediary, maybe billing only if there is a number of service calls to the same address?

Mayor Letner stated there are a number of addresses we are repeatedly called to for lift assists. We do not bill for these types of calls unless we transport them to the hospital. Mayor Letner stated he has spoken with Fire Chief Fletcher regarding the many lift assist calls we respond to at Brookhaven, where they should have the equipment to lift patients.

Member Zimmerlin commented he does not know of any municipalities who do hard billing.

Manager Keaton replied Englewood switched to hard billing several years ago.

Manager Keaton advised we could eliminate trash pick-up in Golden Gate Park on the weekends during the summer months. That could create trash overflowing during busy weekends unless additional containers are purchased.

Mayor Letner commented this goes back to raising park shelter rental rates.

Member Zimmerlin stated he would be curious to hear how much revenue Englewood generates from hard billing and what kind of administrative burden it places on staff. Member Zimmerlin stated he would also like to know what the feedback is from residents.

Manager Keaton stated Perry Township is putting a 2.5 mill levy for fire capital equipment this November. If the levy passes, we can look at adjusting how much currently gets receipted in from our fire levies into the Fire Capital Improvement and make an adjustment to have more of it receipted into the General Fund. Manager Keaton advised she will be speaking to Clay Township because in both Clay and Perry Townships' fire contract, we put additional wording stating they have to pay us an incremental amount over the three-year period. But if they put levies on and the levies pass that goes away. Both townships know that they have to do something, or they are going to have this large lump sum of money to pay us in the contract out of their General Fund.

Manager Keaton asked if there are any other thoughts?

Member Fowler stated Council should put another levy on the ballot.

Discussion followed regarding different types of levies.

The consensus was to place a 3.85 mill street levy on the November ballot and pair it with some of the budget cuts discussed tonight.

Council recommended eliminating overtime by flexing hours for the Street Department and plowing only the fire routes and main thoroughfares. Council also recommended passing an ordinance prohibiting parking on the streets during a snow event.

The consensus of Council was to increase fees for limb chipping.

Discussion followed regarding cutting back on mowing city-owned properties. The consensus was the parks must be mowed on a regular basis. The other rights-of-way could be mowed less often, however, it does not require overtime, so it only saves on the wear and tear on equipment.

The consensus of Council is to eliminate crack sealing as the cracks are either too wide or there is so much crack seal it becomes a hazard for motorcycles.

Discussion followed regarding personnel. The consensus is to not lay-off any employees at this time and to hire a part-time Deputy Clerk for the front office.

Council discussed increasing the water rates. The consensus is to increase the water rates on an annual basis so that if Dayton increases our rate by three percent or more, it will be less of a hit at once to residents.

City Manager Keaton advised she will get more information from the City of Englewood regarding EMS hard billing.

Discussion followed regarding throttling back the water during a water main break until normal working hours to eliminate overtime in the Service Department. Mayor Letner pointed out this could undermine our streets and cause more damage than we save in overtime.

Fire Chief Fletcher commented on hard billing for EMS services, stating employing a collection agency to collect unpaid invoices could likely offset the increase in revenue.

Manager Keaton advised the City of Englewood sends their unpaid bills to the Attorney General's Office, who attempts to collect the funds.

Council also discussed multiple rides to the same address for lift assists and whether to bill if a removal is not made.

Member Zimmerlin commented he would hate for someone to not call for EMS services because they are afraid of receiving a bill.

Fire Chief Fletcher stated that is a legitimate concern they hear from residents.

Member Zimmerlin stated he does not see hard billing as an option.

Council directed Manager Keaton to prepare the legislation to move forward with the street levy and the legislation to prevent parking on streets during snow events.

Member Zimmerlin commented while many residents blame the fire station, it is the loss of employers that has caused our budget issues.

Manager Keaton agreed and reminded Council that the City needs to diversify our revenue stream.

Member Zimmerlin commented there is a lot of misinformation on social media.

Member Fowler stated he would like to get the support of Brookville Schools for the proposed levy.

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

Kimberly Duncan, Clerk

Charles Letner, Mayor

Brookville City Council
Regular Meeting
July 6, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on July 6, 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, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Police Chief Jerome and Clerk Duncan were present. Fire Chief Fletcher was absent.

Roll Call by Clerk Duncan.

Motion by Zimmerlin, 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 June 15, 2021. All yeas, motion carried.

Manager Keaton reported Member Swabb resigned after the last City Council Meeting as he is moving out of the City limits to pursue his career. Council needs to accept his resignation.

Motion by Fowler, second by Zimmerlin to accept the resignation of Matthew K. Swabb as a Member of City Council. All yeas, motion carried.

Police Chief Jerome presented Police Officer Mark Miller with the 2020 Officer of the Year Award. Major Tom Simon and Police Officer Blake Creager each received a Peer Nominated Officer of the Year Award. Police Chief Jerome stated he is extremely proud of each of the men and congratulated them on their accomplishments.

Mayor Letner congratulated each Officer and thanked them for their dedication and service to the community.

Mayor Letner recognized Angie Jones as the Citizen of the Month for the month of June. Ms. Jones created the idea of the Brookville Blessing Box and followed through to have it constructed and installed at the First United Methodist Church.

Mady DeVivo, YWCA Rural Prevention Educator, gave a brief presentation regarding their work as the only Domestic Violence and Sexual Assault Coalition in Preble and Montgomery County.

Manager Keaton requested Council authorization to enter into a two-year Agreement with Brookville Local Schools to continue with the School Resource Officer beginning August 1, 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 authorized the continuation of this program with Brookville Schools paying 60% of the wages and benefits and the City paying 40% of the wages and benefits of the School Resource Officer in year one of the Agreement and Brookville Schools and the City splitting the costs 50% - 50% in year two of the Agreement.

Member Schreier asked if the SRO Agreement was previously a 60/40% split?

Manager Keaton replied for the past three years, the City has paid 60% and Brookville Schools paid 40%.

Member Fowler inquired how much the SRO works at the school versus working for the Police Department directly?

Police Chief Jerome replied the SRO is at the school from August until May. In the summer, he works the road to cover vacations and other leave. The SRO will also come out of the school during the day to respond to calls as necessary. The SRO is not in the schools during spring break or

Christmas break, but he often utilizes this time to use his vacation time.

Member Fowler asked if Council Members are agreeable to the 60/40 split for the first year and then moving to the 50/50 split, or do they want to push back for a 60/40 for both years?

Mayor Letner stated he feels the School has tried to meet our needs. The 50/50 split in years two is still better than the previous contract where we paid 60%. Mayor Letner stated he feels the SRO program is a tremendous asset.

Member Zimmerlin stated he would be interested in the future to know how our SRO Agreement compares to other districts such as Northmont.

Manager Keaton replied she had Finance Director Brandt conduct a survey through Ohio GFOA and found that the range is 60/40 split to a 40/60 split. Northmont Schools also has a max dollar amount.

Motion by Fowler, second by Zimmerlin to authorize Manager Keaton to enter into a two-year Agreement with Brookville Local Schools to continue with the School Resource Officer beginning August 1, 2021, with Brookville Local Schools paying 60% in year one and 50% in year two. All yeas, motion carried.

Manager Keaton updated Council on the following active projects:

- The Johnsville-Brookville sanitary sewer extension project is almost complete. The new sanitary line is installed. Next week a pressure and vacuum test will be performed, followed by grading, seeding, and mulching the construction site.
- The Golden Gate Walking Path Project is proceeding nicely. Excavation and placement of the aggregate base should be completed this week. They are waiting on the asphalt contractor to mobilize and pave the path. Once the pavement is complete, the contractor will grade, seed and straw the edges of the path. This project may be completed prior to the July 16 deadline.
- The Hay Avenue Roadway Improvements Project will be bid out in late fall, early winter for construction to begin in late winter, early spring 2022. The Open House for the property owners along Hay Avenue, between Wolf Creek and Mulberry Streets, is scheduled for August 12 from 5-7 p.m.
- The Walnut Street Waterline Replacement Project is ready to advertise for bids once we receive approval from the City of Dayton. This project should begin this Fall.

Manager Keaton reported she reached out to five communities in the region that have MetroNet. The responses were favorable on available services and pricing; several communities experienced a few complaints with contractors during installation. A meeting will be scheduled the week of July 19 with MetroNet representatives and city Staff to begin discussing their buildout in the City of Brookville.

Manager Keaton reported proposed Resolution No. 21-11 is the first formal step that we need to take to place a levy on the November 2, 2021, ballot. Manager Keaton requested Council dispense with the second and third reading and adopt proposed Resolution No. 21-11. The Resolution will be submitted to the County Auditor, who has ten days to respond with the requested information. There will be a Resolution on the Agenda at the next Council Meeting to put this levy on the November ballot. Manager Keaton reported we are facing a deadline of August 4, 2021, to get this on the ballot.

Member Fowler inquired whether Manager Keaton has an update on the missing awnings at Brookside Plaza?

Manager Keaton replied the property owner has been sent a zoning violation notice and they are still within the response time allotted in the violation. The violation also included a mowing violation and the property owner did mow upon receipt of the notice.

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

Motion by Zimmerlin, second by Schreier to approve the June 30, 2021 Fund Balance as presented. All yeas, motion carried.

Police Chief Jerome reported the Police Department is hosting a Citizens Police Academy beginning September 8, 2021. The program will last for ten weeks. Police Chief Jerome advised information on the Academy is on their Facebook page and the city website. Sign-ups are currently underway for citizens aged 21 and above.

Police Chief Jerome reported the Fourth of July holiday was typical, with a few fireworks complaints, but nothing major to report.

Mayor Letner called for a motion to open the Public Hearing before City Council and Planning Commission, which is a combined Public Hearing to consider a Preliminary Planned Development and proposed Ordinance No. 2021-04.

Motion by Fowler, second by Zimmerlin to open the combined Public Hearing on a Preliminary Planned Development and proposed Ordinance No. 2021-04. All yeas, motion carried.

The Public Hearing was recorded and is on file with the Clerk at the Municipal Offices. The audio recording of the meeting is available on the city website at www.brookvilleohio.com.

Clerk Duncan announced this Public Hearing is to consider a Preliminary Planned Development Plan for a proposed Planned Residential Development on part Lot 1743, County Auditor Parcel No. C05 00109 0020, located at 10400 Upper Lewisburg-Salem Rd. in the City of Brookville and to consider proposed Ordinance No. 2021-04 that amends the zoning classification of Part Lot 1743, County Auditor Parcel No. C05 00109 0020, located at 10400 Upper Lewisburg-Salem Rd. in the City of Brookville, from its present classification of R-1B (PD) Urban Residential Planned Development Overlay District to the new classification of (PR) Planned Residential District.

Clerk Duncan stated a Legal Notice was published on the City of Brookville website and in the June 23 and June 30 editions of the Brookville Star advising of the Public Hearing. Letters were mailed out to all property owners within 200 feet of the applicant address of 10400 Upper Lewisburg Salem Road, advising of the Public Hearing. One letter was not signed for by a property owner. Clerk Duncan advised she received one email inquiry, one phone inquiry and one in-person inquiry regarding the Public Hearing content. Clerk Duncan stated she received one letter from a property owner, which will be read into the record after those who are present have testified.

Clerk Duncan asked if any Council Member needs to abstain from participating in this Public Hearing?

No Council Members indicated they need to abstain.

Clerk Duncan noted that all Planning Commission Members are present, either virtually or physically.

Clerk Duncan asked if any Planning Member needs to abstain from participating in this Public Hearing?

No Planning Members indicated they need to abstain.

Law Director Stephan reported DDC Management, LLC has submitted a preliminary development plan for a single-family housing project on 18.072 acres located on Albert Road and Upper Lewisburg Salem Road and is requesting rezoning of the property from its current classification from R-1B Planned Development Overlay District to a new classification of Planned Residential District. The zoning requirements for Planned Residential Districts are set forth in section 1151.10 of the Code of Ordinances. This plan is a revision of the Preliminary Development Plan previously submitted to Planning Commission in May of 2021. Planning Commission had rejected the earlier plan because of its density of 67 lots and its failure to meet the open space requirements for Planned

Residential Districts. Planning Commission did vote to recommend this revised Preliminary Development Plan to City Council at their June 17, 2021 meeting. City Council should have a copy of the draft of those meeting minutes. The revised Preliminary Development Plan will establish 59 lots for single-family homes. The lot width is 55 feet. The side yard setbacks are 7.5 feet for a total of 15 feet between the structures as required by 1151.10(f) of the Code of Ordinances. The proposed plan meets the open space requirement of 25% as required in Section 1151.10(j). The density for the proposed project is 3.26 units per acre, which is below the maximum of six dwelling units per acre permitted in 1151.10.(d)(1). The streets in the subdivision will meet the requirements of the City of Brookville subdivision code. The project proposes a 30-foot setback around the perimeter of the development, which was approved by Planning Commission as permitted under 1151.10(i). Planning Commission also recommended that landscaping be required in the setback area along Albert Road. The Preliminary Development Plan is consistent with the Comprehensive Land Use Plan in the City of Brookville which provides for single-family housing in this area. Law Director Stephan advised the Public Hearing tonight is intended to permit public comment on the Preliminary Development Plan and the proposed rezoning.

Clerk Duncan administered the Oath of Witness to those present who indicated they would like to present testimony or otherwise participate in this Public Hearing.

Clerk Duncan indicated anyone online who would like to present testimony will be sworn in prior to their testimony.

Clerk Duncan announced the floor is open for discussion and asked that prior to testimony each person must state their name and address for the record and confirm that they have been sworn in.

Ryan Reed, of DDC Management, LLC, 3601 Rigby Road, Miamisburg, Ohio indicated he has been sworn in. Mr. Reed stated they have worked with City Staff and with Planning Commission to bring a project that they feel meets the needs and requirements of the City. Mr. Reed advised they have met the density requirements and have reduced the number of lots. They are meeting the side yard setbacks and the open space requirement. They have addressed the concerns about landscaping and screening from the streets. They have an agreement on how sidewalks and connectivity will be used. Mr. Reed stated DDC Management thinks this will be a great addition to the City of Brookville and said he is happy to answer any questions regarding the development.

Mark Haworth, of 10352 Upper Lewisburg Salem Road, indicated he has been sworn in. Mr. Haworth observed no one has any questions and said everyone knows what this is going to look like. Mr. Haworth asked what the green space will look like off of Albert Road? Have they chosen the types of trees or bushes that are to be planted?

Mr. Reed replied they will work with the City to develop a landscaping plan and present it with the Final Development Plan.

Member Schreier indicated at the last Planning Commission meeting they discussed a maintenance free type of planting, such as an evergreen or cedar.

Mr. Haworth stated he has personally spoken to many people in the community about this development and they pretty much all said why would the City even think about approving a development like this with it being so dense. Mr. Haworth stated it is 59 homes on an 18-acre plot with a one lane street. This many homes combined together should absolutely have normal street size where you should be able to park in front of your house.

Member Schreier indicated it does allow that. The street size is the same as in the Meadows of Brookville, which is 31 feet.

Mr. Haworth said yes but this is 59 homes on 18 acres. All of the homes can potentially all be vinyl, no brick fronts. This development will forever change the landscape of the city with a visual statement made that our city has lowered our standards. There is no reason we cannot have another Arlington Woods next to our funeral home and our fire station. This development is certainly not

Brookville. The Planning Commission had approved this without the details of an HOA criteria. Has anyone got together on what the HOA is going to consist of and whether they will be allowed to have trampolines, above ground swimming pools or vinyl fences? Or are we going to do this with class and have fences and mailboxes that will correspond throughout the whole neighborhood. Mr. Haworth stated he would really like to see this done with class and asked Planning Commission if any of this has been brought up?

Member Schreier indicated they have not outlined the HOA, but those criteria are permitted in many other developments in Brookville.

Mr. Haworth asked if they are going to mandate a strict HOA in this development?

Law Director Stephan replied the HOA covenants will be included in the Final Development Plan, which will be reviewed by staff and must also be approved by Planning Commission and City Council. Law Director Stephan stated it will be a public record and we can certainly communicate with Mr. Haworth and other citizens about it.

Mr. Haworth stated there is plenty of time to work with this developer to achieve a layout that is tastefully designed, with class, that the whole community will be proud of. The plan that is presented today is not Brookville standards. Mr. Haworth stated you have to ask yourself if this will be accepted by the community. It is very confined. Mr. Haworth stated this is a very crucial decision for all the Council Members. Our community will be reminded of how each Council Member voted on this. Mr. Haworth stated if a yes vote is made by our Council on this design, his legal team will certainly pave the way to allow our community to have the final vote on this issue in November, so we really need to do this with class.

Mayor Letner thanked Mr. Haworth for his comments.

Clerk Duncan administered the Oath of Witness to Beth Reed.

Beth Reed, of 899 Upper Lewisburg Salem Road in Brookville, Ohio, 45309, stated she has been sworn in. Mrs. Reed stated she is not going to talk about the development and how it looks but rather what is on her heart. Mrs. Reed stated she has thought about and prayed hard about this situation, including the approach she needs to take on communicating her concerns. She is not going to rehash their original concerns from the last Public Hearing, but she must say these concerns still stand. Mrs. Reed stated she really appreciates everyone listening. Mrs. Reed stated when she reviewed the minutes from the last Planning Commission meeting, and the new proposal, it became apparent that her main concern with all of this is how it is going to affect and change the dynamics of Brookville. This is not really about this land behind us. It is more about how Brookville is changing and in ways that are opposite of why they moved here in 2008. It is taking into consideration, not only this land, but all the land that surrounds the city currently and how that will also change Brookville as we know it. And it all starts with your decision here and now. After reading and trying to stay on top of what is happening around Brookville at seeing land being zoned for commercial out here, she has heard that Huber Heights has a development similar to what is being proposed here. Mrs. Reed stated no disrespect to Huber Heights, as she goes there often for shopping and eating out, but she has no desire to live there and deal with the crowds and traffic issues. She understands that most of the land around the entire City of Brookville has a future purpose for more development. Mrs. Reed stated she also understands that all of this development will take years to implement but it makes her sad to learn in here about what could potentially be approved in the future. It breaks her heart because it appears that stepping away from being the traditional Brookville that we came to know. Mrs. Reed stated she is an old soul, and you can call her old fashioned, but she does not want to lose that small town feeling. Decisions like this one here are the start of this changing Brookville from how we know it. She understands the value of all of this for the business minded and for making money but that takes away from the values of why we moved here, raising our kids in a close-knit family-oriented community, sending our kids to an excellent school system and supporting our local small businesses. Mrs. Reed stated her point is that this decision and all of those to follow are recreating the Brookville we have come to love and call home. Mrs. Reed stated she hopes you take that into careful consideration and think heavily on the impact these decisions are making on creating the future of Brookville. Mrs.

Reed stated she would just like to address one more thing that she read from the minutes from the previous Planning Commission meeting, and that was sidewalks. If this proposal does get approved, she and her husband need to express their concern that they do not feel the sidewalks around their lot are necessary. Mrs. Reed asked that Members consider this when asking that they would pay to have them installed. Especially now, after reading the minutes that states if Upper Lewisburg Salem Road is eventually widened, they may be torn out. Mrs. Reed stated in no way does she understand how asking them to provide financial support for sidewalks around their lot is their problem in relationship to this development. From what she can tell from the drawing, there would be sidewalk access from Albert Road through the development to Market Street. Problem solved, so can we please not make this an issue as this would be a financial burden for them that they were not prepared for. They are currently paying on a loan they had to take out because this house was not hooked up to city water and sewer when they bought it, and from what they learned from previous city officials, should have been done a long time ago before they moved here. Mrs. Reed stated they strongly oppose the need for sidewalks on their lot and are unable to provide financial support. Mrs. Reed thanked everyone for their time.

Mayor Letner thanked her for her comments.

Clerk Duncan advised she had a letter from a citizen to read, which contains questions. She will pause during the reading to allow the questions to be answered.

Clerk Duncan stated this letter is from Frank and Phyllis Johnson, of 821 Salem Street, Brookville, Ohio, and reads as follows:

Dear City of Brookville Planning Commission,

In your prior virtual meeting of May 20, 2021, two of our questions were addressed with the responsibility of the Homeowners Association (HOA). Evidently, a HOA is in the plans if this planned community is approved. As we are aware a homeowner association (HOA) is an organization that makes and enforces rules and guidelines for a subdivision, planned community, or condominium building. Will the HOA be responsible for all external maintenance, i.e. roofs, paint, etc., as well as landscaping?

Mr. Reed replied no maintenance of the actual homes, just of the common open space.

Clerk Duncan read what is the projected estimated monthly HOA fee for the smallest square footage home in this community?

Mr. Reed replied they have not calculated yet, but typically it runs from \$200 to \$300 per year.

Clerk Duncan continued reading: We were disappointed to learn that at least one meeting has already occurred since May 20, 2021, of which we received no notice nor were we apprised of the June 17, 2021 meeting being planned and/or conducted. As a result, it is our perception that the City of Brookville Planning Commission is working with the DDC Management to push this plan through rather than listening to the objections and concerns of the residents in the neighborhood. It's analogous with saying, 'It's a done deal' so let's just get on with it! We have learned that now DDC Management has resubmitted a revised Preliminary Plan for the development along Albert Road and Upper-Lewisburg Salem Roads. As stated in the Brookville Planning Commission Minutes dated June 17, 2021, changes have been made to meet the 25% open space requirement and reduced the number of lots from 67 to 59. It was further stated that DDC Management met with Arbor Homes and were able to put a plan together that is amiable to both parties. It appears that DDC Management sought and received approval for vegetation along Albert Road. What specific kind of screening will be used? Is the HOA paying for this screening and its maintenance?

Mr. Reed replied as mentioned earlier, that will be part of the Final Development Plan. DDC Management, LLC will be responsible for the cost of installing it and the HOA will maintain it.

Clerk Duncan continued to read: DDC Management is a Limited Liability Corporation (LLC) which means it has no responsibility for anything. At this time, it has no assets in Brookville. Yet our Planning Commission tends to be making concessions to DDC Management. It's interesting how the Planning Commission is praising DDC Management for taking the time to revise their plan and to listen to the Commission referring to revitalizing downtown Brookville. You'd think that the Planning Commission should represent and be concerned with the needs and well-being of the residents of the city. We didn't see any substantial changes for the residents of the City of Brookville except for subtracting eight lots for houses from the plan. Also, it was stated if some rezoning is necessary that the Chamber of Commerce would support it. It appears that the Planning Commission and Chamber of Commerce are working hand in hand. For those Commissioners concerned with sidewalks, it was stated the DDC Management would be happy to do so, however, the owners may be assessed the cost. After some discussion, a motion was made and seconded to approve and to recommend this revised preliminary housing plan with the requirement to provide landscaping along Albert Road, prior to moving on to future business. Where is the home office for Arbor Homes? Is Arbor Homes a local builder which will be available to meet the needs of the buyers once they purchase and inhabit these properties?

Mr. Reed replied they are headquartered out of Indianapolis. Arbor Homes is setting up an office in the Dayton markets so they will have a presence.

Clerk Duncan continued to read: As has happened in numerous communities, the builder comes in from out of town and is nowhere to be found to address and to fix the problems once the homeowners are living in their properties. What is the estimated square footage of the smallest home and price range being considered?

Mr. Reed replied the estimated entry level square footage is around 1,300 square feet and the price point will be market dependent.

Clerk Duncan continued to read: Has there ever been an engineering study on the sanitation system?

Mr. Reed replied that will be presented with the final engineering plans.

Clerk Duncan continued to read: With the addition of fifty-nine houses, plus the fire house, wouldn't that cause significant increase in volume and pressure on the fifty-year-old pipes in the City of Brookville's sanitary system?

Mayor Letner replied no.

Clerk Duncan continued to read: We feel the increase could be as high as 100%. Failure of the fifty plus year sanitary system, could result in raw sewage spills in basements and/or homes. It could be a million-dollar problem. Welcome EPA regulators into our lives! Where is the overflow for the water retention pond? Has an engineering study of the pond been performed?

Mr. Reed replied there will be an outflow for each of these ponds which will be in accordance with the city's engineering guidelines. Mr. Reed replied an engineering study will be part of the Final Engineering Development Plan.

Clerk Duncan continued to read: The water retention pond should have a built-in overflow which takes the water/overflow to Market Street. An overflow is needed since water from 18.3 acres would travel over a hard surface and flow into the pond which could flood private property and homes. How can a retention pond be termed or used as open/green space? It does not make sense, nor is it rational. To be honest, it appears to be illogical and unreasonable. Are

the standards for open green space proposed in the plan, if approved, equivalent to standards specified in the zoning ordinance?

Law Director Stephan replied yes.

Clerk Duncan continued to read: The revised plan specifies 30 feet wide streets which could only be effective with limited parking. It allows only one way in and out of area. If the street is blocked, fire/police would have limited access. With that 100-foot proposed circular turn at each end of the streets, how will fire trucks and school buses maneuver in and out of those cul-de-sacs?

Mr. Reed replied the streets are being designed to the city specifications and they have two points of ingress and egress.

Clerk Duncan continued to read: It appears that the Planning Commission is just concerned with the revenue the City of Brookville will receive in taxes rather than considering the voiced and written concerns of the residents in the surrounding area, as well as the impact this plan, if approved, will have on the entire City of Brookville. If approved, does this development plan constitute a residential environment of sustained desirability and stability in harmony with the character of the neighborhood? It is our perception that this plan is not comparable or compatible with the surrounding neighborhood. It will not look like our present community nor have the values/life of our residents. Are the public facilities in the proposed plan adequate to meet the current standards and serve the anticipated demand for those services determined by the City Engineer?

Manager Keaton replied the plan will be reviewed by our city engineer.

Clerk Duncan continued to read: We adamantly oppose this proposed plan for rezoning and building 59 houses on 18.3 acres and the easement for this proposed plan for Part Lot 1743, Parcel COS 00109 0020,10400 Upper Lewisburg-Salem Road. Our perception is that the effects of this proposal, if approved, would change the neighborhood from low density to high density residential environment which will change the character of the neighborhood leading to increased population, traffic, safety issues, noise and the need for more public services, i.e., police, firemen, refuse collection, teachers, school buildings and buses, as well as, impact our property values which would lower our resale values. It's daunting to think of our City of Brookville as never being the same due to losing its character and appeal with its small-town charm. In the past and the present, our sense of community provided and still provides safe neighborhoods associated with a quality school system. If accepted, this proposed plan would change our City of Brookville forever. Also, we believe this plan, if approved, would be a costly undertaking for the City of Brookville, as well. We ask the Planning Commission to earnestly consider the immediate and long-term effect that this proposed plan, if approved, will have on the City of Brookville and its' residents. We look forward to your answers to our many questions and concerns. We remain sincerely yours, Frank and Phyllis Johnson.

Planning Member Requarth stated he has lived in Brookville for a couple of years and has been a part of the community for the past twenty years just outside of town. Member Requarth stated at the May Planning Commission meeting, he made a motion to deny this based on the density and lack of green space. In June, DDC Management came back with updates. Member Requarth stated he would like to address the road width. The road width of this proposed development is the same as the development they just approved in the new section of the Meadows of Brookville. It would be up to the HOA whether they park on only one side of the street or not. Member Requarth stated he has to wonder what people are really afraid of because he moved to Brookville so he would have less to take care of. He understands that these houses are close together and it is dense, but he does not think that makes it bad. There could be a little more space, but he is not to judge what someone needs to take care of or not take care of. No one will be forced to buy a home here and people can choose to have a small

lot and smaller home. Member Requarth stated regarding the busing, he can get a bus back in the cul-de-sac in Arlington Woods without an issue. Member Requarth stated since he takes care of transportation from the school, he has already looked at the Preliminary Plan and chosen where he would place three bus stops. Member Requarth stated regarding bringing more people into town, if we so cherish our small town feel and our great schools, why would we deny someone else from moving here to enjoy what we have? Member Requarth stated he does not think we should discriminate through zoning to keep people out of Brookville. Member Requarth stated he voted yes on this Preliminary Development Plan because they met the two things that they were denied for in May. They put more buffer around the property on the corner that the Reeds own, and they put in more green space. Member Requarth stated if someone wants a big yard then they need to move somewhere else.

Member Crane asked Mr. Reed to address where the sidewalk on Upper Lewisburg comes into play?

Mr. Reed stated at the corner of Upper Lewisburg Salem Road and Albert Road, which is the Reeds property, there are currently no sidewalks in front of or on either side of their home. Mr. Reed stated they would be bringing sidewalk from the south along Albert Road to the entrance along Albert Road. The sidewalk would run throughout the community in front of every home and then there is an access point out to Market Street that will run between two property lines. Mr. Reed stated they would be okay with putting sidewalk from the Albert Road entrance up to the Reeds' property, but they did not want to put in a sidewalk that goes to nowhere. If there are plans to have connectivity all the way around that corner, then they would support that and allow for that connectivity.

Member Wilder asked Mr. Reed if when he says they would support it does that mean DDC Management would pay for it?

Mr. Reed replied they would pay to install the sidewalk up to the Reed's property and along Upper Lewisburg Salem if that is what the city desires.

Member Wilder stated so you are not paying for it in front of the Reed's property?

Mr. Reed said you are asking us to pay for it in front of the Reeds' house in place of the access out to Market Street?

Member Wilder stated she does not think it is fair to ask the Reeds to pay for the sidewalk.

Mr. Reed stated DDC Management is not asking the Reeds to pay for it, that is something the City is asking them to do.

Manager Keaton stated Council can make the decision not to assess the Reeds. The City has always assessed the property owner when new sidewalk is installed. The Reeds live on a corner lot so they would pay 50% on either side, and a maximum of 125 feet. Council can waive that and the City would have to install it at our cost.

Member Zimmerlin asked if we have ever done that in the past? If not, we should not set a precedent.

Manager Keaton replied the City has never waived the cost in the past.

Member Crane agreed the City should not waive the cost, and asked DDC Management if they would pay for it?

Mr. Reed replied since they do not own that property or the right of way there, they could agree to pay a contribution to the City and then the City would be responsible for that improvement.

Member Zimmerlin stated there are concerns about whether the road would be widened and the sidewalk would be torn up after we pay for it.

Manager Keaton stated Upper Lewisburg Salem is a county road, so we would have no control over that. Right now, it is not in their long-term plans to widen the road.

Member Schreier stated going back to the last Planning meeting they were not conclusive on the sidewalk around the corner. If DDC Management would be willing to reimburse the City to put in the sidewalk that would seem like a precedent. This is not a precedent we have had to address before but when the property owners are already there it does not seem like an equitable thing to do either.

Mayor Letner commented we pride ourselves on being a walkable community.

Mr. Reed stated they can definitely work with the City to come up with an agreement where they could help contribute to the installation.

Member Crane asked if we could get that in writing.

Manager Keaton replied that would be in the agreement with DDC Management.

Mayor Letner asked if anyone else would like to speak.

Mark Haworth, of 10352 Upper Lewisburg Salem Road, Brookville, Ohio, asked if the walks all the way through this development to the Market Street extension has been approved through Mrs. McGregor?

Law Director stated staff has had discussions with Mrs. McGregor and have an agreement with her to obtain an easement. The document needs to be finalized and executed.

Mr. Haworth asked if everyone on Council has looked up Arbor Homes through the Better Business Bureau?

Member Zimmerlin stated he has listened to every Planning Commission meeting and has researched and read the plans. Member Zimmerlin stated he wants to comment to Mr. Haworth that we have definitely done our due diligence before this conversation, so by not commenting or having questions, he does not want Mr. Haworth to think that we have not looked at this wholeheartedly. Member Zimmerlin stated at least for him personally, he is not going to speak to the rest of the folks.

Mr. Haworth commented so everybody knows what we are getting into?

Member Zimmerlin replied yes.

Mr. Haworth stated that concludes my comments.

Member Schreier stated he went to an Arbor Homes development in Huber Heights that actually is modeled for this. He looked at the homes that were built there and the setbacks and had no real concerns.

Motion by Fowler, second by Schreier to return to Regular Session. All yeas, motion carried.

Law Director Stephan reported Council has accepted the resignation of Matthew Swabb and because there are more than two years left in his term, this Council seat will be on the ballot in November for the remainder of the unexpired term. Council will need to appoint a person to fill the vacancy and serve until December 31, 2021. Council will need to approve proposed Resolution 21-12 which directs the Montgomery County Board of Elections to place the open seat on the ballot in November for the remainder of the unexpired term commencing January 1, 2022

and continuing until December 31, 2023. Anyone who wishes to run for the unexpired term must submit a nominating petition to the Board of Elections by August 4, 2021. Law Director Stephan inquired whether Council wants to advertise the open Council seat and interview candidates to fill the vacancy until the election?

Mayor Letner replied he thinks Council should advertise the open Council seat and interview candidates.

Law Director Stephan stated the selected candidate would need to have their petition in to run for the unexpired term by August 4, 2021, so Council will need to move forward quickly with the process.

The consensus is to advertise the open Council seat in the Brookville Star and on the City website and Facebook page. Interviews of candidates will be conducted prior to the July 20, 2021 Council Meeting.

Law Director Stephan stressed that anyone interested in the position can go ahead and file a petition regardless of the outcome of the interview process.

Law Director Stephan reported Wenger Woods Lot 2391 Record Plan was approved by Planning Commission at the last meeting and is now before City Council for approval. The property owner is adding a portion of the property to the south to create a bigger lot. The same type of subdivision record plan was done on the lot beside this lot previously, so there is a precedent. Essentially, we are allowing them to add on to their lot and have a bigger backyard.

Motion by Zimmerlin, second by Fowler to approve the Wenger Woods Lot 2391 Record Plan. All yeas, motion carried.

Mayor Letner thanked Angie Jones for being the June Citizen of the Month.

Mayor Letner reminded everyone of the upcoming Brookville Community Picnic and encouraged everyone to attend.

Mayor Letner reported a Blood Drive coordinated by Fire Chief Fletcher is in the works. Mayor Letner encouraged everyone to donate blood as there is currently a shortage.

Member Zimmerlin inquired whether the Citizen of the Month could be someone who works in Brookville, but is not a resident?

Mayor Letner replied anyone who works or lives in Brookville and is contributing to our community is eligible to be nominated.

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

Motion Zimmerlin, second by Fowler to accept the third reading and adopt 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.

Motion by Fowler, second by Schreier to read proposed Resolution No. 21-11. All yeas, motion carried.

Motion by Crane, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 21-11 entitled "A RESOLUTION REQUESTING THE MONTGOMERY COUNTY AUDITOR TO CERTIFY TO THE COUNCIL OF THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, THE TOTAL CURRENT TAX VALUATION OF THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, AND

THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A NEW PROPERTY TAX LEVY OF THREE AND EIGHTY-FIVE HUNDREDTHS (3.85) MILLS, FOR A PERIOD OF FIVE YEARS TO BE PLACED ON THE TAX LIST AND DUPLICATE FOR THE TAX YEAR OF 2021 FOR COLLECTION IN CALENDAR YEAR 2022 FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES IN THE CITY OF BROOKVILLE. All yeas, motion carried.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 21-12. All yeas, motion carried.

Motion by Wilder, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 21-12 entitled "A RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY TO PLACE THE OPEN CITY COUNCIL POSITION PREVIOUSLY HELD BY MATTHEW K. SWABB ON THE BALLOT ON NOVEMBER 2, 2021, FOR THE REMAINDER OF THE UNEXPIRED TERM COMMENCING JANUARY 1, 2022, AND CONTINUING UNTIL DECEMBER 31, 2023. All yeas, motion carried.

Member Fowler, Park Liaison had no report.

Member Schreier, Planning Commission Liaison, reported in addition to the Planning Commission items Council heard this evening, a variance for an accessory structure on Salem Street at the edge of the city limits was approved.

Mayor Letner requested an Executive Session per ORC. 121.22(G)(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

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

Motion by Schreier, second by Wilder to go back into Regular Session. All yeas, motion carried.

Manager Keaton reported at the May 18 Council meeting, she reported the City received our Notice to Negotiate with the Ohio Patrolmen's Benevolent Association on Article 21, Wages. They have been negotiating with union representatives and have mutually agreed on a wage increase. Manager Keaton requested Council authorization to allow a 1.5% wage increase effective with the pay period that includes July 1, 2021 and to allow a 2% wage increase effective with the pay period that includes January 1, 2022.

Motion by Zimmerlin, second by Fowler authorize Manager Keaton to enter into an agreement with the Ohio Patrolmen's Benevolent Association to allow a 1.5% wage increase effective with the pay period that includes July 1, 2021 and to allow a 2% wage increase effective with the pay period that includes January 1, 2022. All yeas, motion carried.

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

Kimberly Duncan, Clerk

Charles Letner, Mayor



To: Mayor & Council
From: Sonja M. Keaton, City Manager
RE: Manager's Report
Date: 7/19/2021

Proposed Resolution No. 21-13 is directing the Montgomery County Board of Elections to place on the November 2, 2021 ballot the question of an additional property tax levy at the annual rate of 3.85 mills for a period of five-years to be placed on the tax list for tax year 2021, collectable in calendar year 2022 for the general construction, reconstruction, resurfacing and repair of streets, roads, and bridges in the City of Brookville.

Proposed Resolution No. 21-14 through Resolution No. 21-21 are pay Resolutions that reflect the same percentage increase that was recently approved for the Police Union.

Proposed Resolution No. 21-22 and Resolution No. 21-23 are on the Agenda for a first reading. These Resolutions allow the City to prepare and submit applications to the Ohio Public Works Commission.

The Golden Gate Park Walking Path and the Johnsville-Brookville Sanitary Sewer Extension projects are complete.

We are currently advertising for the Walnut Street Waterline Replacement project. We open bids on August 2. Letters, providing an overview of the upcoming project, were mailed out to the property owners.

We just replaced the 26-year-old air conditioning unit in the City Building.

The Brookville Booster Club is requesting permission to spray paint a logo on driveway aprons around town for those that sign up.

The Service Department has been working on stump grinding restoration, trimming the trees along the exit drive in Golden Gate Park, prepped the area for the Gaga Ball Pit, hauled debris spoils, trimmed low hanging branches, weed eating, and spraying at Golden Gate Park in preparation for the Community Picnic. Personnel also worked on setting the calcium tank inside the secondary containment tank.

BROOKVILLE BOOSTER CLUB
“Show Your Blue Pride” Driveway Painting Fundraiser



The Brookville Booster Club, with help from our Brookville athletes, will be spray painting driveways with the above logo, to show support for our Blue Devils in the 2021-2022 sports seasons. The logo design is approximately 2.5' tall by 2.5' wide and will be painted on your driveway apron. Paint used is semi-permanent and can be power washed off at your discretion.

Driveways will be painted during the week of August 9, 2021. If you pre-pay (forms received by August 6, 2021), we will notify you 24-hours prior to painting (weather permitting) and homeowners do not need to be home when we paint.

A cash or check donation of \$25 is recommended (please make checks payable to the “Brookville Booster Club”)

Questions: Contact us at BrookvilleBoosters@gmail.com or on Facebook.

Let's paint the town blue and show our “Blue Pride”

Name: _____ Phone Number: _____

Address: _____

Email Address: _____

I have authority to make decisions regarding the above property and grant permission for the Brookville Booster Club to paint the spirit logo on my driveway.

Signature: _____

Mail completed form and donation to:
Brookville Booster Club
P.O Box 182
Brookville, OH 45309

Sign-Ups are also available Online:
<https://Brookville-athletic-booster-club.square.site>

Memo

To: Mayor and Council

From: Michelle Brandt, Finance Director

Date: July 20, 2021

Subject: Finance Report

- The 2022 Montgomery County Budget Commission Meeting will be held on Wednesday, August 25, 2021. Annually all public entities need to complete and submit a form to the Auditor's Office that indicates if they want to waive or request a hearing before the Montgomery County Budget Commission for the 2021/2022 Tax Information/Budget and/or Inside Millage. At this time I'm asking Council to waive the hearing before the Montgomery County Budget Commission for the 2021/2022 Tax Information/Budget and/or Inside Millage.
- I am requesting Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution 21-24 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.
- Ordinance 2021-10 increases the stormwater rates as it was discussed in the Council work session from \$2.25 a month to \$4.50 a month.
- Ordinance 2021-11 increases the water rates 1.5% to help with future water projects.
- I posted the position for part time Administrative Position on our website, Facebook and LinkedIn. The applications for this position are due by July 30, 2021.



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda July 20, 2021

Reportable Incidents

1/1/2020 – 7/16/2020 = 322

1/1/2021 – 7/16/2021 = 415

Citations

1/1/2020 – 7/16/2020 = 178

1/1/2021 – 7/16/2021 = 525

Traffic Stops

July 2020- 171

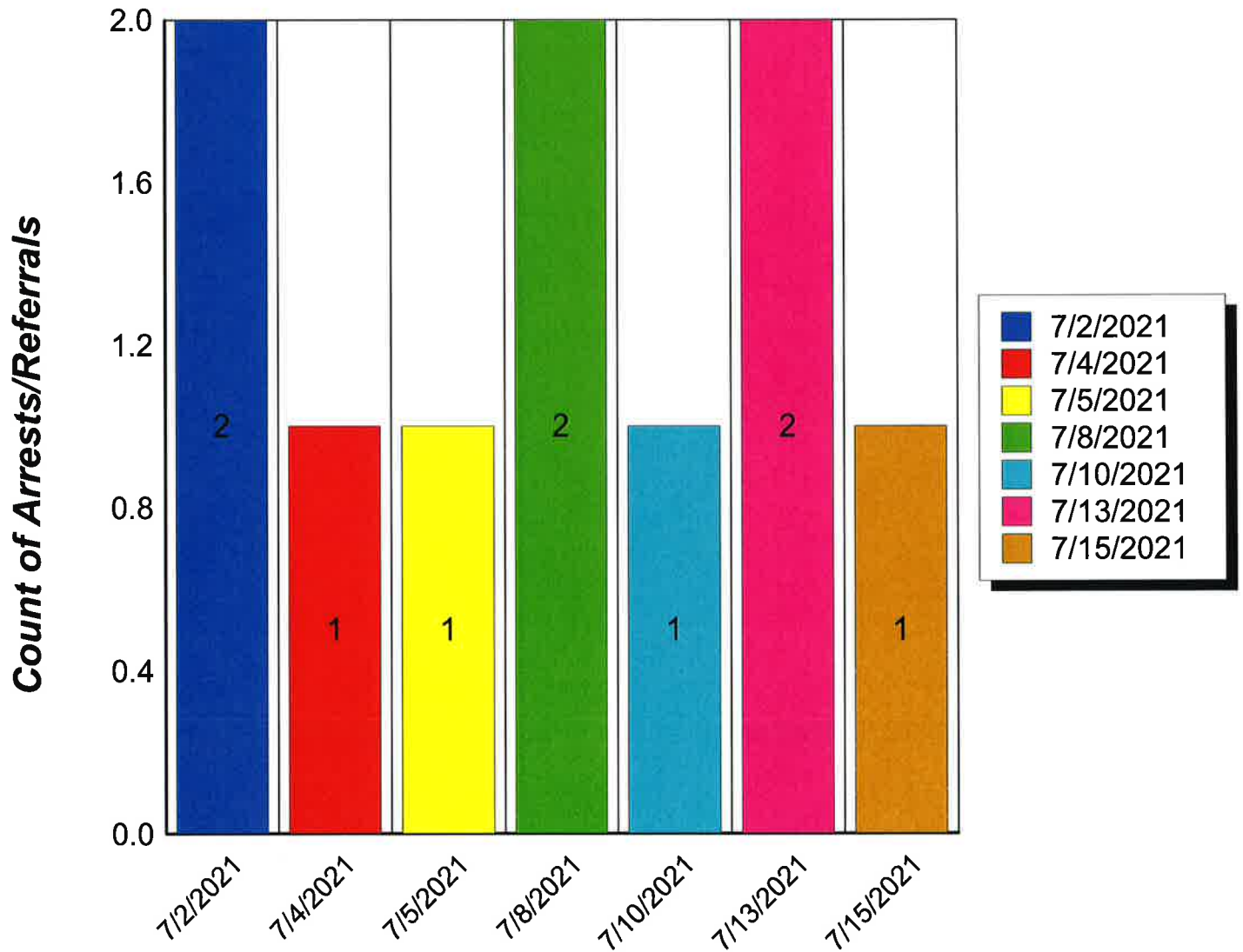
July 2021 to date - 58

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
July 02, 2021	2
July 04, 2021	1
July 05, 2021	1
July 08, 2021	2
July 10, 2021	1
July 13, 2021	2
July 15, 2021	1
Total Selected = 10	

Arrest Log by Date



Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
07/02/2021		RAHSHE L. WALKER	5881 HILLARY DR, TROTWOOD, OH 45426 292511C3: Drug abuse - marijuana 292313: Having weapons while under disability	2021-00396
		DARONN D. SCOTT	470 N OHIO AVE, COLUMBUS, OH 43203 292511: Drug abuse - obtain, possess, use controlled subst	2021-00397
07/04/2021		DAVID E. GRUBB	117 SYCAMORE ST APT 202, BROOKVILLE, OH 45309 291925: Domestic violence 292511C3: Drug abuse - marijuana 292514C: Drug paraphernalia	2021-00401
07/05/2021		JAMES E. FUGATE, Jun	43 W. MCKINLEY ST APT C, BROOKVILLE, OH 45309 291925A: Domestic violence - knowingly cause physical harm	2021-00402
07/08/2021		MICHAEL S. FISHER	403 MARKET APT 6, BROOKVILLE, OH 45309 290313: Assault 290313: Assault	2021-00406
		EDWARD A. BLAIR	403 MARKET ST APT 2, BROOKVILLE, OH 45309 290313: Assault 290313: Assault 292133A: RESISTING ARREST	2021-00406
07/10/2021		SPENCER M. GLAZE	336 E. LEXINGTON RD, EATON, OH 45320 292512: Possessing drug abuse instrument - obtain, use	2021-00412
07/13/2021	08:28 PM	RYAN T. STURGELL	95 RIDGE RD APT 40, BROOKVILLE, OH 45309 291922: Endangering children 292511: Drug abuse - obtain, possess, use controlled subst	2021-00418
		ERIN E. STURGELL	262 1/2 JOANNA STREET, BROOKVILLE, OH 45309 291922: Endangering children 292511: Drug abuse - obtain, possess, use controlled subst	2021-00418
07/15/2021		RYAN T. STURGELL	262 1/2 JOANNA ST, BROOKVILLE, OH 45309 35: WARRANT ARREST	2021-00420

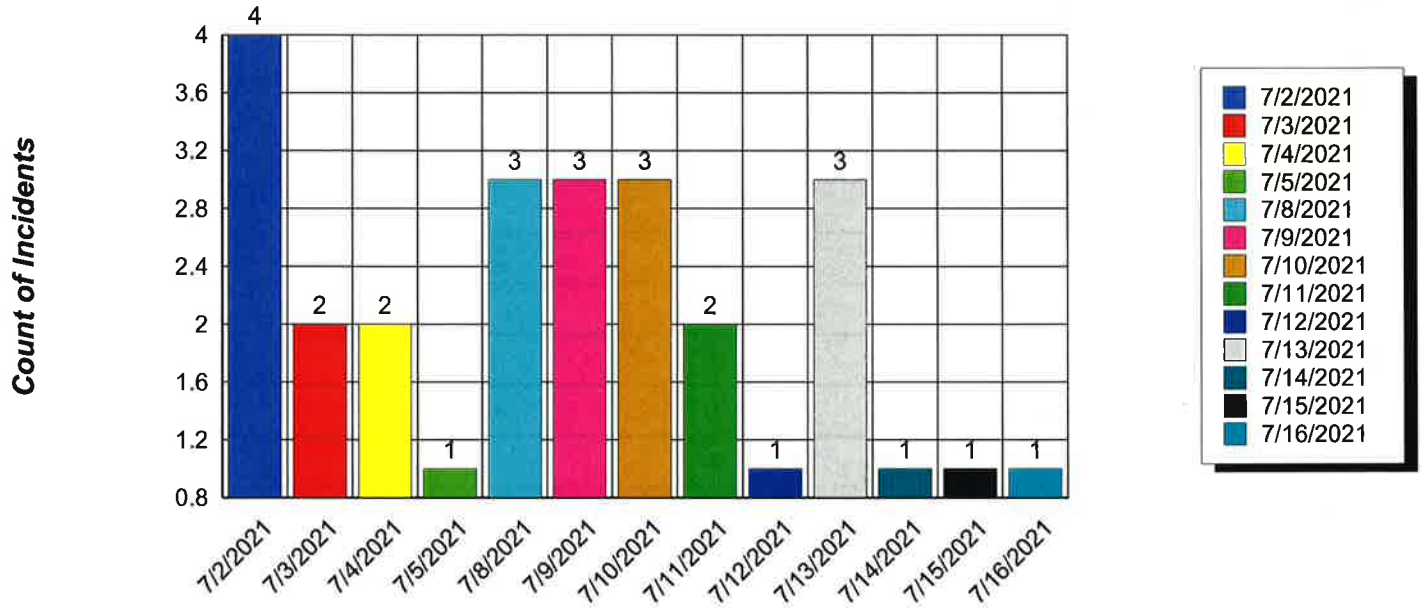
Total Selected = 10

Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
07/02/2021	Friday	4
07/03/2021	Saturday	2
07/04/2021	Sunday	2
07/05/2021	Monday	1
07/08/2021	Thursday	3
07/09/2021	Friday	3
07/10/2021	Saturday	3
07/11/2021	Sunday	2
07/12/2021	Monday	1
07/13/2021	Tuesday	3
07/14/2021	Wednesday	1
07/15/2021	Thursday	1
07/16/2021	Friday	1
Total Selected = 27		

Incident Log by Date Reported



Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
July 02, 2021					
2021-00395	295 W UPPER LEWISBURG BROOKVILLE PD	SIGNAL 6A - THEFT	07/02/2021		OPEN CASE
Offenses UCR Offense Description 1 06 291302A1 - Theft - without consent					
2021-00396	WOLFCREEK @ WESTBROOK BROOKVILLE PD	SIGNAL 15 - WEAPONS VIOLATION	07/02/2021	07/02/2021	ARREST
Offenses UCR Offense Description 6 01 292316 - Improperly handling firearms in motor vehicle N/A 450319 - Expired registration N/A 451012 - DRIVING WITHOUT VALID LICENSE N/A 451021 - FAILURE TO REINSTATE 01 292511C3 - Drug abuse - marijuana 01 292313 - Having weapons while under disability					
2021-00397	ARLINGTON @ 70 BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	07/02/2021	07/02/2021	ARREST
Offenses UCR Offense Description 3 N/A 450702 - Driving under suspension N/A 451012 - DRIVING WITHOUT VALID LICENSE 01 292511 - Drug abuse - obtain, possess, use controlled subst					
2021-00398	428 N. WOLF CREEK ST UNIT C BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	07/02/2021		OPEN CASE
Offenses UCR Offense Description 1 N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH					

Total Incidents Reported for Date: 4

July 03, 2021

2021-00399	445 S WOLF CREEK STREET BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	07/03/2021	07/03/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2021-00400	40 TRIGGS ROAD BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	07/03/2021	07/03/2021	EXCEPTIONALLY CLEARED
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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July 03, 2021

Total Incidents Reported for Date: 2

July 04, 2021

2021-00401	117 SYCAMORE STREET APT 202 BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	07/04/2021	07/04/2021	ARREST
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Offenses UCR Offense Description
 3 02 291925 - Domestic violence
 01 292511C3 - Drug abuse - marijuana
 02 292514C - Drug paraphernalia

2021-00402	43 W MCKINLEY UNIT C BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	07/04/2021	07/05/2021	ARREST
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Offenses UCR Offense Description
 1 02 291925A - Domestic violence - knowingly cause physical harm

Total Incidents Reported for Date: 2

July 05, 2021

2021-00403	520 ARLINGTON BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	07/05/2021	07/05/2021	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 1

July 08, 2021

2021-00404	530 HAY AVENUE BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	07/08/2021	07/08/2021	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 1 N/A 451021 - FAILURE TO REINSTATE

2021-00405	531 HAY AVENUE BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE ACCIDENT	07/08/2021		OPEN CASE
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Offenses UCR Offense Description
 1 N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH

2021-00406	403 MARKET STREET	SIGNAL 09 - ASSAULT	07/08/2021	07/09/2021	
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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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July 08, 2021

BROOKVILLE PD

ARREST

Offenses	UCR	Offense Description
6	04	290313 - Assault
	04	290313 - Assault
	04	290313 - Assault
	04	290313 - Assault
	04	292133A - RESISTING ARREST
	01	290906 - Criminal damaging/endangering

Total Incidents Reported for Date: 3

July 09, 2021

2021-00407	336 ALBERT RD BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	07/09/2021	07/09/2021	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
3	N/A	451012 - DRIVING WITHOUT VALID LICENSE
	N/A	451016 - FRA SUSPENSION
	N/A	451121 - SPEEDING

2021-00408	926 ARLINGTON BROOKVILLE PD	SIGNAL 18HO - HEROIN OVERDOSE	07/09/2021	07/09/2021	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	01	18HO - HEROIN OVERDOSE

2021-00409	926 ARLINGTON BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	07/09/2021	07/09/2021	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	02	26I - INFORMATION REPORT

Total Incidents Reported for Date: 3

July 10, 2021

2021-00410	EB I-70 MM 23 BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	07/10/2021	07/10/2021	ARREST
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Offenses	UCR	Offense Description
2	N/A	35 - WARRANT ARREST
	N/A	451007 - LICENSE FORFEITURE SUSPENSION

2021-00411	SYCAMORE ST. @ WESTBROOK RD	SIGNAL 26I - FOUND PROPERTY	07/10/2021	07/10/2021	
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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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July 10, 2021

BROOKVILLE PD

EXCEPTIONALLY CLEARED

Offenses UCR Offense Description

1 02 26I - INFORMATION REPORT

2021-00412	40 TRIGGS RD BROOKVILLE PD	SIGNAL 18HO - HEROIN OVERDOSE	07/10/2021	07/10/2021	ARREST
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Offenses UCR Offense Description

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

Total Incidents Reported for Date: 3

July 11, 2021

2021-00413	87 TERRACE PARK BLVD BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	07/11/2021		OPEN CASE
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Offenses UCR Offense Description

1 02 291925 - Domestic violence

2021-00414	301 SYCAMORE ST BROOKVILLE PD	SIGNAL 17 - SEX OFFENSE	07/11/2021		OPEN CASE
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Offenses UCR Offense Description

1 01 290705 - Gross sexual imposition

Total Incidents Reported for Date: 2

July 12, 2021

2021-00415	301 SYCAMORE STREET BROOKVILLE PD	SIGNAL 06A - GRAND THEFT	07/12/2021		OPEN CASE
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Offenses UCR Offense Description

1 06 291302 - Theft

Total Incidents Reported for Date: 1

July 13, 2021

2021-00416	545 FLANDERS AVENUE BROOKVILLE PD	SIGNAL 06B - THEFT	07/13/2021		OPEN CASE
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Offenses UCR Offense Description

1 06 291302 - Theft

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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July 13, 2021

2021-00417	575 ARLINGTON ROAD BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	07/13/2021	07/13/2021	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
3	N/A	451011 - DRIVING UNDER SUSPENSION
	N/A	4511202 - REASONABLE CONTROL
	N/A	451012 - DRIVING WITHOUT VALID LICENSE

2021-00418	25 TRIGGS RD BROOKVILLE PD	SIGNAL 18HO - HEROIN OVERDOSE	07/13/2021	07/13/2021	ARREST
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Offenses	UCR	Offense Description
4	02	291922 - Endangering children
	02	291922 - Endangering children
	01	292511 - Drug abuse - obtain, possess, use controlled subst
	01	292511 - Drug abuse - obtain, possess, use controlled subst

Total Incidents Reported for Date: 3

July 14, 2021

2021-00419	70 MEADOW BROOKE AVENUE BROOKVILLE PD	SIGNAL 53B - INJURY ACCIDENT	07/14/2021	07/14/2021	EXCEPTIONALLY CLEARED
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Offenses	UCR	Offense Description
1	N/A	53B - INJURY TRAFFIC CRASH

Total Incidents Reported for Date: 1

July 15, 2021

2021-00420	262 1/2 JOANNA STREET BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	07/15/2021	07/15/2021	ARREST
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Offenses	UCR	Offense Description
1	N/A	35 - WARRANT ARREST

Total Incidents Reported for Date: 1

July 16, 2021

2021-00421	110 WESTERN AVE BROOKVILLE PD	SINGAL 20 - DOMESTIC VIOLENCE	07/16/2021		OPEN CASE
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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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July 16, 2021

Offenses	UCR	Offense Description
1	02	291925 - Domestic violence

Total Incidents Reported for Date: 1

Total Selected = 27

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-04 Passed _____, 20____

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART LOT 1743 OF THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF R-1B (PD) URBAN RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE NEW CLASSIFICATION OF (PR) PLANNED RESIDENTIAL DISTRICT.

WHEREAS, Part Lot 1743 (Montgomery County Auditor Parcel No. C05 0019 0020) in the City of Brookville, being approximately 18.631 acres, and further described in Exhibit A attached hereto, located at 10400 Upper Lewisburg-Salem Road in the City of Brookville is currently zoned R-1B (PD) Urban Residential Planned Development Overlay District; and

WHEREAS, after public hearing on this amendment to the zoning classification of the property 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 classification of the property from its present classification of R-1B (PD) Urban Residential Planned Development District to its new classification of (PR) Planned Residential District.

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

SECTION I: The zoning classification of Lot 1743 (Montgomery County Auditor Parcel No.C05 00109 0020) of the City of Brookville, being approximately 18.631 acres, and further described in Exhibit "A" attached hereto and incorporated herein by reference, is hereby amended from its present zoning classification of R-1B (PD) Urban Residential Planned Development Overlay District to the new classification of (PR) Planned Residential District.

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

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-04 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. 2021-04, passed by the Council of the City of Brookville, Ohio, on the day of 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

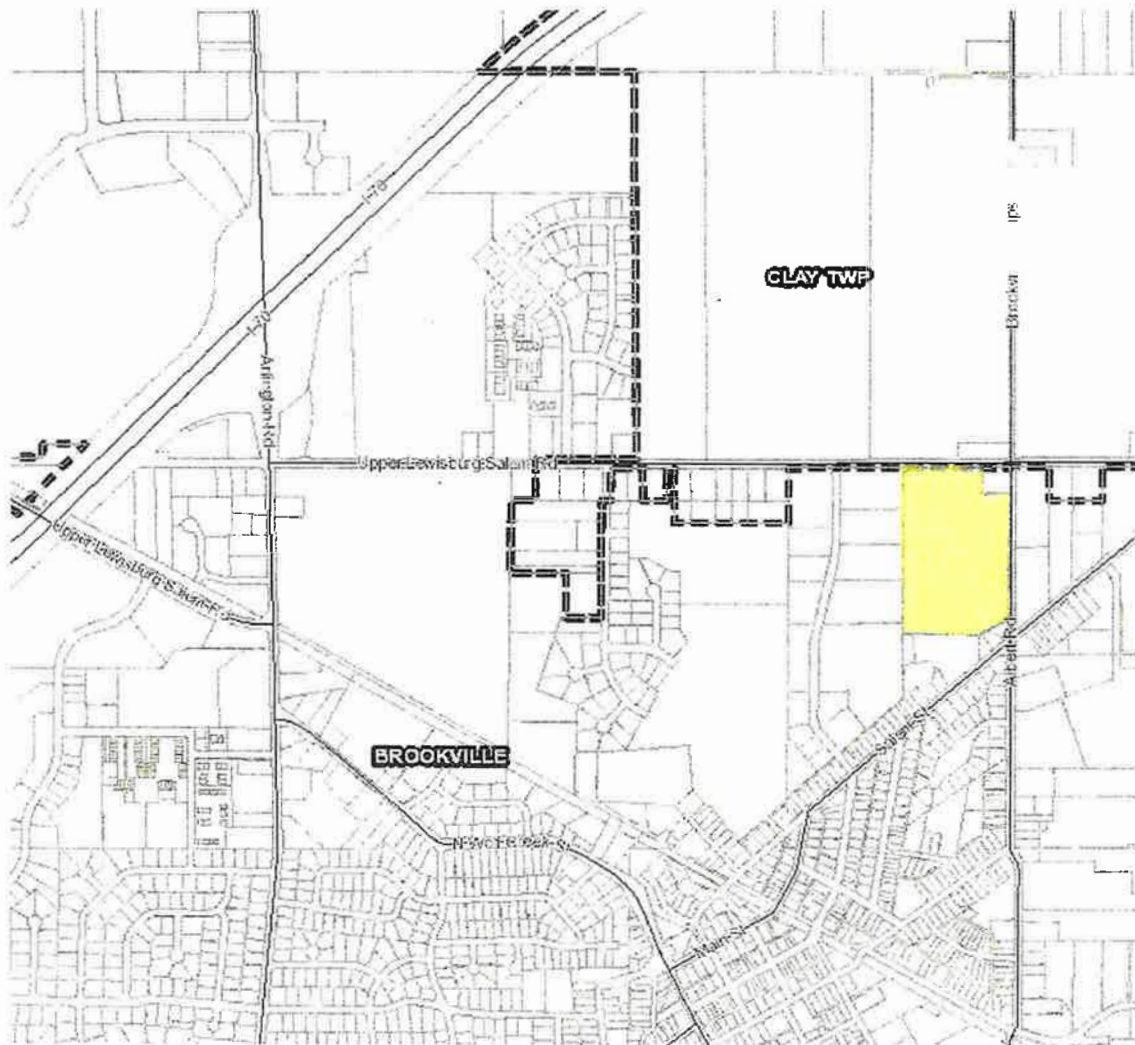
The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-04 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the day of 2021, to the day of 2021, both days inclusive.

Kimberly Duncan, Clerk

EXHIBIT "A"

Situate in the State of Ohio, County of Montgomery, and City of Brookville, and being Part Lot Number 1743 of the revised and consecutive numbers of lots of the City of Brookville, Ohio, and further described in the attached legal description.

Parcel No. C05 00109 0020



RESOLUTION 21-13

No. _____

Passed

Yr. _____

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF BROOKVILLE AT THE ELECTION OF NOVEMBER 2, 2021 THE QUESTION OF AN ADDITIONAL PROPERTY TAX LEVY AT THE ANNUAL RATE OF THREE AND EIGHTY-FIVE HUNDREDTHS (3.85) MILLS FOR A PERIOD OF FIVE YEARS TO BE PLACED ON THE TAX LIST AND DUPLICATE FOR TAX YEAR 2021 TO BE COLLECTED IN CALENDAR YEAR 2022, FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES IN THE CITY OF BROOKVILLE, PURSUANT TO OHIO REVISED CODE SECTION 5705.19(G), AND DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY TO PLACE THE ISSUE ON THE BALLOT.

WHEREAS, on July 6, 2021, the City Council of the City of Brookville adopted Resolution No. 21-12 pursuant to Ohio Revised Code Section 5705.19 declaring it necessary to levy a property tax in excess of the ten-mill limitation for a period of five (5) years to be placed on the tax list and duplicate for tax year 2021 to be collected in calendar year 2022 for the general construction, reconstruction, resurfacing and repair of streets, roads, and bridges in the City of Brookville, pursuant to Ohio Revised Code 5705.19(G), and requesting the Montgomery County Auditor to certify the total current tax valuation of the City of Brookville and the dollar amount of revenue that would be generated by the additional tax levy; and

WHEREAS, the Montgomery County Auditor provided a Certificate of Estimated Property Tax Revenue certifying that the total current tax valuation of the City is \$129,718,980, and the dollar amount of the estimated property tax revenue to be generated by three and eighty-five hundredths mills is \$474,447. A copy of this Certificate of Estimated Property Tax Revenue is attached hereto as Exhibit A; and

WHEREAS, City Council desires to adopt this Resolution to place the question of the additional tax levy to the voters of the City of Brookville at the November 2, 2021 General election.

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

SECTION I: The City Council hereby finds, determines and declares that the amount of taxes which may be raised by the City of Brookville within the ten-mill limitation on the current tax list and duplicate will be insufficient to provide for the necessary requirements of the City of Brookville and that it is necessary to levy a tax in excess of that limitation at the rate of three and eighty-five hundredths (3.85) mills for a period of five (5) years, commencing with tax year 2021 for collection in 2022 for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in the City of Brookville, pursuant to Ohio Revised Code Section 5705.19(G). The City Council hereby accepts the Certificate of Estimated Property Tax Revenue for Brookville City certified by the Montgomery County Auditor.

SECTION II: The Board of Elections of Montgomery County, Ohio is directed to place on the ballot, in the General election to be held on November 2, 2021, for submission to the electorate of the City of Brookville, the question of an additional property tax levy at the annual rate of three and eighty-five hundredths (3.85) mills for a period of five (5) years to be placed on the tax list and duplicate for tax year 2021 for collection in calendar year 2022 for general construction, reconstruction, resurfacing and repair of streets, roads, and bridges in the City of Brookville pursuant to Ohio Revised Code Section 5705.19(G). The form of the ballot to be cast at such election as may be modified by the Board of Elections or Secretary of State's Office, shall read substantially as follows:

Shall an additional property tax be levied for general construction, reconstruction, resurfacing and repair of streets, roads, and bridges in the City of Brookville at an annual rate of three and eighty-five hundredths (3.85) mills for each one dollar (\$1.00) of valuation, which amounts to thirty-eight and one half cents (0.385) for each one hundred dollars (\$100.00) of valuation, for a period of five (5) years, to be placed on the tax list and duplicate for the tax year 2021 for collection in calendar year 2022?

_____ FOR THE TAX LEVY

_____ AGAINST THE TAX LEVY

Said election shall be held at the regular places of voting in the City as established by the Board of Elections of Montgomery County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

SECTION III: The Clerk of Council is directed to certify to the Board of Elections of Montgomery County, Ohio on or before August 4, 2021, a copy of this Resolution 21-13, Resolution 21-11, and the Certificate of Estimated Property Tax Revenue of the Montgomery County Auditor, and to take all necessary actions to place this issue on the ballot.

SECTION IV: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that 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 V: This Resolution shall take effect immediately upon passage as provided in Section 4.07(A)(3) of the Charter of the City of Brookville, Ohio.

PASSED this _____ day of _____ 2021.

ATTEST:

Kimberly Duncan, Clerk

Chuck Letner, Mayor

RESOLUTION 21-13

No. _____

Passed _____

Yr. _____

CERTIFICATE

The undersigned, Clerk of Council of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 21-13, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2021.

Kimberly Duncan, Clerk of Council

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-13 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____ day of _____ 2021, to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk of Council

Certificate of Estimated Property Tax Revenue For Brookville City

(Use this form when a Taxing Authority Certifies an Amount of Revenue and Requests a Rate for Additional, Replacement, Replacement With an Increase, and Replacement With a Decrease)

The County Auditor of Montgomery County, Ohio, does hereby certify the following:

1. On July 7, 2021, the taxing authority of the City of Brookville certified a copy of its resolution ordinance adopted July 6, 2021 requesting the county auditor to certify the current tax valuation of the city and the amount of revenue that would be produced by three and eighty-five one hundredths (3.85) mills for each one dollar (\$1.00) of valuation, which amounts to thirty eight and one half cents (0.385) for each one hundred dollars (\$100.00) of valuation, to levy a tax outside the ten-mill limitation for the purpose of funding for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges, pursuant to Revised Code §5705.19(G) to be placed on the ballot at the November 2, 2021, general election. The levy type is a 3.85 Mill Additional Levy for a five (5) year period of time.
2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the taxing authority district remains constant throughout the life of the levy, is calculated to be \$474,447.
3. The total tax valuation of the taxing authority district used in calculating the estimated property tax revenue is \$129,718,980.

Property Class	Assessed Valuation		Millage Rate		Dollars Generated @ 95%
Class 1 Res/Agr	94,911,570	X	3.85	=	347,139
Class 2 Com/Ind	31,447,050	X	3.85	=	115,018
Public Utility Personal Property	3,360,360	X	3.85	=	12,291
General Tangible Personal Property	0	X	3.85	=	0
Total	129,718,980				474,447

Karl L. Keith
Auditor, Montgomery County, Ohio

By: *Gloria A. Butler* Deputy

BROOKVILLE CITY ESTIMATED REVENUE 3.85 MILL ADDITIONAL				
PROPERTY CLASS	ASSESSED VALUATION	MILLAGE RATE	DOLLARS GENERATED	DOLLARS GENERATED @95%
Class 1 Res/Agr	94,911,570	3.85	365,410	347,139
Class 2 Com/Ind	31,447,050	3.85	121,071	115,018
Public Utility Real Property	-	3.85	-	-
Public Utility Personal Property	3,360,360	3.85	12,937	12,291
TOTAL:	129,718,980		TOTAL:	474,447

RESOLUTION NO. 21-14

A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME HOURLY CITY EMPLOYEES, AND DECLARING IT AN EMERGENCY.

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

SECTION I: The following constitutes the wage scale for full-time hourly employees of the City of Brookville, Ohio and shall take effect retroactive to the pay period that includes July 1, 2021.
(Annual yearly based on 52 (40 hour) work weeks)

STEPS						
<u>JOB TITLES</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
<u>SERV. DEPT. SUPT.</u>						
HOUR				\$34.59	\$36.15	\$37.78
YEAR				\$71,947.20	\$75,192.00	\$78,582.40
<u>FOREMAN</u>						
HOUR			\$28.88	\$30.18	\$31.54	\$32.96
YEAR			\$60,070.40	\$62,774.40	\$65,603.20	\$68,556.80
<u>STATE CERTIFIED TREATMENT PLANT OPERATOR</u>						
<u>FLEET MECHANIC</u>						
HOUR	\$25.67	\$26.82	\$28.03	\$29.29	\$30.61	\$31.99
YEAR	\$53,393.60	\$55,785.60	\$58,302.40	\$60,923.20	\$63,668.80	\$66,539.20
<u>ZONING & PROPERTY MAINTENANCE OFFICER</u>						
HOUR				\$27.66	\$28.91	\$30.21
YEAR				\$57,532.80	\$60,132.80	\$62,836.80
<u>MAINTENANCE WORKER II</u>						
HOUR	\$23.65	\$24.72	\$25.83	\$26.99	\$28.20	\$29.47
YEAR	\$49,192.00	\$51,417.60	\$53,726.40	\$56,139.20	\$58,656.00	\$61,297.60
<u>MAINTENANCE WORKER I</u>						
HOUR	\$20.02	\$20.92	\$21.86	\$22.84	\$23.87	\$24.94
YEAR	\$41,641.60	\$43,513.60	\$45,468.80	\$47,507.20	\$49,649.60	\$51,875.20
<u>DEPUTY CLERK II</u>						
HOUR	\$21.68	\$22.65	\$23.67	\$24.74	\$25.85	\$27.01
YEAR	\$45,094.40	\$47,112.00	\$49,233.60	\$51,459.20	\$53,768.00	\$56,180.80
<u>DEPUTY CLERK I</u>						
HOUR	\$19.96	\$20.86	\$21.80	\$22.78	\$23.80	\$24.87
YEAR	\$41,516.80	\$43,388.80	\$45,344.00	\$47,382.40	\$49,504.00	\$51,729.60
<u>POLICE & FIRE SECRETARY</u>						
HOUR	\$18.21	\$19.03	\$19.89	\$20.79	\$21.72	\$22.70
YEAR	\$37,876.80	\$39,582.40	\$41,371.20	\$43,243.20	\$45,177.60	\$47,216.00
<u>POLICE MAJOR</u>						
HOUR				\$34.59	\$36.15	\$37.78
YEAR				\$71,947.20	\$75,192.00	\$78,582.40
<u>POLICE CAPTAIN</u>						
HOUR				\$32.23	\$33.68	\$35.19
YEAR				\$67,038.40	\$70,054.40	\$73,195.20
<u>POLICE PATROLMAN</u>						
						(AS PER CONTRACT)

SECTION II: The following constitutes the wage scale for full-time hourly employees of the City of Brookville, Ohio and shall take effect with the pay period that includes January 1, 2022.
(Annual yearly based on 52 (40 hour) work weeks)

	STEPS					
<u>JOB TITLES</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
<u>SERV. DEPT. SUPT.</u>						
HOUR				\$35.28	\$36.87	\$38.53
YEAR				\$73,382.40	\$76,689.60	\$80,142.40
<u>FOREMAN</u>						
HOUR		\$29.46	\$30.78	\$32.17	\$33.62	
YEAR		\$61,276.80	\$64,022.40	\$66,913.60	\$69,929.60	
<u>STATE CERTIFIED TREATMENT PLANT OPERATOR</u>						
<u>FLEET MECHANIC</u>						
HOUR	\$26.18	\$27.36	\$28.59	\$29.88	\$31.22	\$32.63
YEAR	\$54,454.40	\$56,908.80	\$59,467.20	\$62,150.40	\$64,937.60	\$67,870.40
<u>ZONING & PROPERTY MAINTENANCE OFFICER</u>						
HOUR				\$28.21	\$29.48	\$30.81
YEAR				\$58,676.80	\$61,318.40	\$64,084.80
<u>MAINTENANCE WORKER II</u>						
HOUR	\$24.12	\$25.21	\$26.34	\$27.53	\$28.77	\$30.06
YEAR	\$50,169.60	\$52,436.80	\$54,787.20	\$57,262.40	\$59,841.60	\$62,524.80
<u>MAINTENANCE WORKER I</u>						
HOUR	\$20.42	\$21.34	\$22.30	\$23.30	\$24.35	\$25.44
YEAR	\$42,473.60	\$44,387.20	\$46,384.00	\$48,464.00	\$50,648.00	\$52,915.20
<u>DEPUTY CLERK II</u>						
HOUR	\$22.11	\$23.10	\$24.14	\$25.23	\$26.37	\$27.55
YEAR	\$45,988.80	\$48,048.00	\$50,211.20	\$52,478.40	\$54,849.60	\$57,304.00
<u>DEPUTY CLERK I</u>						
HOUR	\$20.36	\$21.28	\$22.24	\$23.24	\$24.28	\$25.37
YEAR	\$42,348.80	\$44,262.40	\$46,259.20	\$48,339.20	\$50,502.40	\$52,769.60
<u>POLICE & FIRE SECRETARY</u>						
HOUR	\$18.57	\$19.41	\$20.28	\$21.19	\$22.15	\$23.15
YEAR	\$38,625.60	\$40,372.80	\$42,182.40	\$44,075.20	\$46,072.00	\$48,152.00
<u>POLICE MAJOR</u>						
HOUR				\$35.28	\$36.87	\$38.53
YEAR				\$73,382.40	\$76,689.60	\$80,142.40
<u>POLICE CAPTAIN</u>						
HOUR				\$32.87	\$34.35	\$34.16
YEAR				\$68,369.60	\$71,448.00	\$71,052.80
<u>POLICE PATROLMAN</u>	(AS PER CONTRACT)					

RESOLUTION NO. 21-14

Page 3

SECTION III: All employees will be hired on at least a one-year probationary period. Normal progression is starting at Step A, and at completion of the probationary period move to Step B. Progression through the remaining steps shall be on an annual basis from date of last step increase based upon satisfactory performance evaluation. The City Manager may, if necessary, start more qualified and experienced personnel at a higher step in order to fill a position that would then follow the normal progression through the remaining steps.

SECTION IV: A full-time employee who possess an Associate's degree from a two (2) year program at an accredited college, a Bachelor of Arts or Bachelor of Sciences degree, from a four (4) year program at an accredited college or university, or a Master's degree and who has successfully passed their probationary period as a full-time employee shall receive the following additional pay supplement:

<u>Degree</u>	<u>Amount</u>
Job Related Associate's Degree	\$0.24/hour
Job Related Bachelor's Degree	\$0.36/hour
Job Related Master's Degree	\$0.48/hour

SECTION V: If any sentence, clause, or section or part of this Resolution is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, section, or part of this Resolution, and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION VI: This Resolution shall revoke and rescind any Ordinance or Resolution or any part thereof that are in conflict herewith.

SECTION VII: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

Passed this _____ day of _____ 2021.

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. 21-14 passed by the Council of said City on the _____ day of _____ 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-14 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 _____ 2021, to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk

RESOLUTION NO. 21-15

A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR SEASONAL AND/OR TEMPORARY, PERMANENT PART-TIME HOURLY CITY EMPLOYEES, AND DECLARING IT AN EMERGENCY.

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

SECTION I: The following constitutes the wage scale for seasonal and/or temporary hourly employees of the City of Brookville, Ohio and shall take effect retroactive to the pay period that includes July 1, 2021:

	<u>STEPS</u>				
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Seasonal and/or Temporary	\$ 9.83	\$10.27	\$10.73	\$11.21	\$11.71

SECTION II: The following constitutes the wage scale for seasonal and/or temporary hourly employees of the City of Brookville, Ohio and shall take effect the pay period that includes January 1, 2022:

	<u>STEPS</u>				
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Seasonal and/or Temporary	\$10.02	\$10.47	\$10.94	\$11.43	\$11.94

SECTION III: The following constitutes the wage scale for permanent part-time hourly employees of the City of Brookville, Ohio, including City of Brookville Fire Department employees staffing a fire station Sunday through Saturday from 0000-2400 hours and shall take effect retroactive to the pay period that includes July 1, 2021:

	<u>STEPS</u>				
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Part-time I	\$10.54	\$11.01	\$11.51	\$12.03	\$12.57
Part-time II	\$13.14	\$13.73	\$14.35	\$15.00	\$15.68
Part-time III	\$16.37	\$17.11	\$17.88	\$18.69	\$19.53

SECTION IV: The following constitutes the wage scale for permanent part-time hourly employees of the City of Brookville, Ohio, including City of Brookville Fire Department employees staffing a fire station Sunday through Saturday from 0000-2400 hours and shall take effect the pay period that includes January 1, 2022:

	<u>STEPS</u>				
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Part-time I	\$10.75	\$11.23	\$11.74	\$12.27	\$12.82
Part-time II	\$13.40	\$14.01	\$14.64	\$15.30	\$15.99
Part-time III	\$16.70	\$17.45	\$18.24	\$19.06	\$19.92

SECTION V: All seasonal and/or temporary, permanent part-time will be placed according to their training, qualifications and experience into one of the step “levels” based on the Department Head’s decision, and approved by the City Manager. Any progression from any step to another step, will be based upon satisfactory performance evaluation, and the need for such step level as determined by the Department Head and approval by the City Manager.

Present employees not fitting into one of the pay step levels, will retain their present rate of pay, or be placed in the nearest, higher rate, as approved by the Department Head and City Manager.

SECTION VI: City of Brookville Fire Department variable hour employees participating in voluntary activities, such as details, meetings, community activities and supervisory positions (Officer Pay), shall be eligible to receive a quarterly stipend for their volunteer service.

The quarterly stipend for all activities, not including Officer Pay, shall not exceed \$250 per quarter, per employee.

The Supervisory stipend, Officer Pay, shall not exceed \$245.00 quarterly for any Assistant Chief, \$150.00 quarterly for any Captain, or \$100.00 quarterly for any Lieutenant.

SECTION VII: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION VIII: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

SECTION IX: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2021.

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. 21-15 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 Resolution No. 21-15 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 _____ 2021 to the _____ day _____ 2021 both days inclusive.

Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-16

Passed

Yr.

A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CITY MANAGER, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City Charter requires that a Resolution be passed establishing the compensation of the City Manager.

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

SECTION I: The salary of the City Manager shall take effect retroactive to the pay period that includes July 1, 2021 and shall be \$4,041.66 biweekly.

SECTION II: The salary of the City Manager shall take effect the pay period that includes January 1, 2022 and shall be \$4,122.49 biweekly.

SECTION III: A full-time employee who possess an Associate's degree from a two (2) year program at an accredited college, or a Bachelor of Arts or Bachelor of Sciences degree from a four (4) year program at an accredited college or university, or a Master's degree and who has successfully passed their probationary period as a full-time employee shall receive the following additional pay supplement:

<u>Degree</u>	<u>Amount</u>
Job Related Associate's Degree	\$0.24/hour
Job Related Bachelor's Degree	\$0.36/hour
Job Related Master's Degree	\$0.48/hour

SECTION IV: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION V: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

SECTION VI: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2021.

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. 21-16 passed by the Council of said City on the _____ day of _____ 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-16 as 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 _____ 2021, to the _____ day of _____ 2021 both days inclusive.

Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-17

Passed

Yr.

A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FINANCE, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City Charter requires that a Resolution be passed establishing the compensation of the Director of Finance.

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

SECTION I: The salary of the Director of Finance shall take effect retroactive to the pay period that includes July 1, 2021 and shall be \$2,953.97 biweekly.

SECTION II: The salary of the Director of Finance shall take effect with the pay period that includes January 1, 2022 and shall be \$3,013.05 biweekly.

SECTION III: A full-time employee who possess an Associate's degree from a two (2) year program at an accredited college, or a Bachelor of Arts or Bachelor of Sciences degree from a four (4) year program at an accredited college or university, or a Master's degree and who has successfully passed their probationary period as a full-time employee shall receive the following additional pay supplement:

<u>Degree</u>	<u>Amount</u>
Job Related Associate's Degree	\$0.24/hour
Job Related Bachelor's Degree	\$0.36/hour
Job Related Master's Degree	\$0.48/hour

SECTION IV: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION V: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

SECTION VI: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2021.

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.21-17 passed by the Council of said City on the _____ day of _____ 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-17 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 _____ 2021, to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-18

Passed

Yr.

A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FIRE, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City Charter requires that a Resolution be passed establishing the compensation of the Director of Fire.

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

SECTION I: The salary of the Director of Fire shall take effect retroactive to the pay period that includes July 1, 2021 and shall be \$3,452.66 biweekly.

SECTION II: The salary of the Director of Fire shall take effect with the pay period that includes January 1, 2022 and shall be \$3,521.71 biweekly.

SECTION III: Any full-time employee who possess an Associate's degree from a two (2) year program at an accredited college, or a Bachelor of Arts or Bachelor of Sciences degree from a four (4) year program at an accredited college or university, or a Master's degree and who has successfully passed their probationary period as a full-time employee shall receive the following additional pay supplement:

<u>Degree</u>	<u>Amount</u>
Job Related Associate's Degree	\$0.24/hour
Job Related Bachelor's Degree	\$0.36/hour
Job Related Master's Degree	\$0.48/hour

SECTION IV: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION V: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

SECTION VI: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2021.

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. 21-18 passed by the Council of said City on the _____ day of _____ 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-18 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 _____ 2021, to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk

No. **RESOLUTION NO. 21-19** *Passed* Yr. _____

A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF POLICE, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City Charter requires that a Resolution be passed establishing the compensation of the Director of Police.

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

SECTION I: The salary of the Director of Police shall take effect retroactive to the pay period that includes July 1, 2021 and shall be \$3,452.66 biweekly.

SECTION II: The salary of the Director of Police shall take effect with the pay period that includes January 1, 2022 and shall be \$3,521.71 biweekly.

SECTION III: Any full-time employee who possess an Associate's degree from a two (2) year program at an accredited college, or a Bachelor of Arts or Bachelor of Sciences degree from a four (4) year program at an accredited college or university, or a Master's degree and who has successfully passed their probationary period as a full-time employee shall receive the following additional pay supplement:

<u>Degree</u>	<u>Amount</u>
Job Related Associate's Degree	\$0.24/hour
Job Related Bachelor's Degree	\$0.36/hour
Job Related Master's Degree	\$0.48/hour

SECTION IV: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION V: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

SECTION VI: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2021.

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. 21-19 passed by the Council of said City on the _____ day of _____ 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-19 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 _____ 2021 to the _____ day of _____ 2021 both days inclusive.

Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-20

Passed

Yr.

A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CLERK OF COUNCIL, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City Charter requires that a Resolution be passed establishing the compensation of the Clerk of Council.

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

SECTION I: The salary of the Clerk of Council shall take effect retroactive to the pay period that includes July 1, 2021 and shall be \$29.44 hourly.

SECTION II: The salary of the Clerk of Council shall take effect with the pay period that includes January 1, 2022 and shall be \$30.03 hourly.

SECTION III: A full-time employee who possess an Associate's degree from a two (2) year program at an accredited college, or a Bachelor of Arts or Bachelor of Sciences degree from a four (4) year program at an accredited college or university, or a Master's degree and who has successfully passed their probationary period as a full-time employee shall receive the following additional pay supplement:

<u>Degree</u>	<u>Amount</u>
Job Related Associate's Degree	\$0.24/hour
Job Related Bachelor's Degree	\$0.36/hour
Job Related Master's Degree	\$0.48/hour

SECTION IV: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION V: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

SECTION VI: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2021.

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. 21-20 passed by the Council of said City on the _____ day of _____ 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-20 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 _____ 2021, to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk

No. **RESOLUTION NO. 21-21** Passed Yr.

A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF LAW, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City Charter requires that a Resolution be passed establishing the compensation of the Director of Law.

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

SECTION I: The salary of the Director of Law shall take effect retroactive to July 1, 2021, payable as follows:

Four Thousand One Hundred Seventy-six Dollars (\$4,176.00) per month retainer, plus One Hundred Sixty-nine Dollars (\$169.00) per hour for prosecutions and other non-retainer services.

SECTION II: The salary of the Director of Law shall take effect January 1, 2022, payable as follows:

Four Thousand Two Hundred Sixty Dollars (\$4,260.00) per month retainer, plus One Hundred Seventy-two Dollars (\$172.00) per hour for prosecutions and other non-retainer services.

SECTION III: If any sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall affect only such clause, sentence, section or part of this Resolution and shall not effect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this Resolution. It is hereby declared to be the intention of the Council of the City of Brookville that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION IV: This Resolution shall revoke and rescind any Resolution that is in conflict herewith.

SECTION V: This Resolution is hereby declared to be an emergency Resolution. The reason for the emergency is being the proper employment of its city employees and to preserve the public health, safety, and welfare of the citizens of the City. Therefore, this Resolution shall take effect and be in force from and after its passage, provided passage is by at least two-thirds of the members of Council.

PASSED this _____ day of _____ 2021.

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. 21-21 passed by the Council of said City on the _____ day of _____ 2021.

Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 21-21 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 _____ 2021, to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-22

Passed

Yr.

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.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Brookville is planning to make capital improvements to the Hay Avenue Reconstruction, Phase II Project; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission (OPWC) programs.

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

SECTION I: The City Manager is hereby authorized to apply to the OPWC for funds as described above.

SECTION II: The City Manager is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION III: This Resolution shall take effect and be in force thirty (30) days after passage as provided by the Charter of the City of Brookville.

PASSED this _____ day of _____ 2021.

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. 21-22, passed by the Council of said City 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 Resolution No. 21-22 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 _____ 2021 to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-23

Passed

Yr.

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.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Brookville is planning to make capital improvements to the Jefferson Street Waterline Replacement Project; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission (OPWC) programs.

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

SECTION I: The City Manager is hereby authorized to apply to the OPWC for funds as described above.

SECTION II: The City Manager is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION III: This Resolution shall take effect and be in force thirty (30) days after passage as provided by the Charter of the City of Brookville.

PASSED this _____ day of _____ 2021.

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. 21-23, passed by the Council of said City 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 Resolution No. 21-23 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 _____ 2021 to the _____ day of _____ 2021, both days inclusive.

Kimberly Duncan, Clerk

No.

RESOLUTION NO. 21-24

Passed

Yr.

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.

WHEREAS, the Council of the City of Brookville, Ohio approved the 2021 Original Certificate of Estimated Resources and the 2021 Appropriation Resolution; and

WHEREAS, the City of Brookville, Ohio needs to comply with the 2021 Budget; and

WHEREAS, the Finance Director has requested amendment of the Certificate of Estimated Resources and Appropriations for 2021.

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 Fiscal Recovery Fund	Increase	\$739,000.00

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

<u>AMOUNT</u>	<u>LINE ITEM</u>	<u>FUND</u>
\$ 15,000.00	D03-07A4-2520	Capital Improvement Fund
\$ 25,000.00	D03-07A4-2530	Capital Improvement Fund
\$ 3,000.00	E01-05C2-2420	Water Fund

SECTION III: 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 _____ 2021.

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. 21-24 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 Resolution No. 21-24 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 _____ 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. 2021-10 Passed, 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 937.04 (b), FIXING THE USER FEES TO ALL STORMWATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO.

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

SECTION I: Section 937.04(b) of the Code of Ordinances is hereby amended to read as follows:

The user fee for the classes of structures shall be as follows:

- (1) Class A-Residential Structure \$ 4.50 per month
- (2) Class B-Mixed Use Structure \$ 7.50 per month
- (3) Class C-Commercial Structure \$ 7.50 per month
- (4) Class D-Industrial Structure \$10.50 per month
- (5) Class E-Governmental or Non-Profit Structure \$ 4.50 per month

These user fees shall be in effect with the December 2021 quarterly billing.

SECTION II: This Ordinance shall revoke and rescind all Ordinances, and parts of Ordinances and Resolutions, and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earliest period allowed by law.

PASSED this day of 2021.

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 Ordinance No. 2021-10, 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. 2021-10 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the day of 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. 2021-11 Passed, 20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.20 (a), FIXING THE USER FEES TO ALL WATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO.

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

SECTION I: Section 931.20 (a) of the Code of Ordinances is hereby amended to read as follows:

There shall be a minimum charge for water, billed quarterly. The minimum charge is to cover investment, overhead expenses, and the cost of being ready to serve with water. These minimum charges will be payable quarterly as due, at the following rates for the various sized meters.

MINIMUM CHARGES PER QUARTER

5/8	inch meter	\$ 56.00
3/4	inch meter	\$ 68.25
1	inch meter	\$ 109.25
1½	inch meter	\$ 182.75
2	inch meter	\$ 305.50
3	inch meter	\$ 613.00
4	inch meter	\$ 923.75
6	inch meter	\$1,591.50
8	inch meter	\$2,184.25
10	inch meter	\$3,639.75
12	inch meter	\$5,022.25

The following shall be additional charges per thousand cubic feet per quarter for the:

First	10,000 cubic feet	\$ 41.29
Next	90,000 cubic feet	\$ 39.05
Next	400,000 cubic feet	\$ 36.75
Next	500,000 cubic feet	\$ 30.10

These rates shall start and be in effect with the December 2021 billing for water consumed during the previous quarter of September 2021 through November 2021.

SECTION II: This Ordinance shall revoke and rescind all Ordinances, and parts of Ordinances and Resolutions, and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earliest period allowed by law.

PASSED this day of 2021.

Kimberly Duncan, Clerk

Charles Letner, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-11 Passed , 20

CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-11, 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. 2021-11 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the day of 2021 to the day of 2021, both days inclusive.

Kimberly Duncan, Clerk