

Brookville City Council
Regular Meeting
February 4, 2020

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on February 4, 2020 in the Brookville Council Chambers. 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, Police Chief Jerome were present.

Roll Call by Clerk Duncan.

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

Motion by Swabb, second by Zimmerlin to approve the Regular Council Meeting Minutes of January 21, 2020. All yeas, motion carried.

Police Chief Jerome announced the recipient of the 2019 Officer of the Year Award is Officer Jason Jacobs. Police Chief Jerome stated it was a tough decision because the whole department pulled together during the tornado and with the staff turnover that occurred during the year. Police Chief Jerome advised that he and Major Simon reviewed all the stats, and quantitatively Officer Jacobs had the most arrests and citations, as well as excelling in drug enforcement efforts. Police Chief Jerome stated the detective retired last year and Major Simon has been the on-call detective. Officer Jacobs has taken the initiative to take over many of the investigations, and overall his police work has outshined his fellow officers. Police Chief Jerome reported another example of Officer Jacobs' fine police work was this past Saturday. Police Chief Jerome stated he was personally working Saturday night as it was the Lamplighter Inn's last day of business. During this time Officer Jacobs spotted a vehicle and with probable cause, pulled it over and found it was a stolen car from Perry Township, which the occupant had tried to disguise with spray paint. Police Chief Jerome stated Officer Jacobs not only recovered the stolen vehicle, but also arrested the driver on several outstanding warrants and recovered a good amount of property stolen from Perry Township. Police Chief Jerome stated he is very proud of Officer Jacobs and presented him with the Officer of the Year award, thanking him for serving the agency with excellence in service.

Police Chief Jerome advised Officer Jacobs has also been selected as the next Police Captain. Officer Jacobs has been with the Brookville Police Department for three years and prior to that he served as a corporal and sergeant at the North Hampton Police Department. In 2019, Officer Jacobs completed his First Line Supervision class. Police Chief Jerome stated Officer Jacobs will have many more training opportunities, including the Ohio State University John Glenn School of Public Affairs and Public Leadership Academy. Police Chief Jerome stated he is proud to announce that Officer Jacobs is now actively pursuing his associate degree, as well as several other Officers on the department. Police Chief Jerome stated he could not be prouder of Officer Jacobs and stated Judge Piergies is present this evening to swear him in as Police Captain.

Judge Pierges administered the Oath of Office to Captain Jason Jacobs.

Manager Keaton outlined the importance of everyone completing and submitting their 2020 Census this spring, stating the following:

- Every census is important because the numbers shape how much federal money comes back to local programs
- Each person not counted in Ohio is a loss of \$1,800 per year for the state.
- A correct population count is a way of getting back tax dollars that workers pay to the federal government.
- The 2020 Census is taking on more significance for the Miami Valley. This count will show how the region changed following the Great Recession and what happened to people that were displaced by the Memorial Day tornadoes.
- A new clause in the census says residents displaced by the tornados should report where they intend to return to in the near future. Currently we have 25 homes under construction, where residents are living elsewhere until their homes are completed.

- State population counts are used to determine how many seats each state gets in the U.S. House of Representatives.
- The count also helps draw boundaries for districts.
- Businesses also determine where to build based off census data.
- The Census Bureau will begin mailing detailed information in mid-March. There will be three ways to respond to the U.S. Census. Households can respond online, over the phone or by mail.
- A reminder to everyone, responding to the census is part of our civic duty.

City Manager Keaton advised an appraisal firm is currently working on providing us an appraisal for Fire Station #1. We should receive that appraisal later this month.

City Manager Keaton reported the Service Department was busy over the last two weeks with clearing access to several manholes from our sewer interceptor adjacent to our Wastewater Treatment Plant as a result of the downed trees from the tornado. City Manager Keaton stated Service Department employees replaced the drop ceiling in the large room of the Christena Leiber building and that room will also receive a fresh coat of paint.

City Manager Keaton reported the City also applied, on behalf of the Leaf and Blossom Garden Club, for a \$1,000 Keep Montgomery County Beautiful Grant. City Manager Keaton advised grant funds, if awarded, will go toward the purchase of the flowers that line Market Street.

City Manager Keaton advised she continues to have discussions with Clay and Perry Townships on new Fire & EMS Agreements.

City Manager Keaton reported Rumpke has finalized their five-day route and provided Council with an updated map. Rumpke should distribute the flyers the week of February 17, and the City will post the map on our website.

City Manager Keaton requested Council approval to purchase a 2020 Chevy Tahoe for the Fire Department at a cost of \$37,956.40 through the State of Ohio Department of Administrative Services. This new vehicle will become the command vehicle. The current command vehicle will become the utility vehicle and our current utility vehicle will become surplus. City Manager Keaton advised this vehicle purchase was included in our 2020 Fire Capital Improvement Budget.

Fire Chief Fletcher stated the purchase of this vehicle is part of the fleet maintenance rotation, which we are actually two years behind in. Fire Chief Fletcher reported it was slated for replacement in 2018 but with the tightness of the budget at the time and the unanticipated costs of the new fire station it was bumped. Fire Chief Fletcher stated this replacement will allow us to remove one vehicle from the fleet that is aging and becoming costly to maintain. Fire Chief Fletcher indicated the Tahoe gives them the best opportunity to reuse good equipment.

Motion by Schreier, second by Fowler to authorize the purchase the 2020 Chevy Tahoe for the Fire Department at a cost of \$37,956.40 through the State of Ohio Department of Administrative Services. All yeas, motion carried.

City Manager Keaton advised last year the Ohio Transportation Budget included a provision allowing municipalities to levy a new \$5 permissive tax on the registration of all motor vehicles, with 100% of that registration tax going directly to the City. The funds generated must be used for authorized purposes, which include the maintenance and repair of public streets. The \$5 fee would be collected as part of the annual licensing fees paid each time a motor vehicle is registered with a City address. City Manager Keaton stated the projected revenue from the new tax is estimated at \$26,000 annually, which would be used to supplement our local tax dollars for maintaining our streets. The additional funding could also be used to increase our local share in grant applications. City Manager Keaton stated if Council is interested in implementing the new permissive tax, an Ordinance must be adopted and submitted to the State by July 1 in order to collect the new tax in 2021. The last \$5 motor vehicle tax increase went into effect January 1, 1991.

City Manager Keaton advised Council has a packet that displays a map of the 2019 Ohio Bureau of Motor Vehicles Permissive License Plate Fees, Vehicle Registration Permissive Tax Frequently Asked Questions and a copy of the City's Permissive Tax Distribution report for the month of

December 2019. City Manager Keaton asked Council to look over this information for discussion at the March 3 Council Meeting.

City Manager Keaton advised Council has a packet that provides the following for revenue increase options:

- An overview of Moody's rating report they provided us for our 2016 Fire Station Bonds
- Options to increase our revenue stream
- General Fund Carryovers 2000-2019
- General Fund Revenues 2011-2019
- Expenditures of various departments and transfers out of the General Fund 2011-2019
- Operating Budgets for various departments that shows the variance between years
- An income tax rate chart of communities in our region, last updated in December 2018
- A sheet that displays our current value in Brookville, millage rates from .25 to 10 mills, what those mills would generate and the annual cost to a Homeowner with a home valued at \$100,000 (100%).
- The last sheet is a levy process quick reference guide
- As a part of this packet you have a five-year capital improvement report for each department.

City Manager Keaton requested Council look over this packet for discussion in more detail at one of the March Council Meetings. City Manager Keaton advised Council to contact her if they have any questions in the meantime.

City Manager Keaton reported BP/Hardees is scheduled to open for business on February 14, 2020 and DMAX is on schedule to have their building completely enclosed by April 1.

Finance Director Brandt presented the January 31, 2020 Fund Balance.

Motion by Zimmerlin, second by Fowler to accept the January 31, 2020 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt reported she was recently contacted by the State of Ohio, who advised that due to municipal net profit income tax refunds given to various entities, the City owes a balance of \$9,971.19. Finance Director Brandt requested Council authorization to pay \$9,971.19 to the Treasurer of State for this refund of municipal net profit tax.

Mayor Letner asked Finance Director Brandt to explain how this came about.

Finance Director Brandt replied citizens can go through the State to file their city taxes now, and we were notified last year that we would owe the State any monies they refunded. Finance Director Brandt stated we thought we could just roll the refunds into the balance with the money we receive, however, the State will not let us do that. We have to pay it back now or they will take it out of our rollback, which we do not want them to do as they are different line items.

City Manager Keaton commented many businesses will pay ahead on their net profits based on estimated taxes and if overestimated some will let it ride and others will request a refund.

Motion by Zimmerlin, second by Fowler to authorize the payment of \$9,971.19 to the Treasurer of State for refunds of municipal net profit tax. All yeas, motion carried.

Fire Chief Fletcher reported the Fire Department responded to 121 EMS and 36 Fire Incidents during the month of January. While they were busy it was one of the lowest January crash totals that he could find in their records. Fire Chief Fletcher reported that yesterday, the Fire Department responded to more crashes in an 18-hour period than in the entire month of January.

Fire Chief Fletcher reported the Fire Department responded to five mutual aid fires and one fire in Brookville on Western Avenue. Fire Chief Fletcher reported the estimated fire loss was kept to \$1,500 with police and fire first responders working together to quickly contain it.

Fire Chief Fletcher reported he is still compiling information for the annual report and reported while he does not have all the numbers, he does have a full year of data for the response times.

Fire Chief Fletcher reported that on average the Fire Department's response times are 20-25 seconds quicker this year and attributed that to being located closer to Brookhaven, where they have a significant number of calls. Fire Chief Fletcher advised having in-house crews, rather than crews responding from home, allows the fire department to catch fires quicker as seen on the recent Western Avenue fire.

Fire Chief Fletcher reported the tornadoes threw the department off track in training hours. In 2019, the department had over 2,100 hours of training, which is excellent, but this number is 440 hours less training than in 2018. Fire Chief Fletcher attributed the decrease to activities related to tornado, which took crews away more than 440 hours during the immediate response and in the months following.

Police Chief Jerome reported he plans to present his Annual Report for 2019 at the next Council meeting. Police Chief Jerome commented his training hours were down last year as well, but they are back on track for 2020.

Law Director Stephan asked that proposed Resolution No. 20-01 be amended to include the provision that the City Manager shall provide a report to City Council within thirty (30) days after the disposal of surplus property that specifies the surplus property, the method of disposal and any funds generated from the sale of the surplus property and the name and address of the buyer or donee. Law Director Stephan advised this will allow for greater oversight by City Council and review of any transaction. Law Director Stephan advised this language was reviewed and recommended by the State Auditor and we are asking that Council amend the proposed Resolution to add this language and proceed with the second reading.

Mayor Letner thanked the Let's Eat committee for feeding and entertaining City Staff recently. It was well received with an attendance of about 115 people. Mayor Letner stated this monthly event is for everyone to attend and encouraged all to attend and enjoy the camaraderie.

Motion by Fowler, second by Schreier to amend proposed Resolution No. 20-01. All yeas, motion carried.

Motion by Fowler, second by Wilder to read proposed Resolution No. 20-01. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to accept the second reading of proposed Resolution No. 20-01 entitled "A RESOLUTION AUTHORIZING THE CITY MANGER TO DISPOSE OF SURPLUS PROPERTY EITHER AT A PUBLIC AUCTION, A PRIVATE SALE OR BY INTERNET AUCTION OR BY DONATION TO A GOVERNMENT ENTITY, OR TO A NON-PROFIT ORGANIZATION." All yeas, motion carried.

Police Chief Jerome reported that the Police Department had a need for a female locker room and recently won the bid for a large lot of lockers from the Moraine Civic Center on the GovDeals auction site. The lockers have been installed in the garage for our female officers, some went to the city garage and the legislative offices and some will go to BSA, BBC as well as the Leiber Center. Police Chief Jerome reported to buy this many lockers new it would cost \$20,000.00 but he was able to purchase the entire lot for \$121.00.

Member Fowler, Park Board Liaison, had no report.

Member Schreier, Planning Commission Liaison, had no report.

Matt Yablonsky, of 14 Columbia Street, stated Columbia Street is a one-way street from Market to Main and cars going the wrong way is a big problem. Mr. Yablonsky stated he has stopped at least 25 cars from going the wrong way and asked if more signage can be installed or flashing lights installed on the signs? Mr. Yablonsky also stated that people are driving down the bike path thinking it is a roadway.

Mr. Yablonsky also asked if the fire hydrant on Market Street in front of Cylinder Head & Block is the closest fire hydrant to his house? Fire Chief Fletcher replied that is correct.

Mayor Letner thanked Mr. Yablonsky for his comments and stated staff will take a look at the signage and see what can be done.

Trevor Hopkins, of 430 Albert, stated he has traffic issues on Albert Road. The speed limit of 25 mph is posted in two places but no one obeys it- not the school buses, city vehicles, citizens or semi-trucks. That is a major issue because the street is lined with houses, many of whom have children. Mr. Hopkins asked if a speed bump or flashing lights could be installed as traffic is an issue all day with the different shifts that are worked in the nearby industrial park. Mr. Hopkins stated the volume of semi-trucks is extremely high. Today he counted 50 semis and it was a slow day. Mr. Hopkins questioned why the City would want the trucks to go through town to get to the industrial park instead of routing them through the county or down township roads. Mr. Hopkins stated it would be safer for kids and better for the city to prohibit semi-trucks within the City. Mr. Hopkins stated one neighbor has been trying to sell and several others are considering moving because of the traffic on Albert Road. Mr. Hopkins said his primary concern is the speed of vehicles on Albert Road, but in an ideal world, semi-trucks would not be allowed at all on Albert Road. Mr. Hopkins asked Council if it was their street, how long would it take them to recognize the problem and do something about it?

Mayor Letner thanked Mr. Hopkins for his comments and stated it is worth looking into.


Jim Jordan, of 431 Albert Road, said he has lived on Albert Road since 2001, and Mr. Hopkins is not exaggerating regarding the amount of daily traffic. Mr. Jordan stated engine braking is also a big problem in the 400 block of Albert Road and asked if more signage could be installed to prevent this. Mr. Jordan also stated that cars speeding on Albert Road during the Green Tokai lunch break is a daily event. Mr. Jordan stated he has called Green Tokai regarding this issue but has not seen any change.

Mayor Letner thanked Mr. Jordan for his comments.

David Young, of 440 Albert Road, stated he has observed the same issue with semi-trucks speeding up and down Albert Road. Mr. Young stated he has kids and is so concerned about their safety he is considering putting his house up for sale. Mr. Young advised he has spoken to the police about this and has seen them present on numerous occasions, however he realizes they cannot be a constant presence to slow down the traffic. Mr. Young stated he also sees a need for speed bumps flashing lights or re-routing the trucks through the township.

Mayor Letner thanked Mr. Young for his comments.

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


Kimberly Duncan, Clerk
Charles Letner, Mayor