

Brookville City Council
Regular Meeting
May 19, 2020

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on May 19, 2020. The meeting was held virtually using the Cisco WebEx application. 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.

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

Motion by Zimmerlin, second by Swabb to approve the Regular Council Meeting Minutes of May 5, 2020. All yeas, motion carried.

Manager Keaton reported the City received the first check last week for reimbursement of costs the City disbursed following the Memorial Day tornado. The check totaled \$162,735.97 and included FEMA and the State of Ohio share of Category A and FEMA's share of Category B expenditures. Manager Keaton advised the State's share of Category B, funds for asphalt repairs and reimbursement of our Management costs and donated resources are still pending.

Manager Keaton advised the Brookville Optimist Club will be placing U.S. flags on Arlington Road from Gateway Park to the W. Upper Lewisburg-Salem Road intersection from May 23 through May 25. The flags will be removed on May 26.

Manager Keaton reported a pre-construction meeting was held, by phone, for the Arlington/Upper Lewisburg-Salem Intersection Project. The project will begin on Tuesday, May 26 and should last approximately 30 days. Most of the project will take place from 6:30 a.m. to 3:00 p.m., Monday through Friday and milling and asphalt resurfacing will take place in the evening, after rush hour.

Manager Keaton advised the Agreement between the City of Brookville and the Ohio Patrolmen's Benevolent Association expires December 31, 2019. Last December, Council approved an extension of the expiring Agreement from January 1 through June 30, 2020 with a modification to allow a 1.5% wage increase. Manager Keaton reported the Union has agreed, due to the COVID-19 pandemic, to extend the Agreement through December 31, 2020. Manager Keaton requested Council authorization to extend the Agreement between the City of Brookville and the Ohio Patrolmen's Benevolent Association from July 1, 2020 through December 31, 2020 and to continue with the 1.5% wage increase that was approved at that time.

Motion by Schreier, second by Swabb to extend the Agreement between the City of Brookville and the Ohio Patrolmen's Benevolent Association from July 1, 2020 through December 31, 2020 and to continue with the 1.5% wage increase that was approved at that time. All yeas, motion carried.

Manager Keaton stated the project to remove the fallen trees adjacent to the WWTP was approved at the federal level and requested Council authorization to allow the City to proceed with the removal of storm debris from Wolf Creek associated with the May 27, 2019 tornado. This project will be managed by the U.S. Department of Agriculture, Natural Resources Conservation Service. The project cost is \$92,440 with federal funding providing 75%, or \$69,330 of the project cost with the City contributing 25%, or \$23,110. Manager Keaton reported the City will provide in-kind services that can be applied toward the City's 25% share. In-kind services would include using our Service Department personnel and vehicles to haul away and dispose of the storm debris. The project area begins at the southern city limits and extends 1,855 feet to the north and includes removing all fallen trees, root balls, log jams, woody debris and trash 50' from the centerline of Wolf Creek on both sides of the creek.

Member Schreier asked if we just track all of our hours against the project?

Manager Keaton replied we will track personnel costs as we did for FEMA after the Memorial Day tornados, including wages fringe benefits and use of vehicles.

Member Zimmerlin stated the City should reach out to the residents that live on Wolf Creek near this project area, so they are aware of the clean-up and improvements the City is making to the area.

Manager Keaton stated the City will be meet with the seven property owners who will be affected and present them with an agreement relating to the project.

Motion by Fowler, second by Zimmerlin to authorize the City to proceed with the removal of storm debris from Wolf Creek associated with the May 27, 2019 tornado. All yeas, motion carried.

Manager Keaton advised in 2019, we submitted a proposal to purchase 500 tons of rock salt at a cost of \$85.12 per ton. Last Fall, we took delivery of 347.23 tons, leaving us a balance of 152.77 tons. Manager Keaton stated our contract with Cargill to purchase the remaining rock salt at \$85.12 per ton expires July 31, 2020. We currently have approximately 150 to 200 tons of salt on hand. Manager Keaton stated she does not expect salt prices to go down this year and requested Council authorization to purchase the remaining 152.77 tons of rock salt at a cost of \$85.12 per ton. Manager Keaton advised the 2020 Street M&R budget includes \$40,000 to purchase salt.

Mayor Letner asked if the purchase will top off our salt barn?

Manager Keaton replied it will top off the salt barn and hopefully we will have a late start to our winter.

Member Fowler asked how many tons we have right now and how much we normally go through in an average winter?

Manager Keaton replied we currently have between 150-200 tons of salt on hand. Some winters are light, and some are heavy as far as salt usage. We did not have much snow this winter, but we did have a few days of heavy ice, which uses a lot of salt.

Member Fowler asked if it was possible to push off our purchase of salt until November?

Manager Keaton replied our current purchase contract expires on July 31, 2020 so we have to purchase it before then. We participate with SWAP4G to purchase salt, which is a consortium of entities in the Montgomery County region. This year we will put in a bid for 350 tons, which is 150 tons less than last year, due to the fact that we have so much salt on hand. Manager Keaton advised we do not know the purchase price of the salt yet, but she anticipates an increase as costs of everything seem to be increasing.

Motion by Zimmerlin, second by Fowler to authorize Manager Keaton to purchase 152.77 tons of rock salt from Cargill at \$85.12 per ton. All yeas, motion carried.

Manager Keaton reported repairs made to the Wastewater Treatment Plant that was damaged during the Memorial Day tornado currently total \$432,389.82. The City has received \$431,389.82 in insurance proceeds and have one outstanding Purchase Order in the amount of \$34,141.94. This project should be wrapped up in the next four to six weeks.

Manager Keaton reported the Service Department finished grading topsoil at the WWTP. They will seed the area soon and plant pine trees along the roadway fence that were given to the City by Montgomery County Soil & Water. The Service Department has cleared out the perimeter fence row at the WWTP and marked the area for new fencing. They saw cut asphalt repair areas and will be repairing those areas soon. They will also begin grading and seeding repair areas at Westbrook Park soon. Over the next several weeks, the Service Department will begin to move five water services on Westbrook Road, between Sycamore Street and Wolf Creek Street, from the 6" water main to the 12" water main.

Manager Keaton advised a recent Dayton Daily News article reported that over half of Ohio and Montgomery County households have responded to the 2020 Census. The article stated that

Brookville has the fourth highest response rate in Montgomery County at 75.40%, just behind Oakwood, Centerville, and Washington Township. Manager Keaton thanked all who have responded to the Census and advised there is still time to fill out the census by telephone by calling the toll-free number, 844-330-2020, or filling out online at my2020census.gov.

Manager Keaton provided Council with a draft Resolution that is currently being considered by the Ohio General Assembly. SB 310 appropriates \$350 million of funding allocated to the state from the federal CARES Act to counties, municipalities, and townships to fund necessary COVID-19 pandemic-related expenses. This bill would exclude local governments that receive direct federal funding under the CARES Act from receiving this distribution. Manager Keaton stated funds would be distributed based on the proportion of Local Government Fund revenue allocated to subdivisions in 2019. Before receiving a payment, a subdivision is required to adopt a resolution affirming that the subdivision will spend it only on pandemic-related expenses, provided those expenses are incurred between March 1 and December 30, 2020 and are not accounted for in our current budget. This Bill requires local funds unspent as of October 15, 2020, to be redistributed to local governments that have spent their full allocation. Any unspent money must be returned to the state by December 28, 2020. Recently the Ohio Senate passed the bill and this week the Ohio House Finance Committee is considering the bill. Manager Keaton reported she has met with staff regarding additional supplies that may be needed in the foreseeable future to combat COVID-19. Staff is in agreement that we should bring a Resolution back to Council once this bill receives final approval.

Manager Keaton stated she is pleased to report that our \$1,000 Keep Montgomery County Beautiful Grant application was approved and will be used to pay for the flowers that line Market Street. Previously it was reported the program was suspended due to COVID-19, but that suspension applied only to the voluntary cleanup programs that are sponsored by Keep Montgomery County Beautiful.

Manager Keaton requested Council accept the second reading, dispense with the third reading and adopt proposed Ordinance No. 2020-03 so the adopted Ordinance can be submitted to the State of Ohio by the July 1, 2020 deadline in order to collect the new tax in January 2021.

Motion by Zimmerlin, second by Wilder to read proposed Ordinance No. 2020-03. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the second reading, dispense with the third reading and adopt Ordinance No. 2020-03 entitled "AN ORDINANCE TO LEVY A MUNICIPAL MOTOR VEHICLE LICENSE FEE PURSUANT TO SECTION 4504.173 OF THE OHIO REVISED CODE AS AUTHORIZED BY HOUSE BILL 62 AND AMENDING THE CODIFIED ORDINANCES OF THE CITY OF BROOKVILLE, OHIO BY ADDING NEW SECTION 195.05 "LICENSE TAX FOR OPERATION OF MOTOR VEHICLES PURSUANT TO OHIO REVISED CODE SECTION 4504.173" TO CHAPTER 195 MOTOR VEHICLE LICENSE TAX." All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading, dispense with the second and third reading to adopt proposed Resolution No. 20-09, which amends the 2020 Appropriations and Estimated Resources which creates a FEMA fund, a Federal Grants Fund and amends our budget. This Resolution shall take effect immediately after passage of this Resolution as provided in 4.07(A)(1) of the Charter of the City.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 20-09. All yeas, motion carried.

Motion by Fowler, second by Swabb to accept the first reading, dispense with the second and third reading and adopt Resolution No. 20-09 entitled "A RESOLUTION AMENDING THE 2020 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." All yeas, motion carried.

Fire Chief Fletcher reported the Fire Department is starting to see accidents occur now that there is more traffic on the roadways. Fire Chief Fletcher reported he is considering resuming fire safety inspections as businesses are re-opening. Fire Chief Fletcher stated he is confident his crews are taking the necessary precautions to protect themselves, he is just weighing the need to do fire safety inspection against the potential to expose personnel and the amount of PPE needed to complete the inspections. If PPE supplies become critical, he would suspend any activity other than emergency response. Fire Chief Fletcher advised the department's routine has been anything but normal for the past year and crews are looking forward to resuming inspections and other routine activities.

Police Chief Jerome reported the Police Department is still receiving traffic complaints on Westbrook Road. They are continuing to increase police presence and making traffic stops. The speed trailer is out, and they have been moving it to various locations. Police Chief Jerome reported the police department is busy this week helping with graduation events and a parade for the graduates tomorrow night and gave the parade route and instructions for anyone attending the parade. Police Chief Jerome reported the Police Department will also assist as students go through the buildings on Friday and Saturday at staggered times to receive their diplomas and have photos taken. Police Chief Jerome reported that the Police Department was recently audited by LEADS and passed with a score of 100%.

Law Director Stephan had no report.

Mayor Letner reported he recently presented a proclamation to the Brookville Sewing Masks group to congratulate them on sewing over 10,000 masks. The group presented him with the 10,000th mask sewn which will be on display at the City building. Mayor Letner advised the group sews masks and distributes them free of charge to anyone with a need. Mayor Letner reminded everyone of the upcoming one-year anniversary of the tornado that went through Brookville. Mayor Letner stated every day he is thankful for the citizens, staff, city employees and Council who worked together to get through it. Mayor Letner stated we showed the area what Brookville is made of – that we are red, white and Brookville blue strong. Mayor Letner stated we are a committed and resilient community and will get through this pandemic as well. Mayor Letner also commented that being number four in the region with our Census response is quite the accomplishment. Mayor Letner stated we are at a 75% response rate and he would like to see us have a 100% response rate as those dollars mean everything to us. Mayor Letner encouraged everyone to enjoy the holiday, continue to stay six feet apart and go Brookville!

Member Wilder commented Channel 45 is airing a special tonight at 10:00 p.m. about the Brookville community and how we have come back from the tornado.

Mayor Letner stated he is so proud of where we are now and the way our citizens have pulled together. Mayor Letner stated the home he grew up in on Crosswell has been transformed and it is just amazing what has happened back there.

Member Schreier commented last year at this time he was not sure the Terrace Park plat would be able to come back but he has been amazed by the progress in the past year. It is a great neighborhood and a great place to raise a family.

Motion by Fowler, second by Zimmerlin to read Resolution No. 20-07. All yeas, motion carried.

Motion by Fowler, second by Crane to accept the third reading and adopt Resolution No. 20-07 entitled "A RESOLUTION GIVING CONSENT TO THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE SAFE ROUTES TO SCHOOL INFRASTRUCTURE PROJECT, WHICH INCLUDES THE UPGRADE OF THREE INTERSECTIONS WITH HI-VISIBILITY MARKINGS, ONE PROPOSED CROSSWALK WITH HI-VISIBILITY MARKINGS AND RECTANGULAR RAPID FLASHING BEACONS AND SIDEWALK CONNECTION AND GIVING CONSENT TO THE DIRECTOR OF TRANSPORTATION TO COMPLETE SAID PROJECT." All yeas, motion carried.

Motion by Fowler, second by Swabb to read Ordinance No. 2020-04. All yeas, motion carried.

Motion by Swabb, second by Zimmerlin to accept the second reading of Ordinance No. 2020-04 entitled "AN ORDINANCE LEVYING ASSESSMENTS FOR THE CUTTING AND

REMOVAL OF WEEDS, VINES, GRASS AND/OR OTHER VEGETATION DURING THE YEAR 2019 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to read proposed Ordinance No. 2020-05. All yeas, motion carried.

Motion by Schreier, second by Wilder to accept the second reading of proposed Ordinance No. 2020-05 entitled “AN ORDINANCE ADOPTING CERTAIN FEDERAL POLICIES FOR ADMINISTERING FEDERAL GRANTS.” All yeas, motion carried.

Manager Keaton presented the 2020 Revenue Presentation for Council review.

Member Fowler, Park Board Liaison, had no report.

Member Schreier, Planning Commission Liaison, had no report.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor