

Brookville City Council
Regular Meeting
July 7, 2020

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on July 7, 2020. The meeting was held in-person at the Brookville Fire Department Training Room and broadcast on Facebook Live. The Pledge of Allegiance was recited. Members Crane, Fowler, Schreier, Swabb, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Clerk Duncan, Fire Chief Fletcher and Police Chief Jerome were present.

Roll Call by Clerk Duncan.

Mayor Letner called for a moment of silence in memory of Kevin O'Boyle, Editor of the Brookville Star, who passed away on July 4, 2020.

Manager Keaton requested to add Angie Dull and Adam Blevins from the Brookville Area Chamber of Commerce to the Agenda.

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

Motion by Zimmerlin, second by Crane to approve the Regular Council Meeting Minutes of June 16, 2020. All yeas, motion carried.

Manager Keaton requested Council authorization to approve a written request from Gale Colston to hold the Annual Breast Cancer Walk in Brookville on Saturday, September 26, 2020. The walk will begin at Brookville High School and will be the same route as in previous years. They will adhere to any regulations relating to COVID-19 that may be in force at that time.

Motion by Schreier, second by Zimmerlin to approve the Annual Breast Cancer Walk in Brookville on Saturday, September 26, 2020 as presented. All yeas, motion carried.

Manager Keaton advised Community Development Block Grant (CDBG) applications were due to Montgomery County by July 3, 2020. Manager Keaton advised she resubmitted the two projects that were submitted last year. Manager Keaton stated CDBG applications that were submitted last year were not funded, as those funds were used for demolition of damaged homes from the 2019 tornado. The first project is the Golden Gate Park, Walking Path, Phase I. This project includes the construction of a 610 linear foot, 8' wide sidewalk that will connect from the Brookville Community Theatre to the main driveway in Golden Gate Park. Council has a rendering of that project. This project also includes the demolition of an existing 2' deteriorated asphalt path. Total project cost is \$95,417.76. We are requesting \$66,792.43, or 70% in grant funding with the City contributing \$28,625.33, or 30% of the total project cost. The second application is the Brookville Demolition Project. The purpose of this application is to demolish up to three target properties which are negatively impacting neighborhood property values. Total project cost is \$80,000. We are requesting \$72,000, or 90% in grant funding with the City contributing \$8,000, or 10% of the total project cost. If funded these projects will take place in 2021. Manager Keaton requested Council authorization to allow the two CDBG grants to be considered for funding and if we are funded to enter into subsequent contracts.

Member Schreier inquired whether we are able to procure any private funding to help cover the remaining \$28,000?

Manager Keaton replied it would be acceptable to use donations to help cover the costs.

Member Fowler asked if the 8' sidewalk width is the minimum size?

Manager Keaton replied that is correct. Manager Keaton stated we are not eligible for many CDBG grants but this project is acceptable because it enables handicap access. This is our third attempt, to get funding. We were approved the first time we applied but the monies were redirected toward the water tower project in our industrial park. Last year no one was approved for CDBG funding.

Motion by Zimmerlin, second by Fowler to authorize Manager Keaton to allow the two CDBG grants to be considered for funding and if funded to enter into subsequent contracts. All yeas, motion carried.

Manager Keaton reported bids were opened for our 500,000-Gallon Water Tower Project on June 24, 2020. The City received three non-responsive bids and two responsive bids. Upon reviewing the responsive bids, L.C. United Painting Company submitted a base bid of \$129,000 and Clearcreek Coatings LTD submitted a base bid of \$157,000 for the interior work. As part of the bid, we requested an alternate bid for the cleaning and painting of the exterior, as this was going to be included in our 2021 Budget. The exterior of the water tower was last painted in 2006. L.C. United Painting Company submitted an alternate bid of \$74,000, which is \$30,925 below Clearcreek's alternate bid. Dixon Engineering's cost to monitor and inspect the exterior work is an additional \$9,200. Performing the exterior work now would save additional mobilization fees, engineering fees and bidding fees next year. Performing the exterior repaint before the paint fails, and allows rust to form on the metal, is also cost effective. Once rust forms, it requires sand blasting, which is quite expensive. Manager Keaton advised in 2006, the cost to sand blast and paint that water tower was \$72,800. Manager Keaton opened the floor for comments or questions?

Member Zimmerlin inquired what kind of warranty we would have towards any rust that may occur later?

Manager Keaton replied there is a warranty in the specifications.

Mayor Letner commented the life of this project would be about 15 years.

Manager Keaton stated if we keep it painted every 15 years we will not have to invest the additional money into the sandblasting. There is no sandblasting required at this time.

Manager Keaton requested Council accept the lowest and responsive base bid of \$129,000 from L.C. United Painting Company, Inc. for the wet and dry interior repaint, installation of a roof handrail, removal of the existing drain line and installation of a new drain line, installation of cathodic clips and fittings, and seam seal the roof lap seams, and to accept the alternate bid of \$74,000 from L.C. United Painting Company for the cleaning and painting of the exterior.

Motion by Zimmerlin, second by Fowler to accept the lowest and responsive base bid of \$129,000 from L.C. United Painting Company, Inc. for the wet and dry interior repaint, installation of a roof handrail, removal of the existing drain line and installation of a new drain line, installation of cathodic clips and fittings, and seam seal the roof lap seams, and to accept the alternate bid of \$74,000 from L.C. United Painting Company for the cleaning and painting of the exterior. All yeas, motion carried.

Manager Keaton also requested Council authorization for the additional engineering cost of \$9,200 for Dixon Engineering for the exterior inspections.

Motion by Schreier, second by Fowler to authorization the expenditure of the additional engineering cost of \$9,200 for Dixon Engineering for the exterior inspections. All yeas, motion carried.

Manager Keaton advised the City received CARES Act funding in the amount of \$84,239.74. App Architecture finalized the design of the front office. Manager Keaton advised a Request for Proposals was sent out to six contractors and there is a Pre-bid meeting scheduled for tomorrow.

Manager Keaton reminded everyone local income tax returns are due on July 15, 2020.

Manager Keaton stated as a follow-up to our June 16 Council Meeting, she has provided Council with a packet on health insurance consortiums and spousal carve-out and surcharge. Manager Keaton asked if Council wants to discuss this information tonight or at a future Council Meeting?

The consensus is to review the additional insurance information and discuss it at a future meeting.

Manager Keaton reported she received word last week that the Brookville Area Chamber of Commerce will not be holding their Annual Community Picnic this year. They are still holding the fireworks display on July 25, 2020 beginning at 10:00 p.m. Manager Keaton reported she and both Chiefs met with several of the Chamber Board Members this morning and discussed the fireworks display. Discussions were held on allowing or not allowing vehicles to park inside Golden Gate Park during the fireworks display. Manager Keaton stated if we prohibit vehicles from parking inside the park, we could shut down Market Street from the entrance of the Fire Station to AmVets to allow people to setup lawn chairs and/or blankets to view the fireworks. Vehicles could park inside the Fire Station parking lot and the Chamber is reaching out to the businesses on the other end of Market Street to see if they would allow parking in their lots. The Chamber is also reaching out to the businesses that surround the park to see if they would allow parking in their lots.

Adam Blevins, Chamber Board President thanked everyone for trying to get the Community Picnic off the ground this year. Mr. Blevins stated everyone put forth a tremendous effort, however, with the current health mandates they would have to follow and with other states starting to shut back down, the Board felt it would be irresponsible to try and push the picnic through. Mr. Blevins stated the Board would like to give back to the Brookville community with the fireworks display and they have received enough funds to cover it.

Angie Dull, Chamber Member Relations Specialist, commented that all ground level fireworks have been eliminated. The Chamber is currently gathering a list of businesses whose parking lots will be open for parking on the night of the fireworks event. Ms. Dull advised that the Chamber is recommending that Golden Gate Park should be closed during the event because it would be too difficult to enforce social distancing.

Fire Chief Fletcher advised he reached out to the Huber Heights Fire Chief to see how they handled their July 4 fireworks event at Cloud Park. He was told they limited the vehicles to every other parking space and asked people to stay on the left side of their vehicle. Their park was also closed to pedestrian traffic. Fire Chief Fletcher commented his opinion is that this would be too difficult and an unrealistic thing to enforce at Golden Gate Park with only 474 parking spaces. Fire Chief Fletcher stated moving parking to Market Street is a much better option for controlling social distancing.

Police Chief Jerome agreed Market Street and the surrounding grass space is a huge area that would provide a clear view of the fireworks. Police Chief Jerome stated they discussed Amvets and the Optimists selling food and portable restrooms could be brought in. Closing this road would be easy for the Police Department. The Community Theatre lot and Rob's lot will hold quite a few cars. This option will be a lot easier to control and go a lot smoother for the Police Department.

Mayor Letner asked if this will provide enough parking?

Police Chief Jerome replied he thinks this will be more than adequate as people will plan for it and will park in surrounding neighborhoods as well.

Fire Chief Fletcher agreed and stated alternative parking is being identified by the Chamber and will be encouraged. He is sure folks will figure it out.

Mayor Letner asked if the gates to Golden Gate Park will be locked?

Manager Keaton replied the gates will be locked between 6:00 and 7:00 p.m.

Manager Keaton asked if the rain date was set for July 26, 2020?

Ms. Dull replied that is correct.

Motion by Fowler, second by Zimmerlin to allow the Brookville Chamber of Commerce to hold a fireworks display on July 25, 2020 and to block off Market Street from Salem Street to East Upper Lewisburg Salem Road for event parking. All yeas, motion carried.

Manager Keaton's report showed the Service Department repaired a broken water valve on Hay Avenue at JoAnna Street, trimmed low hanging branches at Westbrook Park, the SK8 Park, the bike path and parts of Golden Gate Park. The Service Department resumed water service at the Westbrook Park Concession and irrigation system. The Service Department also began relocating water service from a 6" waterline to the main 12" waterline on E. Westbrook Road between Wolf Creek and Sycamore Streets. We took delivery of our remaining salt supply from our 2019 bid.

Finance Director Brandt presented the June 30, 2020 Fund Balance.

Motion by Schreier, second by Zimmerlin to accept the June 30, 2020 Fund Balance. All yeas, motion carried.

Finance Director Brandt reported water shut-offs have resumed and we have a little more than \$8,000 in outstanding accounts.

Fire Chief Fletcher welcomed everyone to the Fire Station and asked that Council bear with him as the kinks are worked out to hold a Council meeting in the training room. Fire Chief Fletcher reported the recent lull in activity due to the pandemic stopped as of July 1. The number of calls are quickly returning to normal levels. Fire Chief Fletcher reported DMAX had some major inspections scheduled today but they had to be rescheduled due to construction issues.

Police Chief Jerome reported that Major Simon attended a Duty to Intercede webinar on Lexipol today. Police Chief Jerome advised the Police Department has had a Duty to Intercede policy in place since 2016. We also have an annual recertification for this policy along with several other policies so that every officer reviews it and signs off annually. Police Chief Jerome reported we recently simplified our traffic stop form which collects 13 years of data. Police Chief Jerome stated he is proud of the how we constantly strive to be proactive.

Law Director Stephan had no report.

Mayor Letner reported the Governor put out a Directive today that Montgomery County, along with six other counties, are required to wear masks beginning at 6:00 p.m. tomorrow. Mayor Letner stated he will abide by this policy although he does not exactly agree with the numbers and the cause for alarm. Montgomery County has a population of over 500,000, with 2034 COVID-19 cases and 27 deaths. Mayor Letner stated although he does not understand the justification in these numbers, he will wear a mask because he is in a sworn position. Mayor Letner encouraged everyone to wear a mask beginning at 6:00 p.m. tomorrow.

Manager Keaton presented part three of her 2020 Revenue Presentation which recommends asking for a street and park levy to generate funds for much needed improvements.

Member Schreier inquired if the 2,000 tons of asphalt per year that Manager Keaton referred to is how she arrived at the \$500,000 figure needed per year?

Manager Keaton replied that is correct.

Member Schreier asked how many tons of asphalt we put down in 2019 and 2020?

Manager Keaton replied this year we had to put down more than budgeted for on the Arlington Road and Triggs Road Project, and in the Terrace Park Plat. We will get some of the money back for the Terrace Park. We are also putting a section down on Maple Street at Hay Avenue where it has been washed out. Manager Keaton advised we did not do much at all in 2019, just a small amount on Arlington Road and Wolf Creek Street which was an STP project. Manager Keaton stated the annual resurfacing that should be done has not taken place since 2017.

Manager Keaton reported this report is available on our website for public review.

Law Director Stephan advised Resolutions 20-11 and 20-12 are the first formal step that we need to take to place these levies on the ballot. Law Director Stephan stated the Resolutions need to be passed tonight so we are asking to dispense with the second and third reading. The Resolutions

will be submitted to the County Auditor, who has ten days to respond with the requested information. There will be a second Resolution at the next meeting to actually put these levies on the ballot. Law Director Stephan advised we are facing a deadline of August 5, 2020 in order to get these on the next ballot.

Motion by Schreier, second by Crane to read Resolution No. 20-11. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Resolution No. 20-11 entitled "A RESOLUTION REQUESTING THE MONTGOMERY COUNTY AUDITOR TO CERTIFY TO THE COUNCIL OF THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, THE TOTAL CURRENT TAX VALUATION OF THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, AND THE NUMBER OF MILLS THAT WOULD BE NECESSARY TO GENERATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) PER YEAR FROM A NEW PROPERTY TAX LEVY FOR A PERIOD OF FIVE YEARS TO BE PLACED ON THE TAX LIST AND DUPLICATE FOR THE TAX YEAR OF 2020 FOR COLLECTION IN THE CALENDAR YEAR 2021, FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS, AND BRIDGES IN THE CITY OF BROOKVILLE. All yeas motion carried.

Motion by Zimmerlin, second by Fowler to read Resolution No. 20-12. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 20-12 entitled "A RESOLUTION REQUESTING THE MONTGOMERY COUNTY AUDITOR TO CERTIFY TO THE COUNCIL OF THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, THE TOTAL CURRENT TAX VALUATION OF THE CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO, AND THE NUMBER OF MILLS THAT WOULD BE NECESSARY TO GENERATE ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$125,000.00) PER YEAR FROM A NEW PROPERTY TAX LEVY FOR A PERIOD OF FIVE YEARS TO BE PLACED ON THE TAX LIST AND DUPLICATE FOR THE TAX YEAR OF 2020 FOR COLLECTION IN CALENDAR YEAR 2021, FOR PARKS AND RECREATIONAL PURPOSES IN THE CITY OF BROOKVILLE. All yeas, motion carried.

Mayor Letner thanked the 325 people who responded to the online survey.

Member Zimmerlin asked that we allow public comment prior to voting on these Resolutions at the next meeting?

Law Director Stephan replied that can be added to the agenda.

Member Schreier observed a 5% response to our survey was a pretty good representation of the community.

Member Fowler, Park Board Liaison, had no report.


Manager Keaton commented the Park Board meeting scheduled for July 14, 2020 has been cancelled so that Park Board can attend Kevin O'Boyle's memorial service.

Member Schreier, Planning Commission Liaison, had no report.

Roger Hoover, of 59 N. Orchard Street, thanked Council for their support of the Optimist Flag Project. The Optimist has taken over 200 subscriptions and just ordered another 100 flags.

Mayor Letner stated he is impressed with the flags on Terrace Park and on Arlington Road, stating they really look nice.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor