



REGULAR COUNCIL MEETING
Tuesday, April 16, 2019, 7:30 PM
CITY HALL
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309
(937) 833-2135
www.brookvilleohio.com

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 the April 2, 2019 Regular Meeting Minutes
- IV. Mark Landers - Montgomery County Veterans Services**
- V. Jessi Sievers - Community Outreach Program**
- VI. Angie Jones - Blessing Box**
- VII. Reports of Municipal Officers**
 - a. City Manager
 - b. Finance Director
 - c. Fire Chief
 - d. Police Chief
 - e. Law Director
 - f. Mayor David Seagraves



VIII. Old Business

- a. Third reading of proposed Ordinance 2019-03 entitled, "An Ordinance levying assessments for the cutting and removal of weeds, vines, grass and/or other vegetation during the year 2018 for certain properties in the City of Brookville, Ohio."
- b. Second reading of proposed Ordinance No. 2019-02 entitled, "An Ordinance establishing a Storm Water Management Utility in the City of Brookville, Ohio." Tabled 4/2/19
- c. Second reading of proposed Resolution 19-07 entitled, "A Resolution accepting the recommendation of the Tax Incentive Review Council finding that the Enterprise Zone Agreement of Green Tokai CO. LTD dated March 25, 2016 is in compliance and that the Enterprise Zone Agreement be continued."

IX. New Business

- a. First reading of proposed Ordinance No. 2019-04 entitled, "An Ordinance levying assessments for delinquent utility bills for certain properties in the City of Brookville, Ohio."
- b. First reading of proposed Resolution No. 19-08 entitled, "A Resolution amending the 2019 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."

X. Reports of Boards and Commissions

- a. Park Board Liaison
- b. Planning Commission

XI. Public Comments (5 minutes per speaker)

XII. Executive Session

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

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

Brookville City Council
Regular Meeting
April 2, 2019

The Regular Meeting of the Brookville City Council was called to order by Mayor Seagraves at 7:30 p.m. on April 2, 2019 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Fowler, Schreier, Wilder and Zimmerlin; Fire Chief Fletcher, Acting City Manager/Finance Director Keaton, Law Director Stephan, and Clerk Wheeler were present. Member Letner and Police Chief Jerome were absent.

Mayor Seagraves informed Member Letner is absent tonight due to an illness.

Roll Call by Clerk Wheeler.

Law Director Stephan requested two amendments to the Agenda under his report. He requested a motion by Council to advertise for the vacancy on City Council and to set a deadline for applications to be submitted. He also requested a motion by Council to donate surplus fire department property to Jefferson Township.

Motion by Zimmerlin, second by Schreier to approve the Agenda as amended. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to approve the Regular Council Meeting Minutes of March 5, 2019. All yeas, motion carried.

Fire Chief Fletcher presented the 2018 Fire Department Officer of the Year Awards.

Fire Chief Fletcher thanked the nominees for not only their hard work and dedication while on duty, but for their outstanding off duty performance as well.

Fire Chief Fletcher presented the 2018 Officer of the Year Award to Chad Ferguson.

Fire Chief Fletcher presented the 2018 Firefighter of the Year Award to David Schmitt.

Fire Chief Fletcher presented the 2018 EMS Provider of the Year Award to Brenton Zedeker.

Mayor Seagraves thanked the award winners and their families. He thanked the entire Fire Department for all the hard work they do.

Fire Chief Fletcher thanked his staff for the work they do. He stated he is so fortunate to have the folks he has work for him and is blessed to have the staff he has.

Joey Gooch, of the Brookville Band Associates requested Council approval for the 2019 Picnic 5K Run to held be the weekend of the Annual Community Picnic. She informed the run will be held on Saturday, July 27, 2019 from 8:00 a.m. to 10:00 a.m. She stated the route will be the same as last year.

Fire Chief Fletcher informed both he and Police Chief Jerome have received a copy of the Event Form and have no issues.

Motion by Fowler, second by Schreier to allow the Brookville Band Associates to hold the Picnic 5K Run on Saturday, July 27, 2019 from 8:00 a.m. to 10:00 a.m. All yeas, motion carried.

Acting City Manager/Finance Director Keaton reported two Focus Group Meetings were recently held, one on March 28 with nine attendees and again this past Saturday with three attendees. She informed there will be another Focus Group Meeting tomorrow evening

beginning at 6:00 p.m. in the Fire Station training room. She stated if anyone is interested in attending the next meeting, to please let Clerk Wheeler know after the meeting tonight, or call her in the morning. She informed she met with the two MPA students from Wright State last Friday to recap the first Focus Group held on March 28, and they felt the meeting went very well and a lot of dialogue was shared amongst the group. She informed the two students would like to give a brief presentation to Council on the Focus Group Meetings at the April 16 Council Meeting. She stated all attendees' names will be kept confidential.

Acting City Manager/Finance Director Keaton informed City Council has a copy of a Press Release from Vectren. She informed copies have also been placed on the sign-in podium, and is also posted on our website. She described contract crews working for Vectren will soon begin replacing gas mains and service lines in Brookville as part of their multi-year pipeline replacement program. She stated streets that will be affected in 2019 include E. McKinley Street, Hay Avenue, a small portion of Maple Street near Hay Avenue, Sycamore, Main, Columbia, Walnut and Mulberry Streets. She stated gas mains will be replaced within the right-of-way, and then the service lines running directly to homes and businesses will be replaced. Any affected yards, sidewalks and streets will be restored and prior to service replacement, a Vectren representative will contact customers to provide an overview of the required work. She stated Vectren encourages everyone to exercise caution when driving through the construction zones and to keep a safe distance away from any work zones. She informed construction in Brookville is scheduled to begin in mid-April.

Acting City Manager/Finance Director Keaton reported the Hazard Mitigation pre-application was submitted on March 21. She informed the Ohio EPA will review all pre-applications and will contact us in mid-April to update us on the status of our pre-application.

Acting City Manager/Finance Director Keaton informed the electric meter was installed last Friday at our new water tower. She stated now that the electric meter is installed, we need to get our SCADA system up and running and are also waiting on the ground to dry out prior to the installation of the fence around the water tower. She stated once these items are completed, we should be able to close this project out.

Acting City Manager/Finance Director Keaton informed she received three estimates for the roof repair at the Leiber Center and the lowest estimate was from Thrush & Sons. She informed the estimate was way below our \$50,000 bid threshold and Staff will be moving forward with this project to eliminate any future damage to the Leiber Center.

Acting City Manager/Finance Director Keaton reminded the Community Park Cleanup Day is scheduled for Saturday, April 13 from 10:00 a.m. to noon. She informed trash bags and gloves were donated by Montgomery County Solid Waste and will be available in Shelter #3.

Acting City Manager/Finance Director Keaton informed City Council has been provided a copy of the 2018 Annual Reports for the Finance, Fire, Police, Service and Economic Development and Zoning Departments.

Acting City Manager/Finance Director Keaton presented the March 31, 2019 Fund Balance.

Motion by Zimmerlin, second by Fowler to approve the March 31, 2019 Fund Balance as presented. All yeas, motion carried.

Acting City Manager/Finance Director Keaton informed she recently submitted four Montgomery County Solid Waste Recycling Incentive Grants. She informed the incentive grant program for Solid Waste District members provides funding to district members to enhance, increase and promote recycling in the county, help with waste reduction, litter prevention, composting opportunities and provide end use markets of recycled materials. She informed for 2019, the total funds available will be a minimum of \$200,000. She informed actual awards will vary based upon the scoring criteria and number of applications submitted.

Acting City Manager/Finance Director Keaton informed she has provided Council with a graph that shows the incentive grant awards by jurisdictions from 1997-2018. She informed Brookville has received a total of \$268,312 from this grant program. She informed the four applications submitted were for the following:

1. End Use Markets of Recycled Materials and would include two 70-Gallon Recycled Plastic Waste Receptacles for Diamond #1 & the BBC Concession; twelve 55-Gallon Recycled Plastic Waste Receptacles w/lids and liners for the BBC Diamonds; two Recycled Plastic Bike Racks for Golden Gate Park; five Recycled Plastic Cigarette Snuffers for Outside Enclosed Rental Buildings; one three Sided Recycled Plastic Kiosk Message Center for Market Street, adjacent to the Bikeway; and a Recycled Plastic Picnic Table for the Fire Station. She reported the total Project Cost is \$16,595.62, we are requesting \$11,617 in grant funds with the City contributing \$4,978.62.

2. Collection of Household Hazardous Waste

She informed the City currently has three Waste Oil Burners that are used to heat three separate garage facilities. The City of Brookville currently has three storage tanks that are used to hold the used oil that residents and businesses drop off for our use in these burners. The City is in need of replacing an existing small used oil storage tank due to the amount of used oil that is dropped off to us throughout the year. She stated the City would like to purchase one Double Wall 1,000-gallon Used Oil Storage Tank. She reported the total Project Cost is \$5,185.00, we are requesting \$3,629 in grant funds with the City contributing \$1,556.

3. Expanded Curbside Collection would include 2,000 Mini Recycling Roll Carts “City of Brookville Recycles”. She stated total Project Cost is \$4,728.77, we are requesting \$3,310 in grant funds with City contributing \$1,418.77. She stated this promo item will be in the front office along with other recycling promo items and hopefully these would be a daily reminder to our residents to recycle.

4. End Use Markets of Recycled Materials would be for a Ward Park Sign at the entrance off Oak Street. She stated the total Project Cost is \$2,262.60, we are requesting \$1,584 in grant funds with the City contributing \$678.60.

Acting City Manager/Finance Director Keaton informed eligible grant projects require a financial contribution to the project equal to 30% of the total project cost. On all four projects, we are requesting 70% grant funding with the City contributing 30%. All four projects total \$28,771.99, and we’re requesting \$20,140 in grant funds with the City contributing \$8,631.99.

Acting City Manager/Finance Director Keaton reported the Vandalia Income Tax Department assisted 35 taxpayers on Friday, March 22 and 28 on Saturday, March 23 with their local tax returns in our City Building. Last year they assisted 70 taxpayers. She reminded the deadline for filing federal, state and local tax returns is Monday, April 15.

Fire Chief Fletcher informed he will forward out the March Operations Report soon. He reported March was a very busy month. He informed today on behalf of the school system, they burned off the overgrowth of the land lab on the school campus. He informed the Fire Department makes a training event out of this and this is something done every other year. He described what was burned off today will be studied by students as it regrows over the next 24 months. He stated this project is done in conjunction with the schools, they obtain the burn permit and the schools have always been a fantastic partner. He stated we are coming into brush fire season and this type of training helps the newer fire department employees.

Fire Chief Fletcher informed if successful with the Solid Waste Recycling Incentive Grant, the Fire Association would cover the City’s cost for the recycled picnic table at the Fire Station.

Fire Chief Fletcher stated there are several benefits of the project with Vectren. He informed Vectren is relocating gas meters in basements to outdoors and installing valves that prevent free flow of gas. He stated this is a very beneficial and worthwhile project Vectren has embarked on and Vectren has always been very easy for Staff to work with and always notifies the City of where they are working and what they will be doing.

Mayor Seagraves informed Police Chief Jerome is absent, but did provide a report.

Law Director Stephan informed City Council has a vacancy since Member Kirklin's resignation at the last Council Meeting. He requested a motion by Council to advertise for the vacancy with a deadline to apply. He informed pursuant to the City Charter, the vacancy needs to be filled within 60 days. He suggested a deadline for resumes to be submitted of no later than the end of April because Council will need time to interview and make a selection.

Motion by Zimmerlin, second by Schreier to advertise for the vacancy on City Council with a deadline to apply of April 30, 2019. All yeas, motion carried.

Law Director Stephan informed Staff and the Fire Department would like to donate five murphy beds that are no longer needed at our fire station to the Jefferson Township Fire Department.

Fire Chief Fletcher informed the Brookville Fire Department has a long history of donating to fire departments in need. He informed he was approached last year by the Jefferson Township Administrator about the murphy beds at Station #1 and if they would be used in our new fire station. He explained Jefferson Township currently has personnel sleeping on the floor on air mattresses or sleeping bags. He informed murphy beds were not a part of the design chosen for our new fire station and Jefferson Township certainly qualifies as a department in need. He stated he does not think the five murphy beds would bring in much money in a public auction and instead the City could take the opportunity to do a good thing.

Motion by Zimmerlin, second by Fowler to allow the Fire Department to dispense of surplus property by donating five murphy beds to the Jefferson Township Fire Department. All yeas, motion carried.

Law Director informed proposed Resolution No. 19-07 is listed under New Business tonight and is a Resolution that would accept the recommendation of the Tax Incentive Review Council finding the Enterprise Zone Agreement of Green Tokai Co. Ltd. dated March 25, 2016 is in compliance and that the Enterprise Zone be continued. He informed every year by law we are required to have a Tax Incentive Review Committee Meeting to review certain incentives. He stated the committee recently met at the Montgomery County Auditor's Office and the committee approved the continuance of the exemption. He informed this is for the expanded area of the old Parker Hanifan building that Green Tokai constructed a few years ago and is using for logistics. Law Director Stephan requested Council approve proposed Resolution No. 19-07.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 19-07. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the first reading of proposed Resolution No. 19-07 entitled, "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE ENTERPRISE ZONE AGREEMENT OF GREEN TOKAI CO. LTD DATED MARCH 25, 2016 IS IN COMPLIANCE AND THAT THE ENTERPRISE ZONE AGREEMENT BE CONTINUED." All yeas, motion carried.

Law Director Stephan informed the McCoy Home Subdivision Plat would divide an existing lot on Westbrook Road. He stated all lots would meet the legal requirements of R-1A Zoning and was reviewed and approved at the last Planning Commission Meeting.

Member Schreier informed Mr. McCoy previously came to a Planning Commission Meeting wanting to have the lot split on an appeal, but there was a three foot shortage on the frontage. He informed Mr. McCoy's neighbors were at the meeting and afterwards they all came together to make this arrangement work out for everyone. He stated the smaller lots are being added to other's adjacent properties and by re-platting it seems to be a win win for everyone and now Mr. McCoy will meet the three foot frontage requirement.

Motion by Zimmerlin, second by Schreier to approve the McCoy Homes Subdivision Record Plan located at 300 E. Westbrook Road. All yeas, motion carried.

Mayor Seagraves had no report.

In Old Business,

Motion by Zimmerlin, second by Wilder to read proposed Ordinance No. 2019-03. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to accept the second reading of proposed Ordinance No. 2019-03 entitled, "AN ORDINANCE LEVYING ASSESSMENTS FOR THE CUTTING AND REMOVAL OF WEEDS, VINES, GRASS AND/OR VEGETATION DURING THE YEAR 2018 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Mayor Seagraves informed Member Zimmerlin has requested Council table proposed Ordinance No. 2019-02 until Member Letner is back.

All Members agreed.

Motion by Zimmerlin, second by Fowler to table proposed Ordinance No. 2019-02 entitled, "AN ORDINANCE ESTABLISHING A STORM WATER MANAGEMENT UTILITY IN THE CITY OF BROOKVILLE, OHIO". All yeas, motion carried

Mayor Seagraves stated New Business was covered in Law Director Stephan's report.

Bonnie Cordes, Park Board President, informed a silent auction was held at the Leiber Center in Golden Gate Park last weekend to benefit Brookville resident Rachel Hubbs and her family. She informed Mrs. Hubbs was diagnosed with brain cancer and she and her family are in great need. She informed the event raised \$6,100 and there was a great turnout. She informed Wendy's will be donating a percentage of their sales on Monday, April 8 and the the Brookville Grille will be donating a percentage of their sales on Wednesday, April 10 to the Hubbs family. She stated the event was truly impressive and the community really came together.

Ms. Cordes reported a dog adoption event has been planned for Sunday, April 14, 2019. She described the FAA from three different schools have organized a dog adoption event and will include a dog walk, and other activities still to be determined. She encouraged everyone to attend.

Ms. Cordes reported the recent water damage done to the Grove area at Golden Gate Park has been repaired thanks to ARO Landscaping. She thanked ARO Landscaping for their help. She informed the Service Department has offered to do the needed repair work on the open air shelters at Golden Gate Park. She informed the Park Board is working on getting donations from various groups to help pay for the needed repairs to the buildings.

Mayor Seagraves informed a spaghetti dinner and Monte Carlo event will be held at the VFW to benefit David Rhodes on Friday, April 5.

Ms. Cordes stated the silent auction for the Hubbs family was greatly organized and so many people volunteered to help.

Mayor Seagraves thanked Wendy's and the Brookville Grille for their generosity. He stated Brookville is a very loving and caring community.

Member Schreier, Planning Commission Member, informed of the recycling grants included a three sided sign for the downtown area. He informed Zoning Officer Snedeker reached out to various organizations for more information. He described the inside of the sign would be a map listing restaurants, shops, and things to do and would be located on Market Street by Old Hickory, near the bike path. He informed this would be the first sign and then hopefully another sign could be placed on the opposite of Market Street. He informed ideas have been discussed on where to strategically place these signs to help direct people to the different downtown businesses. He informed Zoning Officer Snedeker is working with MVRPC on possible signage and they are also helping with the design.

Member Zimmerlin suggested having a sign in Golden Gate Park because it gets a lot of visitors.

Member Schreier informed Planning Commission Members also discussed having signs on new Market Street near the fire station and eventually on Arlington Road.

Member Schreier informed work is being done on the lights downtown and two sample LED lights have been put in. He informed the curb has been painted yellow on the corner of Sycamore and Market Street near Old Hickory to help with traffic.

Kevin O'Boyle, of 436 Heather Street in Englewood, informed two other businesses also helped with the fundraising event for Rachel Hubbs. He informed K's Restaurant and Waffle House also donated a portion of their sales from Saturday, March 30 to the family. He stated Mrs. Hubbs is a very positive and uplifting person.

Jill Jenkins, 222 South Wolf Creek Street, asked if there has been any further discussion on the results of the drone study?

Service Superintendent Homan informed the original date to fly the drones was rained out and a rescheduled date is coming up soon in April.

Ms. Jenkins asked if there are a lot of baseball tournaments in the park like there used to be?

Acting City Manager/Finance Director Keaton informed not as much as in years past. She informed the BBC did not even have their select tournament last year.

Ms. Jenkins asked if the shelter torn down in Golden Gate Park will be replaced?

Acting City Manager/Finance Director Keaton stated not at this time, there is no funding.

Mayor Seagraves informed the building torn down was beyond repair and had to be torn down. He stated with current funding the way it is, it cannot be justified to be rebuilt at this time.

Member Zimmerlin asked about appointing a Park Board Liaison?

Motion by Zimmerlin, second by Schreier to appoint JD Fowler as Park Board Liaison. All yeas, motion carried.

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

Meghan Wheeler, Clerk of Council

David Seagraves, Mayor

MEMORANDUM

To: Mayor & Council
From: Sonja M. Keaton, Acting City Manager/Finance Director
Date: 4/15/19
Subject: Manager & Finance Report

We received word last Thursday that our Hazard Mitigation pre-application was reviewed, and we are now invited to develop a full project application for the project we submitted. The application is due June 21, 2019.

Sub. HB 62, the Transportation Budget, increased the motor fuel tax to 10.5 cents and increases the diesel fuel tax to 19 cents. The gas tax will be divided between the state and local governments in a new 55%-45% split respectively, as opposed to the current 60%-40% split. We should start receiving the additional gas tax this October. With this increase in gas tax and the new distribution of funds, we are expected to receive an additional \$133,810 and slightly more in SFY 2021. See attached Estimation of Local Gas Tax Revenues.

The gas tax would increase by 10.7 cents a gallon:

- 5 cents on Oct. 1 this year
- An additional 3 cents Oct. 1, 2020
- An additional 2.7 cents Oct. 1, 2021

The diesel tax would increase by 20 cents a gallon:

- 10 cents on Oct. 1
- An additional 6 cents on Oct. 1, 2020
- An additional 4 cents on Oct. 1, 2021

An additional item from HB 62, municipalities and townships could levy an additional \$5 motor vehicle registration fee.

The Ohio Department of Transportation opened bids on the Wolf Creek Street STP Resurfacing Project. The contractor is John R. Jurgensen Company. The estimated completion date is July 30, 2019.

Thank you goes out to the City of Clayton for donating their skid steer loader with stump grinder attachment and operators to assist us with grinding four tree stumps at Golden Gate Park, five at the Theatre and two at Gateway Park. Those areas have now been seeded.

The garage and shed were recently removed from 692 Vine Street.

Requesting Council accept the first reading and dispense with the second and third reading and adopt proposed Resolution No. 19-08, which amends the 2019 Appropriations and Estimated Resources. The Resolution shall take effect immediately after passage as provided in 4.07(A)(2) of the Charter of the City.



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

Chief Douglas Jerome

djerome@brookvilleohio.com



Council Meeting Agenda **April 16, 2019**

Reportable Incidents

1/1/2018 – 4/12/2018 = 136

1/1/2019 – 4/12/2019 = 188

Citations

1/1/2018 – 4/12/2018 = 134

1/1/2019 – 4/12/2019 = 127

Traffic Stops

March 2018 – 183

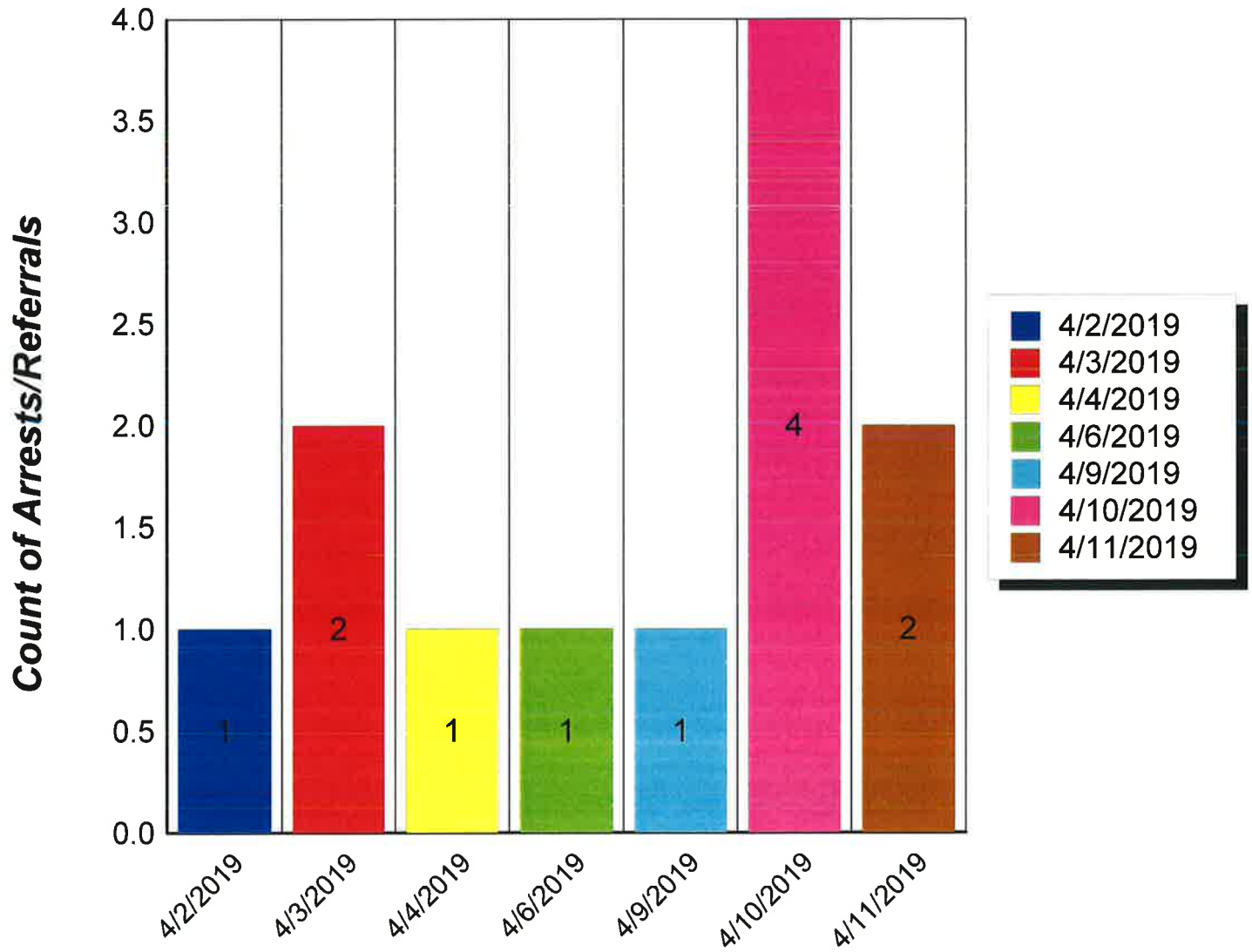
March 2019 – 190

Brookville Police Department

Arrest Log by Date

Arrest Date	Total Arrests
April 02, 2019	1
April 03, 2019	2
April 04, 2019	1
April 06, 2019	1
April 09, 2019	1
April 10, 2019	4
April 11, 2019	2
Total Selected = 12	

Brookville Police Department

Arrest Log by Date

Brookville Police Department

Incident Arrest Blotter

Arrest Date	Time	Suspect's Name	Address, Charges(s)	Incident ID
04/02/2019		ROBERT AE HANEY, Sr	429 N WOLFCREEK APT 15, BROOKVILLE, OH 45309 292514: Drug paraphernalia	2019-00166
04/03/2019		KATHERINE D. FLORA	739 SALEM ST, BROOKVILLE, OH 45309 290313A: Assault - knowingly harm victim	2019-00167
		DAVID L.R. RUPP, Junior	739 SALEM ST, BROOKVILLE, OH 45309 290313A: Assault - knowingly harm victim	2019-00167
04/04/2019		ROY K. CRACKEL, Third	849 VALLEY ST, DAYTON, OH 45404 35: WARRANT ARREST	2019-00168
04/06/2019		WILLIAM BLAKE HOLBI	8375 UPPER LEWISBURG SALEM, BROOKVILLE, OH 45309 292514: Drug paraphernalia	2019-00171
04/09/2019		MATTHEW C. BLASING	302 E SECOND ST, FRANKLIN, OH 45005 35: WARRANT ARREST	2019-00179
04/10/2019		COREY M. LITTLE	1670 S. MERIDIAN ST, GREENWOOD, IN 46143 35: WARRANT ARREST	2019-00180
		ETHAN W. BURT	8272 MARTZ PAULIN RD, FRANKLIN, OH 45005 292514: Drug paraphernalia	2019-00182
		GREGORY S. TURNER	4346 FOXTON CT, DAYTON, OH 45414 292113A3: Falsification - public official, mislead 35: WARRANT ARREST 35: WARRANT ARREST	2019-00183
		TERENA N. THURMAN	1324 RUSSELL AVE, DAYTON, OH 45420 292511: Drug abuse - obtain, possess, use controlled subst	2019-00183
04/11/2019		WILLIAM P. VINCENT	95 RIDGE ROAD, APT 38, BROOKVILLE, OH 45309 292511C3: Drug abuse - marijuana	2019-00188
		MARK H. CARONE	241 W WESTBROOK, BROOKVILLE, OH 45309 292511C3: Drug abuse - marijuana 292514C: Drug paraphernalia 450321: FAILURE TO DISPLAY REGISTRATION	2019-00188

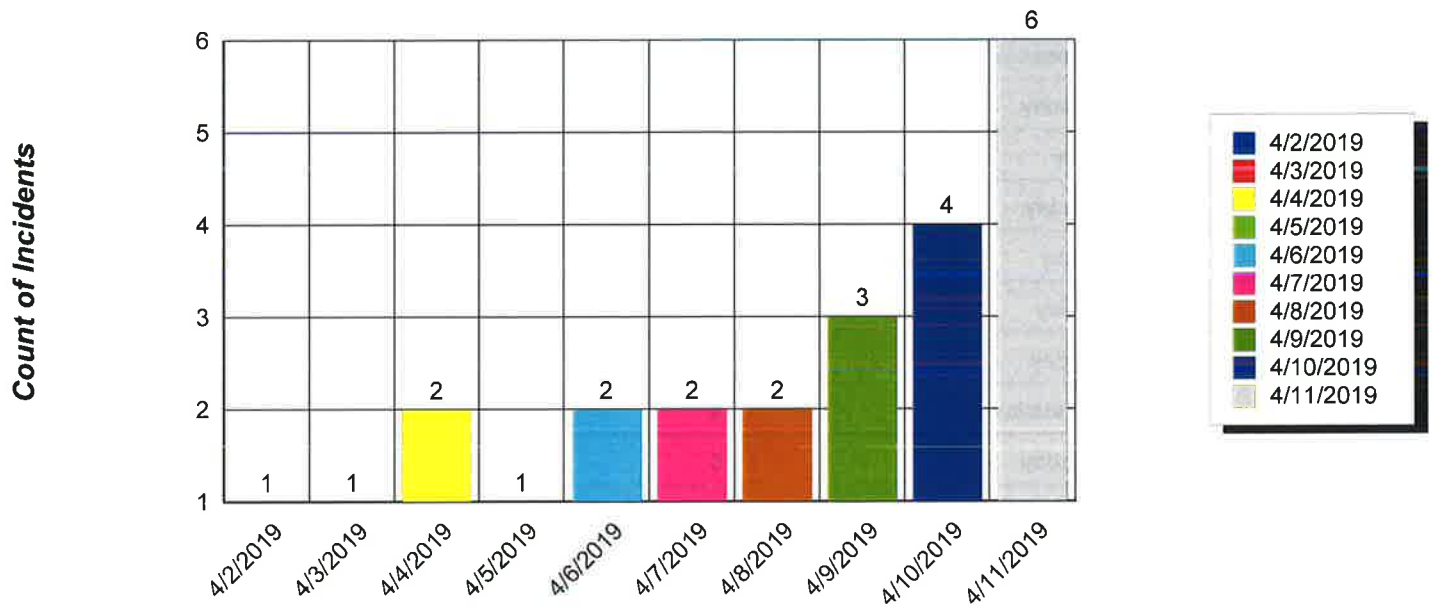
Total Selected = 12

Brookville Police Department

Incident Log by Date Reported

Date Reported	Day of Week	Total Reported
04/02/2019	Tuesday	1
04/03/2019	Wednesday	1
04/04/2019	Thursday	2
04/05/2019	Friday	1
04/06/2019	Saturday	2
04/07/2019	Sunday	2
04/08/2019	Monday	2
04/09/2019	Tuesday	3
04/10/2019	Wednesday	4
04/11/2019	Thursday	6
Total Selected = 24		

Brookville Police Department

Incident Log by Date Reported

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 02, 2019

2019-00166	N. WOLF CREEK @ WESTBROOK BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	04/02/2019	04/02/2019	ARREST
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Offenses UCR Offense Description
 2 02 292514 - Drug paraphernalia
 N/A 451012 - DRIVING WITHOUT VALID LICENSE

Total Incidents Reported for Date: 1

April 03, 2019

2019-00167	739 SALEM STREET BROOKVILLE PD	SIGNAL 09 - ASSAULT	04/03/2019	04/03/2019	ARREST
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Offenses UCR Offense Description
 2 04 290313A - Assault - knowingly harm victim
 04 290313A - Assault - knowingly harm victim

Total Incidents Reported for Date: 1

April 04, 2019

2019-00168	550 JUSTICE DR BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	04/04/2019	04/04/2019	ARREST
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Offenses UCR Offense Description
 1 N/A 35 - WARRANT ARREST

2019-00170	301 SYCAMORE BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	04/04/2019		OPEN CASE
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Offenses UCR Offense Description
 1 N/A 53A - PROPERTY DAMAGE TRAFFIC CRASH

Total Incidents Reported for Date: 2

April 05, 2019

2019-00169	11200 WOLF CREEK PIKE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	04/05/2019	04/05/2019	EXCEPTIONALLY CLEARED
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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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Total Incidents Reported for Date: 1

April 06, 2019

2019-00171	7782 UPPER LEWISBURG SALEM RD BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	04/06/2019	04/06/2019	ARREST
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Offenses UCR Offense Description
1 02 292514 - Drug paraphernalia

2019-00172	965 ARLINGTON RD BROOKVILLE PD	SIGNAL 18 - DRUG LAWS	04/07/2019	04/07/2019	ARREST
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Offenses UCR Offense Description
4 N/A 454908 - FICTICIOUS PLATES
N/A 451133A - LANES AND LINES
N/A 450311A - Expired Registration
02 292514 - Drug paraphernalia

Total Incidents Reported for Date: 2

April 07, 2019

2019-00173	33 WEST MCKINLEY BROOKVILLE PD	SIGNAL 180 - DRUG OVERDOSE	04/07/2019	04/07/2019	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 01 180 - DRUG OVERDOSE

2019-00174	55 TRIGGS RD BROOKVILLE PD	SIGNAL 53A - PROPERTY DAMAGE CRASH	04/07/2019	04/07/2019	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 03 451138A - IMPROPER BACKING

Total Incidents Reported for Date: 2

April 08, 2019

2019-00175	50 TRIGGS ROAD BROOKVILLE PD	SIGNAL 55 - TRAFFIC STOP	04/08/2019	04/08/2019	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
1 N/A 4510.111 - CHILD SUPPORT SUSPENSION

2019-00176	665 W. WESTBROOK RD BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	04/08/2019	04/08/2019	EXCEPTIONALLY CLEARED
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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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April 08, 2019

Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

Total Incidents Reported for Date: 2

April 09, 2019

2019-00177	564 GOLDEN MAPLE AVE BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	04/09/2019		OPEN CASE
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Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

2019-00179	2859 MIAMISBURG CENTERVILLE RD BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	04/09/2019	04/09/2019	ARREST
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Offenses UCR Offense Description
 1 N/A 35 - WARRANT ARREST

2019-00178	1 BLUE PRIDE DRIVE BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	04/09/2019		OPEN CASE
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Offenses UCR Offense Description
 1 01 292511 - Drug abuse - obtain, possess, use controlled subst

Total Incidents Reported for Date: 3

April 10, 2019

2019-00180	ARLINGTON RD @ IR70 BROOKVILLE PD	SIGNAL 35 - WARRANT ARREST	04/10/2019	04/10/2019	ARREST
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Offenses UCR Offense Description
 1 N/A 35 - WARRANT ARREST

2019-00181	301 SYCAMORE ST BROOKVILLE PD	SIGNAL 26I - INFORMATION REPORT	04/10/2019	04/10/2019	EXCEPTIONALLY CLEARED
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Offenses UCR Offense Description
 1 02 26I - INFORMATION REPORT

2019-00182	47 W. MCKINLEY BROOKVILLE PD	SIGNAL 18 - DRUG ABUSE	04/10/2019	04/10/2019	ARREST
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Offenses UCR Offense Description
 1 02 292514 - Drug paraphernalia

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
April 10, 2019					
2019-00183	799 Arlington Rd BROOKVILLE PD	SIGNAL 18 - DRUG POSSESSION	04/10/2019	04/10/2019	ARREST
Offenses UCR Offense Description 4 01 292511 - Drug abuse - obtain, possess, use controlled subst 01 292113A3 - Falsification - public official, mislead N/A 35 - WARRANT ARREST N/A 35 - WARRANT ARREST					
Total Incidents Reported for Date: 4					
April 11, 2019					
2019-00185	70 URBAN LANE BROOKVILLE PD	SIGNAL 26DB - DEAD BODY	04/11/2019		OPEN CASE
Offenses UCR Offense Description 1 02 26DB - DEAD BODY					
2019-00186	352 BAKER ST APT 5 BROOKVILLE PD	SIGNAL 26DB - DEAD BODY	04/11/2019		OPEN CASE
Offenses UCR Offense Description 1 02 26DB - DEAD BODY					
2019-00184	301 ESTATE BROOKVILLE PD	SIGNAL 20 - DOMESTIC VIOLENCE	04/11/2019		OPEN CASE
Offenses UCR Offense Description 1 02 291925 - Domestic violence					
2019-00187	545 UPPER LEWISBURG BROOKVILLE PD	SIGNAL 26I - FOUND PROPERTY	04/11/2019		OPEN CASE
Offenses UCR Offense Description 1 02 26I - INFORMATION REPORT					
2019-00188	112 WESTBROOK RD BROOKVILLE PD	SIGNAL 18 - TRAFFIC STOP	04/11/2019	04/11/2019	ARREST
Offenses UCR Offense Description 4 01 292511C3 - Drug abuse - marijuana 01 292511C3 - Drug abuse - marijuana 02 292514C - Drug paraphernalia N/A 450321 - FAILURE TO DISPLAY REGISTRATION					

Brookville Police Department

Incident Log by Date Reported

Incident ID	Location, Area	Description	Date Occurred	Cleared Date	Status
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April 11, 2019

2019-00189	115 SYCAMORE STREET APT C BROOKVILLE PD	SIGNAL 02 - RAPE	04/11/2019		OPEN CASE
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Offenses UCR Offense Description
1 02 290702 - Rape

Total Incidents Reported for Date: 6

Total Selected = 24



Agenda Item

COUNCIL MEETING DATE: April 16, 2019

TYPE OF AGENDA ITEM: Ordinance

TO: Meghan Wheeler, Clerk of Council

FROM:

DATE:

SUBJECT: Third reading of proposed Ordinance 2019-03 entitled, "An Ordinance levying assessments for the cutting and removal of weeds, vines, grass and/or other vegetation during the year 2018 for certain properties in the City of Brookville, Ohio."

I. BACKGROUND:

II. DISCUSSION:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Exhibit A, 2019-03
2. Ord. 2019-03

Exhibit A

<u>Name</u>	<u>Address</u>	<u>City, State</u>	<u>Parcel ID</u>	<u>Cost</u>	<u>Administrative Fee</u>	<u>Total w/Admn. Fee.</u>	<u>Cty. Fee</u>	<u>Total Cost</u>
Vicki L. Busche	28 E. McKinley Street	Brookville, Ohio	C05 00204 0005	\$ 900.00	\$ 18.00	\$ 918.00	\$ 45.90	\$ 963.90
Contemporary Cabinets, Inc.	125 Carr Drive	Brookville, Ohio	C05 00411 0004	\$ 1,100.00	\$ 22.00	\$ 1,122.00	\$ 56.10	\$ 1,178.10
Contemporary Cabinets, Inc.	Corner Church & N. Orchard	Brookville, Ohio	C05 00213 0038	\$ 900.00	\$ 18.00	\$ 918.00	\$ 45.90	\$ 963.90
David P & Teresa L Wells	214 Hay Avenue	Brookville, Ohio	C05 00203 0040	\$ 200.00	\$ 4.00	\$ 204.00	\$ 10.20	\$ 214.20
David P Wells Et Al 3	16 Walnut Street	Brookville, Ohio	C05 00201 0048	\$ 300.00	\$ 6.00	\$ 306.00	\$ 15.30	\$ 321.30
Thomas Trost & Carly Ross	7 Vienna Court	Brookville, Ohio	C05 00301 0011	\$ 200.00	\$ 4.00	\$ 204.00	\$ 10.20	\$ 214.20
John E. Hurley	692 Vine Street	Brookville, Ohio	C05 00101 0045	\$ 1,000.00	\$ 20.00	\$ 1,020.00	\$ 51.00	\$ 1,071.00
Frank L. Huff	745 Albert Road	Brookville, Ohio	C05 00111 0029	\$ 300.00	\$ 6.00	\$ 306.00	\$ 15.30	\$ 321.30
Michael A. Gassaway	15 Western Avenue	Brookville, Ohio	C05 00208 0018	\$ 300.00	\$ 6.00	\$ 306.00	\$ 15.30	\$ 321.30
Michael Gassaway	5 S. Wolf Creek Street	Brookville, Ohio	C05 00208 0050	\$ 200.00	\$ 4.00	\$ 204.00	\$ 10.20	\$ 214.20
Brian L. Whitmire	572 W. Westbrook	Brookville, Ohio	C05 00215 0011	\$ 1,800.00	\$ 36.00	\$ 1,836.00	\$ 91.80	\$ 1,927.80
Jeremy A. Whitford	141 Ankara Avenue	Brookville, Ohio	C05 00317 0047	\$ 1,100.00	\$ 22.00	\$ 1,122.00	\$ 56.10	\$ 1,178.10
TOTALS				\$ 8,300.00	\$ 166.00	\$ 8,466.00	\$ 423.30	\$ 8,889.30

RECORD OF ORDINANCES

2019-03

Passed _____, 20____

AN ORDINANCE LEVYING ASSESSMENTS FOR THE CUTTING AND REMOVAL OF WEEDS, VINES, GRASS AND/OR OTHER VEGETATION DURING THE YEAR 2018 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, pursuant to Section 503.03 of the Code of Ordinances of the City of Brookville, Ohio, the City may assess the cost of cutting and removal of weeds, vines, grass or other vegetation, plus a two percent (2%) administrative fee; and

WHEREAS, under Section 503.04 of the Code of Ordinances, the Director of Finance has given notice of such assessment to the owner of the lot or land from which the weeds, vines, grass and/or other vegetation was removed, either in person or sent by regular United States Mail, postage prepaid; and

WHEREAS, the assessments remain unpaid more than thirty (30) days after the notice of assessment was sent to the owner by the Director of Finance; and

WHEREAS, under Section 503.04, the Director of Finance, after approval by Council, may certify unpaid assessments to the County Auditor to be placed on the tax duplicate and collected as other taxes are collected.

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

SECTION I: The Council hereby approves and authorizes the Director of Finance to certify to the County Auditor the unpaid assessments for the cutting and removal of such weeds, vines, grass and/or other vegetation during the year 2018 for said assessments being set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION II: The Director of Finance shall certify to the County Auditor the unpaid assessments within thirty (30) days after passage of this Ordinance.

SECTION III: This Ordinance 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 _____ 2019.

Meghan Wheeler, Clerk

David E. Seagraves, Mayor

RECORD OF ORDINANCES

Ordinance No. 2019-03 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. 2019-03 passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2019.

Meghan Wheeler, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2019-03 as posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the _____ day of _____ 2019 to the _____ day of _____ 2019, both days inclusive.

Meghan Wheeler, Clerk



Agenda Item

COUNCIL MEETING DATE: April 16, 2019

TYPE OF AGENDA ITEM: Ordinance

TO: Meghan Wheeler, Clerk of Council

FROM:

DATE:

SUBJECT: Second reading of proposed Ordinance No. 2019-02 entitled, "An Ordinance establishing a Storm Water Management Utility in the City of Brookville, Ohio."
Tabled 4/2/19

I. BACKGROUND:

II. DISCUSSION:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Ord 19-02 Stormwater management

AN ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT UTILITY IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, the City of Brookville is required by law to manage the stormwater system which provides for the collection, treatment, storage and disposal of stormwater in the City of Brookville; and

WHEREAS, the City desires to establish a stormwater management utility to assist with the cost of stormwater management in the City of Brookville.

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

SECTION I: The Council of the City of Brookville hereby adopts Chapter 937 entitled Stormwater Management Utility of the Code of Ordinances as follows:

CHAPTER 937

STORMWATER MANAGEMENT UTILITY

937.01 DEFINITIONS

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicated or requires a different meaning.

(A) STORMWATER MANAGEMENT UTILITY:

The Stormwater Management Utility for the City of Brookville which shall be responsible for developing and implementing stormwater management plans and for managing stormwater facilities, stormwater systems and stormwater sewers in the City of Brookville.

(B) STORMWATER MANAGEMENT USER FEE:

The Stormwater Management User Fee for the City of Brookville is a fee established to fund and support the City's efforts to address issues presented in the recital provisions of the National Pollutant Discharge Elimination System (NPDES) Phase II stormwater permit and required operation, maintenance and replacement costs of the stormwater system in the City of Brookville

(C) DIRECTOR OF STORMWATER MANAGEMENT UTILITY:

The Director of the Stormwater management utility shall be the City Manager.

(D) STORMWATER SYSTEM

Stormwater System means all manmade facilities, structures and natural watercourses used for collecting and conducting stormwater to, through and from drainage areas to the points of final outlet, including, but not limited to, any and all of the following: conduits and appurtenant features, canals, creeks, channels, catch basins, ditches, streams, gulches, gullies, flumes, culverts, siphons, streets, curbs, gutters, dams, floodwalls, levees and pumping stations.

937.02 STORMWATER MANAGEMENT FEE

A stormwater management fee is imposed on each and every residential structure, mixed use structure, commercial structure, industrial structure and governmental or non-profit structure, and the owner thereof, excepting only public street, road, and alley rights of way.

The stormwater management fee shall be used exclusively for the repair, replacement, improvement, operation, regulation and maintenance of existing and future City of Brookville stormwater systems.

937.03 CLASSIFICATION OF PROPERTY

(A) Except as provided in this Chapter, all residential developed property and non-residential developed property located within the limits of the city shall be subject to the stormwater management user fee established by this Chapter regardless of whether the properties are privately or publically owned. Unimproved property shall not be subject to the stormwater management user fee.

(B) There shall be five classifications of structures on property:

(1) Residential Structure: A Residential Structure is a structure or building that is used exclusively for residential purposes.

(2) Mixed Use Structure: A Mixed Use Structure is a structure or building that is used for both residential and commercial purposes.

(3) Commercial Structure: A Commercial Structure is a structure or building used for commercial purposes such as an occupation or enterprise for the purchase, sale, barter or exchange of goods, wares, merchandise, or services, or the maintenance or operation of an office or offices for the provision of services or goods.

(4) Industrial Structure. An industrial structure is a structure or building wherein an enterprise engages in the manufacturing, assembly, or production of goods, wares, merchandise or products.

(5) Governmental or Non-Profit Structure: A governmental or non-profit structure is a structure or building used primarily for a government or non-profit purpose.

937.04 USER FEES ESTABLISHED

(A) The City Manager is directed to prepare a list of all lots and parcels within the City, and assign a classification for each structure on a lot and parcel. The classifications shall include the following:

- (1) Class A-Residential Structure
- (2) Class B-Mixed Use Structure
- (2) Class C-Commercial Structure
- (3) Class D-Industrial Structure
- (4) Class E-Governmental or Non-Profit Structure

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

(C) The user fee shall be assessed for each structure on a lot or parcel, excluding any accessory structures, and if there are multiple structures on a single lot or parcel, a user fee shall be assessed for each structure.

(D) Rates and charges incurred under this section shall be prepared and collected by the City in accordance with those provisions regulating the preparation and issuance of bills for utility service. The monies collected under this section shall be used expressly for the benefit of the stormwater system and shall be deposited into the stormwater management fund.

937.05 COLLECTION

(A) The billing and collection of stormwater user fees shall be administered by the City Utilities Billing Office. The stormwater user fees shall be billed quarterly with payment due as of the date stated in the billing.

(B) The Stormwater Management Utility shall have authority to assess unpaid stormwater management user fees to the Montgomery County Auditor to be placed on the tax duplicate as an assessment on the property. In the alternative, the City may take appropriate legal action to collect unpaid stormwater management user fees.

937.06 REVENUE ADMINISTRATION

(A) All revenues generated by or on behalf of the Stormwater Management Utility shall be deposited in a Stormwater Managment Fund and used exclusively for the stormwater management program.

(B) To the extent that the Stormwater Management user fees collected are insufficient to construct needed stormwater drainage facilities, the cost of the same may be paid from such City funds as may be determined by the Council. However, revenues from the City’s stormwater utility shall not be utilized for non-stormwater drainage expenses.

(C) The Stormwater Utility Fund shall be used for the following purposes:

- 1. Acquisition of property by gift, purchase, or condemnation necessary to construct, operate, and maintain stormwater management facilities.

2. Costs of administration and implementation of the stormwater management program.
3. Engineering and design; debt service and related financing expenses, planning and construction costs for new stormwater facilities; and inspection, enlargement, or improvement of existing facilities.
4. Operation and maintenance of the stormwater system, including the monitoring and inspection of stormwater control devices and facilities.
5. Water quality monitoring and water quality programs.
6. Inspection and enforcement activities.
7. Elected official, appointed official, stakeholder, and general public education and outreach relating to storm water.
8. Billing and revenue collection.
9. Other activities that are reasonably required to manage and operate the stormwater system.

(D) Funding for the storm water management system and other stormwater management activities connected therewith may include, but not be limited to:

1. Funds appropriated by the City;
2. Stormwater management user fee;
3. Permit and inspection fees;
4. Direct Charges. This charge will be collected from owners and developers for the costs of designing and constructing stormwater facilities and administrative costs and related expenses where the City designs and constructs, or contracts for the construction of the facilities.
5. Direct Assessments. The City may assess property owners for the costs of maintaining stormwater facilities that are not being maintained by the property owners directly benefiting from the stormwater facility.
6. Other income obtained from federal, state, local, and private grants, loans, or revolving funds.

937.07 POLICY FAIRNESS AND EQUITABILITY

The City Manager, with approval by the City Council, shall develop, periodically update, and make available to the public a document that expresses in the necessary detail the City's policies governing the stormwater user fee rate structure, billing administration, and other related issues.

937.08 ENFORCEMENT

The City Manager is authorized to take appropriate legal action to require compliance with this Chapter.

937.09 FLOODING NO LIABILITY

Floods and stormwater runoff may occasionally occur which exceeds the capacity of the system. This Ordinance does not imply nor create a duty on the City to insure that property subject to fees and charges established herein will always be free from flooding or flood damage, or that stormwater systems capable of handling all storm events can be cost effectively constructed, operated, or maintained. Nor shall this ordinance create a liability on the part of, or cause of action against, the City, or any of their elected officials, officers, or employees for any flood damage or any damage that may result from storms or runoff thereof. Nor does this section purport to reduce the need or the necessity for obtaining flood insurance.

937.10 SEVERABILITY

If any section, subsection, sentence, clause or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions.

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 as provide by the Charter of the City of Brookville.

PASSED this _____ day of _____, 2019.

ATTEST:

MEGHAN WHEELER, CLERK

DAVID E. SEAGRAVES, 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 2019-02, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____, 2019.

MEGHAN WHEELER, CLERK

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance 2019-02 , 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 _____, 2019 to _____ day of _____, 2019, both days inclusive.

MEGHAN WHEELER, Clerk

Agenda Item

COUNCIL MEETING DATE: April 16, 2019

TYPE OF AGENDA ITEM: Resolution

TO: Meghan Wheeler, Clerk of Council

FROM: Rod Stephan, Law Director

DATE:

SUBJECT: Second reading of proposed Resolution 19-07 entitled, "A Resolution accepting the recommendation of the Tax Incentive Review Council finding that the Enterprise Zone Agreement of Green Tokai CO. LTD dated March 25, 2016 is in compliance and that the Enterprise Zone Agreement be continued."

I. BACKGROUND: Second Reading

II. DISCUSSION:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Res. 19-07

19-07

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE ENTERPRISE ZONE AGREEMENT OF GREEN TOKAI CO. LTD. DATED MARCH 25, 2016 IS IN COMPLIANCE AND THAT THE ENTERPRISE ZONE AGREEMENT BE CONTINUED.

WHEREAS, the Tax Incentive Review Council (TIRC) of the City of Brookville Enterprise Zone held an annual meeting on March 21, 2019; and

WHEREAS, the TIRC reviewed the compliance of Green Tokai Co. Ltd. to the terms and conditions of a certain Enterprise Zone Agreement dated March 25, 2016; and

WHEREAS, the TIRC found that Green Tokai Co. Ltd. is in compliance with the terms and conditions of the aforementioned Enterprise Zone Agreement and that the Enterprise Zone Agreement be continued.

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

SECTION I: The written recommendation of the TIRC finding that Green Tokai Co. Ltd. has complied with the terms and conditions of the Enterprise Zone Agreement dated March 25, 2016 and that the agreement be continued.

SECTION II: The Enterprise Zone Manager shall report the acceptance by this Council of the recommendations of the TIRC to the Ohio Development Services Agency.

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

PASSED this _____ day of _____, 2019.

ATTEST:

MEGHAN WHEELER, Clerk

DAVID E. SEAGRAVES, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 19-07, passed by the Council of the City of Brookville, Ohio, on the _____ day of _____, 2019.

MEGHAN WHEELER, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 19-07 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 _____, 2019, to the _____ day of _____, 2019, both days inclusive.

MEGHAN WHEELER, Clerk



Agenda Item

COUNCIL MEETING DATE: April 16, 2019

TYPE OF AGENDA ITEM: Ordinance

TO: Meghan Wheeler, Clerk of Council

FROM:

DATE:

SUBJECT: First reading of proposed Ordinance No. 2019-04 entitled, "An Ordinance levying assessments for delinquent utility bills for certain properties in the City of Brookville, Ohio."

I. BACKGROUND:

II. DISCUSSION:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Ord 2019-04

RECORD OF ORDINANCES

Ordinance No. 2019-04 Passed 20

AN ORDINANCE LEVYING ASSESSMENTS FOR DELINQUENT UTILITY BILLS FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, pursuant to Section 931.21(g), 935.14(f) and 957.07(c) of the Code of Ordinances of the City of Brookville, Ohio, the City may certify to the County Auditor assessments for water, sewer and refuse bills which have been delinquent for more than forty-five days from date of billing, and said assessments shall become a lien against the property served and shall be collected as general taxes; and

WHEREAS, these charges remain unpaid more than forty-five days after the notice of charges were sent to the property owner by the Director of Finance.

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

SECTION I: City Council hereby approves and authorizes the Director of Finance to certify to the County Auditor assessments for delinquent water, sewer and refuse charges, said assessments being set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION II: The Director of Finance shall certify to the County Auditor the unpaid assessments within thirty (30) days after passage of this Ordinance.

SECTION III: This Ordinance 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 2019.

Meghan Wheeler, Clerk

David E. Seagraves, 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. 2019-04 passed by the Council of the City of Brookville, Ohio, on the day of 2019.

Meghan Wheeler, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2019-04 as posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the day of 2019 to the day of 2019, both days inclusive.

Meghan Wheeler, Clerk

EXHIBIT A

Address	Parcel ID	Water Charge	Cty. Fee	Water Total	Sewer Charge	Cty. Fee	Sewer Total	Refuse Charge	Cty. Fee	Refuse Total	Total Assessment
343 Albert Road	C05 00206 0013	\$ 298.06	\$ 14.90	\$ 312.96	\$ 222.66	\$ 11.13	\$ 233.79	\$ 288.70	\$ 14.44	\$ 303.14	\$849.89
745 Albert Road	C05 00201 0048	\$ 105.69	\$ 5.28	\$ 110.97	\$ 78.89	\$ 3.94	\$ 82.83	\$ 204.42	\$ 10.22	\$ 214.64	\$408.45
219 Cusick Avenue	C05 00108 0026	\$ 166.58	\$ 8.33	\$ 174.91	\$ 124.34	\$ 6.22	\$ 130.56	\$ 161.11	\$ 8.06	\$ 169.17	\$474.63
257 Foothill Avenue	LS4 00311 0023	\$ 21.35	\$ 1.07	\$ 22.42	\$ 15.94	\$ 0.80	\$ 16.74	\$ 20.65	\$ 1.03	\$ 21.68	\$60.84
924 Salem Street	C05 00422 0005	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 161.12	\$ 8.06	\$ 169.18	\$169.18
15 Western Avenue	C05 00208 0018	\$ 230.58	\$ 11.53	\$ 242.11	\$ 172.11	\$ 8.61	\$ 180.72	\$ 223.02	\$ 11.15	\$ 234.17	\$657.00
15 1/2 Western Avenue	C05 00208 0018	\$ 350.85	\$ 17.54	\$ 368.39	\$ 262.19	\$ 13.11	\$ 275.30	\$ 400.32	\$ 20.02	\$ 420.34	\$1,064.03
112 June Place	LS4 00310 0008	\$ 298.06	\$ 14.90	\$ 312.96	\$ 222.66	\$ 11.13	\$ 233.79	\$ 288.70	\$ 14.44	\$ 303.14	\$849.89
141 Ankara Avenue	C05 00317 0047	\$ 298.06	\$ 14.90	\$ 312.96	\$ 222.66	\$ 11.13	\$ 233.79	\$ 288.70	\$ 14.44	\$ 303.14	\$849.89
TOTALS		\$ 1,769.23	\$ 88.46	\$ 1,857.69	\$ 1,321.45	\$ 66.07	\$ 1,387.52	\$ 2,036.74	\$ 101.84	\$ 2,138.58	5,383.79

Agenda Item

COUNCIL MEETING DATE: April 16, 2019

TYPE OF AGENDA ITEM: Resolution

TO: Meghan Wheeler, Clerk of Council

FROM: Sonja Keaton, Finance Director

DATE:

SUBJECT: First reading of proposed Resolution No. 19-08 entitled, "A Resolution amending the 2019 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."

I. BACKGROUND: Requesting to dispense with the second and third readings.

II. DISCUSSION:

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. Res. 19-08

No. **RESOLUTION NO. 19-08**

Passed

Yr. _____

A RESOLUTION AMENDING THE 2019 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 2019 Original Certificate of Estimated Resources and the 2019 Appropriation Resolution; and

WHEREAS, the City of Brookville, Ohio needs to comply with the 2019 Budget; and

WHEREAS, the Finance Director has requested amendment of the Certificate of Estimated Resources and Appropriations for 2019.

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>
Park	Increase	\$ 10,000.00
Street	Increase	\$ 4,000.00
Capital	Increase	\$ 23,000.00
Fire	Increase	\$ 73,000.00

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

<u>AMOUNT</u>	<u>LINE ITEM</u>	<u>FUND</u>
\$ 3,000.00	A01-01B1-2330	General
\$ 7,000.00	A01-01B1-2350	General
\$ 1,000.00	B01-06B3-2610	Street M&R
\$10,000.00	B04-03B4-2352	Park
\$ 6,000.00	B04-03B4-2420	Park
\$23,000.00	D03-07B6-2501	Capital Improvement
\$73,000.00	D04-07A5-2520	Fire Capital Improvement

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 _____ 2019.

ATTEST:

Meghan Wheeler, Clerk

David E. Seagraves, 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. 19-08 passed by the Council of the City of Brookville, Ohio, on the _____ day of _____ 2019.

Meghan Wheeler, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 19-08 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 _____ 2019 to the _____ day of _____ 2019, both days inclusive.

Meghan Wheeler, Clerk