

Brookville City Council
Regular Meeting
November 17, 2020

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on November 17, 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 Swabb, second by Fowler to approve the Agenda as presented. All yeas, motion carried.

Motion by Swabb, second by Fowler to approve the Regular Council Meeting Minutes of November 3, 2020. All yeas, motion carried.

Manager Keaton reported the City applied for and received a \$750 Walmart Community Grant for Brookville Park Board. Grant funds will be used for purchasing Christmas lights and supplies for Christmas in the Park. The opening night for Christmas in the Park is Friday, December 4 at Golden Gate Park from 6:00–8:00 p.m. This will be a drive-thru event only. Treat bags will be distributed to the first 200 children on opening night. Manager Keaton advised the Christmas lights will be displayed nightly from December 4, 2020 through January 2, 2021.

Manager Keaton advised the water tower in Golden Gate Park was put back into service last week, and the Administrative Offices were opened to the public yesterday. Manager Keaton stated for the most part, the Front Office Renovation Project is complete, with a few punch-list items to work through. Manager Keaton requested Council authorization to approve Change Order #2 on our Front Office Renovation Project. This Change Order is for additional electrical wiring and to install wiring for the doorbell on the front door. Change Order #2 will increase the project by \$900 to a new contract price of \$52,850.

Motion by Swabb, second by Fowler to approve Change Order #2 on the Front Office Renovation Project for additional electrical wiring and to install wiring for the doorbell on the front door at a cost of \$900 for a new contract price of \$52,850. All yeas, motion carried.

Manager Keaton reported the Park Levy that was on the November 3, 2020 ballot was defeated by 96 unofficial votes and the Street Levy was defeated by 139 unofficial votes. Manager Keaton provided Council with a breakdown of each levy vote by precinct and stated we should be receiving the certified vote count soon. Manager Keaton stated she would like to discuss future revenue insufficiencies with Council soon.

Manager Keaton reported Provimi will be closing their Brookville Office next year by late summer and consolidating with their Lewisburg office.

Manager Keaton advised the Brookville Historical Society is requesting Council's consideration for any financial assistance that can be granted to them in 2021. Manager Keaton provided Council with copies of their revenues and expenditures from January 1 through October 31, 2020 and a listing of the funds they received from the City in prior years.

Mayor Letner stated in years past, the City has donated \$7,500 to the Brookville Historical Society. Mayor Letner stated while the City is up against some financial hurdles, his recommendation is to donate this amount again as our Brookville history and heritage deserve it.

Member Zimmerlin asked when Council can expect to have some budget numbers for 2021?

Manager Keaton stated she believes Finance Director Brandt is preparing a proposed budget and would like to hold a budget work session with Council the first week in December.

Member Zimmerlin suggested Council wait to approve this until after they have a chance to review the 2021 budget.

Member Fowler agreed Council should review the budget before approving this grant to the Historical Society.

Mayor Letner suggested Council table this discussion until the budget is reviewed.

Member Schreier commented Council should make an effort to respond to the Historical Society by the end of the year.

Manager Keaton stated she will bring it back to Council for review after the budget work session. This will give Council time to look through the information she provided them from the Historical Society.

Manager Keaton reported the City received one letter of interest for the open Park Board position. Manager Keaton recommended that Council appoint Adam Blevins to Park Board to fill the unexpired term of Zach Music.

Motion by Zimmerlin, second by Schreier to appoint Adam Blevins to Park Board to fill the unexpired term of Zach Music. Zimmerlin yea, Crane yea, Fowler abstain, Schreier yea, Swabb yea, Wilder yea, Letner yea. Motion carried, with six yeas and one abstention.

Manager Keaton requested Council accept the second reading and amend the title of proposed Resolution No. 20-22 to add “DECLARING IT AN EMERGENCY” and to amend Section III to read as follows: “This Resolution is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City, and to timely reappoint the Director of Police to provide for the usual daily operations of the Police Department of the City, and to afford a continuation of orderly management of the Police Department. This Resolution shall take effect immediately upon passage by two-thirds of the members of Council of the City of Brookville, Ohio.”

Motion by Fowler, second by Wilder to read proposed Resolution No. 20-22, amending the title and Section 3 as requested by Manager Keaton. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the second reading, dispense with the third reading and adopt Resolution No. 20-22 entitled “A RESOLUTION REAPPOINTING MR. DOUGLAS JEROME DIRECTOR OF POLICE FOR THE CITY OF BROOKVILLE, OHIO AND ESTABLISHING HIS ANNUAL SALARY AND EMPLOYMENT BENEFITS AND DECLARING IT AN EMERGENCY.” All yeas, motion carried.

Manager Keaton advised the Service Department continues to pick up leaves daily, with leaf pickup to continue through December 11.

Manager Keaton reported Chief Jerome has been looking into purchasing body cameras for our Police Department to increase transparency and accountability considering this year’s protest and violence against law enforcement. There have been numerous area law enforcement agencies seeking to do the same. Chief Jerome obtained several proposals and Finance Director Brandt looked at lease financing on these body cameras. Manager Keaton asked Chief Jerome to provide Council with additional information.

Chief Jerome commented there are three to six main bodycam models being used throughout the County and State. Chief Jerome advised he spoke to the provider of our cruiser MDT’s and observed a presentation of their Getac brand. He also reviewed units by Axon brand and Watchguard. Chief Jerome reported the most expensive part of the bodycams is the storage of the recorded data. Most companies do not do local storage, it is stored in the cloud. Another big cost is the warranty of the units. Getac offered the best overall quote of \$33,700 for the cameras, the storage library, and the warranty for five years. This can be financed in annual payments. The other quotes were \$51,000 and \$107,000 for five years. Police Chief Jerome stated some of the features he liked about the Getac brand and the software included is that it shows the live footage video

and the GPS mapping of an incident. Other features were the ability to play the media on any player, the option to forward the video to the prosecutor and to take screen shots. Another feature is the ability to attach any outside video taken by witnesses to the library as well. This software can also load bodycam video taken from different officers onto the screen at the same time, making it possible to see an incident from different angles. Chief Jerome stated Getac is sold by Bright Computers, which is a proven reliable brand, with a local representative, which we have used for years in our police cruisers. Police Chief Jerome stated if Council chooses to move forward with the bodycams, his recommendation is to go with the Getac model. Police Chief Jerome commented having bodycams was one of the things we could not answer yes to when the NAACP made their police reform inquiry earlier this year.

Member Crane inquired if having bodycams will help with our risk liability insurance?

Police Chief Jerome replied he has not yet talked to the Ohio Plan about whether this would reduce the department's annual liability.

Member Fowler asked if there are any grant funds available for the purchase of bodycams?

Police Chief Jerome responded there are no grants available at this time. He also stated ordering and implementation of the bodycams will take at least 90 days.

Member Zimmerlin inquired whether the School Resource Officer would have a bodycam?

Police Chief Jerome advised he has directed our School Resource Office to check with Ohio School Resource Association to what the policies are on bodycams within the schools.

Finance Director Brandt advised she received a lease proposal from US Bank for the bodycams, which would save the City \$3,000 over the Bright Company's financing. US Bank would charge 2.1% interest, with quarterly payments, which would amount to \$1,889 in interest over a period five years.

Motion by Fowler, second by Zimmerlin to adjourn the Regular Council Meeting and begin the Public Hearing. All yeas, motion carried.

The Public Hearing was recorded and is on file with the Clerk at the Municipal Offices. The audio recording and a transcript of the meeting are also available on the City website at www.brookvilleohio.com.

Mayor Letner began the Public Hearing, which is a combined meeting with Council and Planning Commission on proposed Ordinance No. 2020-06. This Public Hearing is a continuation of the Public Hearing from October 22, 2020.

Roll call of Planning Commission Members by Clerk Duncan.

Clerk Duncan administered the Oath of Witness to Gemma Maxwell of Fischer Homes.

Clerk Duncan announced this Public Hearing is to consider the adoption of proposed Ordinance No. 2020-06 which amends the Zoning Classification of Lots 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, and part of Lot 2609 of the City of Brookville from its present Zoning Classification of (R-1C) Urban Residential District to the New Classification of (R-3) Multi Family Residential District.

Clerk Duncan stated a Legal Notice was published in the November 4 and November 11 edition of the Brookville Star advising of the Public Hearing. Clerk Duncan stated this Public Hearing has been continued from October 22, 2020.

Clerk Duncan stated Member Schreier indicated at the last meeting that he needed to abstain from participating in this Public Hearing and asked him if that is still correct?

Member Schreier indicated that is correct.

Gemma Maxwell, of Fischer Homes, gave a presentation regarding the proposed construction of zero-lot line homes in the Meadows of Brookville, Section Five.

Clerk Duncan administered the Oath of Witness to Jessica Wells, of 21 Heckathorn Road, who then presented her testimony.

Clerk Duncan administered the Oath of Witness to Elizabeth Rike, of 130 Poplar Run Place, who then presented her testimony.

Clerk Duncan administered the Oath of Witness to Bradley Hoops, of 39 Heckathorn Road, who then presented his testimony.

Clerk Duncan administered the Oath of Witness to Bonnie Bertelson, of 33 Heckathorn Road, who then presented her testimony.

Clerk Duncan administered the Oath of Witness to Jonathan Wells, Jr., of 21 Heckathorn Road, who then presented his testimony.

Clerk Duncan administered the Oath of Witness to Eric Wright, of 165 Brooke Woode Drive, who then presented his testimony.

Clerk Duncan administered the Oath of Witness to Del Braund, Jr., of 15 Heckathorn Road, who then presented his testimony.

Clerk Duncan administered the Oath of Witness to Kelly Scherer, 133 Heckathorn Road, who then presented her testimony.

Gemma Maxwell, of Fischer Homes responded to questions raised by Kelly Scherer.

Clerk Duncan administered the Oath of Witness to Mary Jo Klaus, 150 Brooke Woode Drive, who then presented her testimony.

Clerk Duncan administered the Oath of Witness to Danielle Brooks, of 75 Meadow Brooke Drive, who then presented her testimony.

Clerk Duncan administered the Oath of Witness to Zaneta Simpson, of 101 Brooke Woode Drive, who then presented her testimony.

Gemma Maxwell, of Fischer Homes responded to questions raised by Zaneta Simpson.

Clerk Duncan administered the Oath of Witness to William Holbrook, of 45 Heckathorn Road, who then presented his testimony.

Gemma Maxwell, of Fischer Homes responded to questions raised by William Holbrook and previously raised by Eric Wright.

Clerk Duncan administered the Oath of Witness to Neil Griffey, of 130 Brooke Woode Drive, who then presented his testimony.

Clerk Duncan advised several citizens submitted their statements via email and read a statement from Jeff Davidson, of 63 Meadow Brooke Drive; Jessica Sewert, of 136 Poplar Run; Jason Vince of 94 Brooke Woode Drive and Pete Chakiris, of 6465 Wellbaum Road.

Clerk Duncan administered the Oath of Witness to Karen Braund, of 15 Heckathorn Road, who then presented her testimony.

Mayor Letner called for any questions by Council or Planning Commission.

Member Crane inquired about the proposed HOA?

Gemma Maxwell, of Fischer Homes answered his question.

A complete transcript of the Public Hearing was made by Donald Correll, of Mike Mobley Reporting. The transcript of the Public Hearing will be available in the City Offices and will be published on the City of Brookville website, at www.brookvilleohio.com.

Mayor Letner closed the Public Hearing.

Member Zimmerlin inquired about the impact Provimi closing will have on the City.

Manager Keaton stated she is waiting on some information from the City of Vandalia Income Tax Department. Some of this information is confidential but she can share with Council that Provimi is the City's second largest employer, so there will be a big financial impact.

Member Wilder asked when GM is planning to open?

Manager Keaton replied GM has been affected by the COVID-19 pandemic and the opening has been pushed back to March of next year, with a slow ramp up.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution 20-24 which amends the 2020 Appropriations and Estimated Resources. 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 Fowler, second by Zimmerlin to read proposed Resolution No. 20-24. All yeas, motion carried.

Motion by Swabb, second by Wilder to accept the first reading, dispense with the second and third reading and adopt proposed Resolution No. 20-24 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.

Finance Director Brandt requested Council accept the first reading of proposed Resolution No. 20-25, which allows an advance on taxes collected by the Montgomery County Treasurer in 2021 for tax year 2020. This resolution allows the City to receive weekly distributions once the real estate taxes are paid instead of waiting to receive lump sum payments in April and September.

Motion by Swabb, second by Zimmerlin to read proposed Resolution No. 20-25. All yeas, motion carried.

Motion by Schreier, second by Swabb to accept the first reading of proposed Resolution No. 20-25. All yeas, motion carried.

Finance Director Brandt requested Council set a date in early December for a 2021 Budget Work Session.

The consensus of Council was to set the 2021 Budget Work Session for December 3, 2020 at 6:00 p.m.

Fire Chief Fletcher reported the Fire Department has had a busy November, with last week's windstorm keeping them busy in not only here but with numerous mutual aid calls to other communities.

Mayor Letner commended the Fire Department on an excellent job during Sunday's windstorm, despite the fact they were pulled in every direction.

Police Chief Jerome reported the Police Department has selected Thomas Schiff to replace our long-time prosecutor Jeff Startzman. Police Chief Jerome advised Mr. Schiff has a tremendous

amount of experience as a long-time prosecutor with the Montgomery County Prosecutor's Office and as the Law Director and the Prosecutor for the Village of Germantown. Police Chief Jerome thanked Manager Keaton and Law Director Stephan for assisting him with the interview process to select the new prosecutor and advised Mr. Schiff would like to attend a Council meeting in the near future when there are less items on the Agenda.

Police Chief Jerome reported the police towing contract has been completed, reviewed and signed and all of our towing companies are pleased with the new agreement. Police Chief Jerome thanked the City Manager and the Law Director for assisting him with this contract as well.

Police Chief Jerome advised they should be making an arrest soon on a long-term case they have been investigating. He will report on this to Council in early December.

Police Chief Jerome advised he has been working closely with Finance Director Brandt and Manager Keaton recently, trying to do as much as possible this year and still have a carry-over on the budget for next year. Police Chief Jerome stated the three of them are keenly aware of the financial struggles the City may face in 2021, so the decision was made to forgo buying another cruiser in 2021 and to re-purpose the oldest cruiser in the fleet. Police Chief Jerome advised they have found other creative ways to save money for 2021. These savings, along with the re-purpose of the older fleet vehicle should save an excess of \$40,000 in the Police Department budget. Police Chief Jerome stated if the bodycams are purchased and financed it will come out to less than \$10,000 per year, which would come out of operating expenses. This would be a comfortable figure in the budget and give the Police Department a valuable tool that is important in our current society. Police Chief Jerome stated he understands if Council does not feel comfortable with the purchase of bodycams at this time, but he feels it is a worthwhile investment.

Member Schreier asked if this will be included in the line items for the budget discussion?

Police Chief Jerome replied that is correct.

Law Director Stephan had no report.

Mayor Letner commended Service Department on a job well done picking up the leaves throughout the City this season. Mayor Letner wished everyone a Happy Thanksgiving and advised everyone to stay safe. Mayor Letner commented he is looking forward to a better year in 2021.

Member Fowler reported Park Board is busy preparing for the Christmas in the Park event, which is drive-through only this year.

Member Schreier reported that Planning Commission will meet virtually on November 19, 2020.

Bonnie Bertelson, of 33 Heckathorn, commended Council on a great website, stating she appreciates their transparency. She stated she also liked the emergency Resolution to rehire Police Chief Jerome as she believes he is an asset to the community. Mrs. Bertelson stated she had a problem upon moving to Brookville and the Police Department responded immediately and were able to take care of it. Mrs. Bertelson stated she is proud to read in the Ohio Department of Public Safety's newsletter that our Police Officers are certified with the Ohio Collaborative Community Police Advisory Board, stating this is commendable. Mrs. Bertelson stated she is glad to be a member of this community and wants Council to know that they do a good job.

Mayor Letner thanked Mrs. Bertelson for her words of encouragement, stating we have a good group of people that live and breathe Brookville. Our Council, staff and employees are dedicated beyond limits. Mayor Letner stated Council is here to listen and make rational decisions.

Del Braund, of 15 Heckathorn, commended the Service Department for the exemplary job they did repairing a water main break at the corner of Heckathorn and Westbrook Roads this spring. Mr. Braund stated they came back in the summer and repaired the ruts and sowed grass seed. The Service Department went above and beyond, coming back several times over the next few months

to repair this easement area and make it easy for him to mow. Mr. Braund also stated the Police Chief is a marvelous guy and he appreciates what the City does.

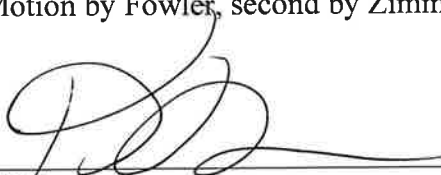
Mayor Letner thanked Mr. Braund for his comments and stated he was there to witness the great job the Service Department did repairing the water main break that day. Mayor Letner commented that repairing a water main break in the grass is tough and cave-ins are a risk. Mayor Letner stated the Service Department stuck with it and did a terrific job.

Jessica Wells, of 21 Heckathorn Road, thanked the Police Department for taking care of a wild raccoon that was in her yard and was acting strangely. The Police Department quickly responded and along with her husband, took care of the animal. Mrs. Wells stated she appreciated that the Police Officer also took the time to be aware of her children's whereabouts and their safety during the event.

Mayor Letner commented the animal probably had distemper and agreed the Police Officer did a good job handling the situation. Mayor Letner thanked Mrs. Wells for her kind words.

Fire Chief Fletcher echoed the Police Chief is a fantastic guy and he enjoys working with him.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor