

Brookville City Council
Regular Meeting
March 3, 2020

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on March 3, 2020 in the Brookville Council Chambers. The Pledge of Allegiance was recited. Members Crane, Fowler, Schreier, Swabb and Wilder; Manager Keaton, Finance Director Brandt, Law Director Stephan, Clerk Duncan, Fire Chief Fletcher and Police Chief Jerome were present. Member Zimmerlin was absent.

Mayor Letner announced that Member Zimmerlin is excused from tonight's meeting due to a death in the family.

Roll Call by Clerk Duncan.

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

Motion by Fowler, second by Swabb to approve the Regular Council Meeting Minutes of February 18, 2020. All yeas, motion carried.

Ann Stammen, of the Brookville Baseball Club (BBC), requested Council approval for the annual BBC Opening Day Parade on May 2, 2020, beginning on Carr Drive to Cusick Avenue to Market Street to Wolf Creek Street to Arlington Road to Upper Lewisburg Salem Road to Golden Gate Park. Ms. Stammen stated BBC is now responsible for the annual Community Picnic 5K Run and asked for Council approval of this event on July 25, 2020.

Mayor Letner asked if the Police and Fire Chiefs have reviewed these events?

Police Chief Jerome and Fire Chief both indicated they have each reviewed the parade route and the 5K event and approved both with no additions or changes.

Ms. Stammen also reported the BBC Board is strong this year and they are making some great improvements to the program. Ms. Stammen advised she is meeting with Park Board next week to propose helping with some improvements within the park.

Motion by Crane, second by Fowler to approve the Brookville Baseball Club Opening Day Parade on May 2, 2020 as presented and the Community Picnic 5K Run on July 25, 2020 as presented. All yeas, motion carried.

Shannon O'Neil, of Firefighters and Company Federal Credit Union, presented the Brookville Fire Department with 50 carbon monoxide detectors to distribute to residents as they see fit. Ms. O'Neil stated the Credit Union donates one carbon monoxide detector for every customer that takes advantage of their skip-a-payment program over the holidays. The program is in its fifth year, and this year they are excited to donate 541 carbon monoxide detectors. Ms. O'Neil stated they are concentrating on donating to communities most affected by the 2019 tornados. Ms. O'Neil stated the Credit Union is located in Dayton but is available for all Brookville residents to take advantage of.

Fire Chief Fletcher stated the Fire Department is very appreciative of this program and thanked Ms. O'Neal for the donation. Fire Chief Fletcher advised this donation along with donations of carbon monoxide detectors from The Ridge Church and smoke detectors from the Red Cross fills a need and allows crews to look for opportunities to match people with these resources when they go out on calls.

Manager Keaton gave a huge shout-out to the Service Department for painting the large side of the Christena Leiber Center and installing new LED wall lighting, which enhanced the room. Manager Keaton provided Council with pictures of the completed job. Manager Keaton also reported the fine screen auger at the Wastewater Treatment Plant that was damaged during the Memorial Day tornado, is being installed.

Manager Keaton advised last fall, she reported that she and Street Superintendent Homan met with a representative from Natural Resources Conservation Services regarding financial

assistance for removing the fallen trees from the Memorial Day tornado, adjacent to our Wastewater Treatment Plant. At that time, we were advised the project would qualify, but Natural Resources Conservation Services did not have funding in place. Manager Keaton reported she received a call that our project was approved at the state level and is moving to the federal level for review. Manager Keaton reported we should know by mid-March if funding is approved.

Manager Keaton advised she and Finance Director Brandt had our annual surveillance review call with Moody's Investors Service last Tuesday. Once a credit rating is assigned, which we were assigned a rating in 2016 on our Fire Station Bonds, Moody's monitors it on a continuing basis for possible changes to our rating. The surveillance framework includes three types of evaluations, screening reviews, analyst reviews and rating committees. There were four areas that were discussed with Moody's:

- Tax Base & Local Economy - which included any change, or anticipated change to our assessed values, was the City impacted financially by the Memorial Day tornado, were there any economic development projects during 2019, and any material changes in property tax or income tax rates for 2020
- Financial Profile - we discussed the 2019 General Fund operating deficit, that we are receiving FEMA reimbursement for costs associated with the Memorial Day tornado, status of our Police Collective Bargaining Agreement, and minimum level of reserves in the General Fund at fiscal year-end
- Debt, Pensions, Capital Expenditures - do we anticipate issuing General Obligation bonds or notes in the next 2-3 years, and are there any changes to the city's contributions to OPERS & OP&F pensions
- Management & Governance - they inquired about current and future staffing/personnel trends, any litigation and what cyber risk preventions we have in place

Manager Keaton advised she received notification that FEMA approved our Category B, Emergency Protective Measures, for costs associated with the Memorial Day tornado. Category B consisted of Police & Fire labor, equipment, portable restrooms and hand washing stations, Police mutual aid, Hyper-Reach notifications and supplies for the EOC. The total amount that was approved for Category B is \$25,004.92, FEMA (75%)-\$18,753.69, State of Ohio (12.5%)-\$3,125.62 and City-(12.5%) \$3,125.62. We hope the City's share will be covered by the donations and volunteers that we received following the tornado. Category A, Debris Removal, is still in the review process.

Manager Keaton reported that she met with representatives of the Optimist Club last Friday, along with Police Chief Jerome and Street Superintendent Homan to see where they could place their US flags on Arlington Road. Manager Keaton reported the consensus was the flags would be placed 18" to 36" behind the sidewalks on Arlington Road from Triggs Road to West Upper Lewisburg-Salem Road. Manager Keaton stated flags will not be placed on Arlington Road from the overpass to Triggs Road.

Manager Keaton advised she received word last week from the City of Dayton that they met with a financial consultant, and they hope to reach out to us by the end of March to go over the "Cost of Service" model that they are working on and to discuss a new agreement.

Manager Keaton announced the Miami Valley Regional Planning Commission's Annual Spring Dinner is scheduled for Thursday, April 16. If Council is interested in attending, please let Clerk Duncan know by March 25.

Manager Keaton stated at the February 4 Council Meeting, she provided Council with a packet of financial information to review for further discussion and asked if Council would like to hold a Work Session in March to discuss the packet in more detail? The consensus was to hold a Work Session on March 24, 2020 at 6:30 p.m.

Manager Keaton advised at the February 4 Council Meeting, she informed Council about the 2019 Ohio Transportation Budget bill that 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. Manager Keaton asked if Council wanted to discuss this item now or

during the Work Session on March 24, 2020? The consensus was to discuss this item at the Work Session.

Manager Keaton requested Council accept the first reading of proposed Resolution No. 20-02, which is the Final Resolution for upgrading the Arlington Road and Triggs/Upper Lewisburg-Salem Road intersection by removing the concrete island, realigning the crosswalks on the northwest corner, new pedestrian push buttons, upgrade truncated domes to the current standard, resurfacing of the intersection pavement, and replacing loop detectors. Manager Keaton stated Council approved the Preliminary Legislation for this project last June. Proposed Resolution 20-02 includes a Fiscal Officer's Certificate that states the funds for this project have been lawfully appropriated. Manager Keaton stated ODOT needs a copy of the adopted Resolution, Fiscal Officer's Certificate, Signed Contract and check by March 20, 2020.

Manager Keaton reminded everyone to set their clocks ahead one hour this Sunday morning and that the first day of Spring is 16 days away!

Finance Director Brandt presented the February 29, 2020 Fund Balance.

Motion by Schreier, second by Fowler to accept the February 29, 2020 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt presented a map and list of streets for the Brookville City Wide Garage Sales and requested Council approval for the garage sales to be held each weekend throughout the month of June.

Motion by Fowler, second by Schreier to approve the Brookville City Wide Garage Sales as presented. All yeas, motion carried.

Finance Director Brandt reminded everyone the City of Vandalia will be at the City Offices on March 27, 2020 from 8:00 a.m. until 4:30 p.m. and on March 28, 2020 from 8:00 a.m. until noon to assist residents in preparing their city income tax returns. There is no charge for this service.

Fire Chief Fletcher presented the Operations Report for the month of February showing Fire Department personnel responded to 124 EMS And 16 Fire Incidents during the month of February. This was 6 more EMS/Rescue calls and 8 less Fire/Service calls than one year ago.

Fire Chief Fletcher requested Council authorize the City Manager to enter into a Purchase Agreement with Horton Emergency Vehicles to provide a new 2019 Ford / Horton 623 Type I Ambulance at a cost of \$245,117.29. This purchase is through the State of Ohio STS 223 bid program. Fire Chief Fletcher stated at the February 4, 2020 Council meeting, Council approved his request for the purchase of a 2020 Tahoe, and he had reported he planned to keep it under budget with a surplus. Fire Chief Fletcher reported that his plan to reuse equipment is contrary to our fleet mechanic's recommendation, whose advice is to use Tahoe specific material in the Tahoe. Fire Chief Fletcher stated this will result in having to make some adjustments to this project. Fire Chief Fletcher advised he will still come in under budget on the medic and other capital projects for 2020, however, he wants to be crystal clear and not mislead Council in any way. He advised he is still hoping to re-use the equipment from the old vehicle on another project. Fire Chief Fletcher reported the plan is to trade in our oldest medic. We will get a better trade-in value than selling it on GovDeals, as the diesel motors just do not bring in any money. Fire Chief Fletcher stated that Finance Director Brandt has determined to be the best approach to pay for this capital improvement is through a Municipal Tax-Exempt lease. Fire Chief Fletcher requested that Council authorize the City Manager to enter into a Municipal Tax-Exempt Lease agreement for \$245,117.29.

Member Schreier asked if Finance Director Brandt if she has any concerns about meeting these lease payments with the decrease in revenue projected with this year's budget.

Finance Director Brandt replied she solicited proposals from five different banks and determined a 60-month lease through US Bank is \$8,000 less than the other banks who responded to her inquiries. Finance Director Brandt stated we have already budgeted for a decrease in revenue and she does not foresee any problem with making the payments.

Motion by Schreier, second by Crane to accept the State of Ohio Department of Administrative Services, State Term Schedule bid of \$245,117.29 for a new 2019 Ford/Horton 623 Type I Ambulance. All yeas, motion carried.

Member Schreier asked if this is a lease, will the City actually own the vehicle when the principal payments are completed?

Manager Keaton advised the City has used this purchase method several times in the past and we will own the medic at the end of the lease.

Finance Director Brandt stated many municipalities purchase vehicles this way as the interest rates are much lower.

Manager Keaton advised the interest rates are lower because it is tax exempt.

Motion by Fowler, second by Schreier to allow Manager Keaton to enter into a Municipal Tax-Exempt Lease agreement with U.S. bank for \$245,117.29 to purchase a new 2019 Ford/Horton 623 Type I Ambulance. All yeas, motion carried.

Fire Chief Fletcher advised he will present the 2019 Brookville Fire Department Annual Report at the next Council Meeting.

Police Chief Jerome had no report.

Mayor Letner inquired how the traffic control was going on Columbia Street and on Albert Road?

Police Chief Jerome replied the Police Department is still making quite a few stops on Albert Road. The Officers have been issuing warnings, however if the number of stops does not seem to be decreasing, they will soon change to issuing tickets.

Police Chief Jerome stated the Officers are continuing to monitor the traffic on Columbia Street as well.

Law Director Stephan presented for Council approval a request to re-plat Wenger Woods, Lot 2392. This is a subdivision plat that would take existing Lot 2392 and add .275 acres from Lot 1278, creating a new lot known as Lot 2653. Law Director Stephan stated the owners are building a new single-family home and wanted the additional property behind the house. Law Director Stephan advised this was approved by Planning Commission and the lot meets all the legal requirements for the subdivision.

Motion by Schreier, second by Fowler to approve the Wenger Woods, Lot 2392 Record Plan as presented. All yeas, motion carried.

Law Director Stephan commented Planning Commission also approved a second Record Plan that creates three lots to the south of this parcel. This has been tabled until we receive additional information from their engineer.

Mayor Letner thanked everyone for their thoughts and prayers on the loss of his father-in-law.

Motion by Crane, second by Fowler to read proposed Ordinance No. 2020-01. All yeas, motion carried.

Motion by Swabb, second by Crane to accept the second reading of proposed Ordinance No. 2020-01 entitled "AN ORDINANCE LEVYING ASSESSMENTS FOR DELINQUENT UTILITY BILLS FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Wilder, second by Schrier to read proposed Ordinance No. 2020-02. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the second reading of proposed Ordinance No. 2020-02 entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTION 931.20 (A) FIXING THE RATES AND CHARGES TO ALL WATER CUSTOMERS IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Swabb, second by Schreier to read Resolution 20-02. All yeas, motion carried.

Motion by Crane, second by Fowler to accept the first reading of Resolution 20-02, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO THE FINAL AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION ON THE STP PROJECT FOR THE ARLINGTON ROAD AND TRIGGS ROAD/UPPER LEWISBURG-SALEM ROAD INTERSECTION." All yeas, motion carried.

Member Fowler, Park Board Liaison, had no report.

Member Schreier, Planning Commission Liaison, reported Planning Commission approved the two re-plats in Wenger Woods that were just reported by Law Director Stephan. Planning Commission also approved a site plan for a Freedom First Credit Union to be built at the old library site at 425 Rona Parkway, using the same ingress and egress from Rona Parkway. The proposed building is smaller, with a drive-thru and parking in the back. Planning Commission also heard a preliminary presentation for Planned Use Development on the corner of Albert Road and Upper Lewisburg Salem Road for potentially 69 homes on the 18 acres adjacent to the firehouse. Member Schreier stated Planning Commission had quite a few questions for the potential developers, who would develop the site and contract out to builders to construct the homes. Member Schreier stated there is still a lot of work to be done, including a Public Hearing, before moving forward with this.

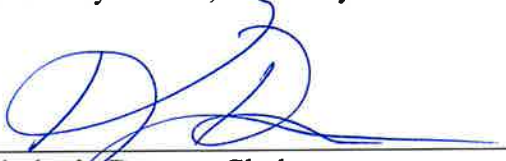
Law Director Stephan stated that is a good summary and it is important for everyone to understand that was just a preliminary conference and there are a lot of steps ahead before a final decision can be made.

Matt Yablonsky, of 14 Columbia Street, thanked Council and the Brookville Police Department for taking his concerns seriously regarding the need for additional signage on Columbia Street to make drivers aware it is a one-way street. He has noticed the Police presence on Columbia Street, and he has only seen two people drive down the bike path since the new yellow markers have been placed.

Motion by Fowler, second by Schreier to go into Executive Session per ORC 121.22 (G)(2) To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property. All yeas, motion carried.

Motion by Wilder, second by Crane to go back into Regular Session.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor