

Brookville City Council
Regular Meeting
January 7, 2020

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on January 7, 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, Interim Clerk Duncan, Fire Chief Fletcher, Police Chief Jerome and Service Superintendent Homan were present.

Mayor Letner advised that Judge Pierges was scheduled to administer the Oath of Office to him, but since he was not yet present, Law Director Stephan should move forward with administering the Oath of Office to the other Members.

Law Director Stephan administered the Oath of Office to Members Crane, Fowler and Swabb.

Law Director Stephan then administered the Oath of Office to Mayor Letner.

Motion by Wilder, second by Fowler to accept the resignation of Clerk of Council Meghan Wheeler. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to appoint Deputy Clerk Kimberly Duncan as Interim Clerk of Council. All yeas, motion carried.

Roll Call by Interim Clerk Duncan.

Manager Keaton requested an Executive Session per ORC 121.22(G)(6) to consider details relative to the security arrangements and emergency response protocol be added to the Agenda.

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

Motion by Zimmerlin, second by Swabb to approve the Regular Council Meeting Minutes of December 17, 2019. All yeas, motion carried.

Motion by Fowler, second by Swabb to appoint Member Zimmerlin as Vice Mayor. All yeas, motion carried.

Manager Keaton reported the City ended the year 2019 with a balance of \$124,196 below where we began 2019 for all Funds. At year end, six Funds had an increased balance and five Funds had a decrease in balance. In the General Fund, there was a decrease of \$213,842. Approximately \$145,000 of the General Fund decrease was attributed to the Memorial Day tornado emergency protective measures and debris removal costs. Manager Keaton advised she hopes to recover most of those costs from FEMA in 2020.

Manager Keaton reported City Staff will continue to closely monitor the budget throughout 2020 with the loss of Payless in 2019, the pending closure of IMI Norgren in May and the arrival of DMAX in late 2020. Manager Keaton reminded Council we will be transferring from the General Fund the annual debt payment of \$374,000 for our fire station bond as we depleted that premium from the bond sale.

Manager Keaton reported she and Finance Director Brandt are gathering information on ways to increase the City's revenue and will present that information with Council at a future meeting.

Manager Keaton reported the Statement of Cash Position beginning and ending balance for 2019 are included in her report.

Manager Keaton reported Fire and EMS Agreements between the City of Brookville and both Clay and Perry Township expired on December 31, 2019. The Brookville Fire Department will continue to provide Fire and EMS services to the townships during the 90-day grace period. Manager Keaton advised staff will meet with the Trustees from both Townships during January to work on new Agreements.

Manager Keaton reported Staff met with representatives from the City of Dayton Water Department on December 18, 2019 and learned that Dayton will be implementing a 5% increase in 2020, a 5% increase in 2021 and a 5% increase in 2022. The Dayton City Commissioners approved the first reading on their proposed rate increase on December 30, 2019 and scheduled a second reading for January 8, 2020. If adopted, the increase will go into effect immediately. We will see the rate increase on the June Dayton billing for water consumed from March 1 through June 1, 2020. Manager Keaton reported she learned in the meeting that the City of Dayton Water Department is currently working on a new Cost of Service Model for Brookville, which they hope to have completed sometime before the end of the first quarter of 2020. The City of Dayton representative indicated Dayton feels our costs may go down based on a Cost of Service Model, versus our current Agreement. Manager Keaton recommended that Council move forward with implementing the 5% rate increase, with the first of three readings on February 18, 2020. Manager Keaton stated hopefully during the reading process, we receive information on the Cost of Service Model and if necessary, we can adjust the rates prior to the third reading. Mayor Letner and Council agreed this is a reasonable plan and directed Manager Keaton to move forward with preparing legislation for the February meeting.

Manager Keaton reported that one of two submersible pumps in our Mosier lift station recently failed and a replacement pump was ordered yesterday at a cost of \$9,377. Manager Keaton advised the Service Department personnel will be replacing the railing in that lift station while waiting the 4-6 weeks on delivery of the pump, which the Service Department will also install.

Manager Keaton reported the City received approval from our insurance adjuster to order a hydrogen sulfide sensor for our Pre-treatment building from Frakes Engineering, which was damaged during the tornado at a cost of approximately \$4,860.

Manager Keaton reported our Service Department repaired a water main break on Terrace Park in the early morning hours of December 22, and another break this morning on Bayview Avenue.

Manager Keaton provided several aerial photos of the GM Project that were taken this past Sunday, which show the project is moving along quickly.

Finance Director Brandt presented the December 31, 2019 Fund Balance.

Motion by Fowler, second by Swabb to accept the December 31, 2019 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt requested Council approval for the City's membership with the Miami Valley Regional Planning Commission (MVRPC) for 2020, and to appoint Manager Keaton as a Member and Zoning Officer Snedeker as an Alternate to the MVRPC Board; and Zoning Officer Snedeker as Member and Manager Keaton as Alternate to the Technical Advisory Committee for 2020. Finance Director Brandt stated the dues are \$2,706.64 based on the 2010 census population figures and are computed at forty-six cents per capita. Finance Director Brandt advised Council should have a copy of the 2018 Benefits Report for the City of Brookville, which shows Brookville received \$151,149 or 59 % return on investment.

Motion by Zimmerlin, second by Fowler to approve membership with the MVRPC for 2020, and to appoint Manager Keaton as a Member and Zoning Officer Snedeker as an Alternate to the MVRPC Board; and Zoning Officer Snedeker as Member and Manager Keaton as Alternate to the Technical Advisory Committee for 2020. All yeas, motion carried.

Fire Chief Fletcher presented the December Operations Report. Fire Chief Fletcher reported 2019 was a good year for the Fire Department, with no injuries suffered in the line of duty. Fire Chief Fletcher reported there has been a major decrease in accidents at State Route 49 and Brookville Salem Road, which he attributes to the redesign of the roadway at this intersection.

Fire Chief Fletcher advised the fire loss was low for the year, with the highest loss being K's Restaurants.

Fire Chief Fletcher requested Council authorization for a .9% increase in EMS billing for the different types of medic transports, which is the recommended inflation factor calculated for Medicare and Medicaid. Fire Chief Fletcher stated this increase will not make up for the fact that fire levies have not increased with inflation, but he feels this is an appropriate increase at this time for the customers we serve.

Member Schreier asked if we typically adjust our rates according to this inflation factor?

Fire Chief Fletcher stated this factor is the amount the City will be reimbursed if we bill Medicare and Medicaid, and we typically ask for this increase annually.

Motion by Schreier, second by Fowler to approve a 0.9% rate increase in EMS billing. All yeas, motion carried.

Police Chief Jerome reported the Brookville Police Department handled 675 Incidents year-to-date, compared to 740 during this same time last year. Police Chief Jerome reported Citations were down a total of 88 Citations year-to-date, for a total of 470 Citations issued year-to-date. There were 176 Traffic Stops for November compared to 198 during December 2019.

Police Chief Jerome reported his Department is finishing up compiling information and pictures for their upcoming Annual Report.

Police Chief Jerome reported the Police Department is proud to have received final certifications from the Ohio Collaborative Community Police Advisory Board in Use of Force, Recruitment and Hiring, Group 1RC1-Use of Force, Group 1RC1-Recruitment and Hiring; Community Engagement; Bias Free Policing, Investigation of Employee Misconduct. Police Chief Jerome advised we are one of only a few agencies within the State of Ohio that have achieved all of these certifications. Police Chief Jerome advised he is extremely proud of our agency and these certifications which hold us to a higher standard. Police Chief Jerome recognized Major Simon for the work he put into helping our agency achieve these certifications.

Law Director Stephan had no report.

Mayor Letner announced the Mayor's Prayer Breakfast will be held on January 9, 2020 at the Brookville School Board Office and encouraged everyone to attend.

Manager Keaton requested to table proposed Resolution No. 19-30 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CLERK OF COUNCIL."

Motion by second by Swabb, second by Zimmerlin to table proposed Resolution No. 19-30 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CLERK OF COUNCIL." All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 19-26. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the third reading and adopt Resolution No. 19-26 entitled, "A RESOLUTION AUTHORIZING A TEN-YEAR PARTICIPATION AGREEMENT WITH THE MONTGOMERY COUNTY ECONOMIC DEVELOPMENT/GOVERNMENT EQUITY (ED/GE) PROGRAM." All yeas, motion carried.

Motion by Schreier, second by Fowler to read proposed Ordinance No 2019-08. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the second reading of Ordinance No 2019-08 entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, SECTION 931.20 (a) FIXING THE RATES AND CHARGES TO ALL WATER CUSTOMERS AND SECTION 931.22 (a) FIXING THE FIRE LINE SERVICE CHARGES IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Schreier, second by Zimmerlin to read proposed Resolution Nos. 19-28; 19-29; 19-31; 19-32; 19-33; 19-34; and 19-35. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the second reading of proposed Resolution No. 19-28 entitled, "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME HOURLY EMPLOYEES." Resolution No. 19-29 entitled, "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR PART-TIME HOURLY EMPLOYEES." Resolution No. 19-31 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE CITY MANAGER." Resolution No. 19-32 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FINANCE." Resolution No. 19-33 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF FIRE." Resolution No. 19-34 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF POLICE." Resolution No. 19-35 entitled, "A RESOLUTION ESTABLISHING THE COMPENSATION OF THE DIRECTOR OF LAW." All yeas, motion carried.

Member Zimmerlin inquired whether the City refuse pickup went smoothly over the holidays as last year we received quite a few complaints during the same time period?

Manager Keaton replied refuse pickup went fairly well over the holidays with minimal issues or complaints.

Member Zimmerlin asked if there was any new information on the water tower lights that are no longer visible?

Service Department Superintendent Homan replied he and the engineer could not find any lights on the original blueprints for the water tower. He stated maybe there was a change order he was never notified of.

Police Chief Jerome commented he thinks the water tower never had lights but was illuminated by the bright lights in the rear of the Payless complex. Police Chief Jerome stated Payless shut down those lights in September so now the water tower looks dark. Service Department Superintendent Homan agreed this is a reasonable explanation as to why no lights could be found on the prints.

Member Fowler inquired whether we have heard what is happening with the old K's building?

Fire Chief Fletcher replied the owners have the building up for sale, and a commercial kitchen was not reinstalled to make the building marketable to various types of businesses.

JD Fowler, Park Board Liaison, had no report.

Member Schreier, Planning Commission Liaison, stated there has not been a recent Planning Commission Meeting.

Judge James Pierges, 12701 Airhill Road, apologized for not being present in time to administer the Oath of Office to Mayor Letner. Judge Pierges stated he was detained by other matters and it slipped his mind. Judge Pierges stated he has a deep respect for the Mayor and the citizens of this town, who were here for him and put him over the top in the election. Judge Pierges again extended his apologies and stated he hopes he has an opportunity to make it up to Mayor Letner in the future.

Mayor Letner thanked the Judge for his comments and replied it all worked out.

Kim Cheatham, of 565 Adrian Court, asked what the percentage of the wage increase was in proposed Resolutions 19-28, 19-29, 19-31, 19-32, 19-33, 19-34 and 19-35?

Manager Keaton replied the increase is 1.5%.

Ms. Cheatham commented the language in the agenda for Resolution No. 19-29 did not include the term Seasonal Employees, but Interim Clerk Duncan stated Seasonal Employees in the reading.

Member Schreier replied the additional term Seasonal Employees is correct, the Resolution was truncated in the Agenda.

Ms. Cheatham asked what the 1.5% boils down to in the bottom line, since the City is already in a deficit?

Manager Keaton stated she does not have those figures readily available, but she will provide them for Ms. Cheatham at the next meeting.

Member Fowler stated we still have to retain our employees.

Ms. Cheatham stated she is not disputing that, but she knows in the private industry sometimes salaries are frozen in a situation when a company is operating in the red.

Motion to go Zimmerlin, second by Fowler to go into Executive Session per ORC 121.22(G)(1) to consider the employment of a public employee. All yeas, motion carried.

Motion to go Zimmerlin, second by Fowler to go into Executive Session per ORC 121.22(G)(6) to consider details relative to the security arrangements and emergency response protocol. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to go back into Regular Session.

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



Kimberly Duncan, Interim Clerk



Charles Letner, Mayor