

Brookville City Council
Regular Meeting
November 7, 2023

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on November 7, 2023. The meeting was held in the City Council Chambers and virtually using the Cisco Webex application. The Pledge of Allegiance was recited. Members Fowler, Kristof, Schreier, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Police Chief Jerome, Captain Ferguson and Clerk Duncan were present. Member Crane and Fire Chief Fletcher were absent.

Roll Call by Clerk Duncan.

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

Motion by Fowler, second by Zimmerlin to approve the October 17, 2023 Regular Meeting Minutes. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the November 2, 2023 Special Meeting Minutes as presented. All yeas, motion carried.

Ann Stammen, Brookville Baseball Club (BBC) President, requested Council approval of the 2024 BBC Opening Day Parade on April 27, 2024 beginning at 10:00 a.m. Line-up will begin on Carr Drive at 9:00 a.m.

Motion by Schreier, second by Wilder to approve the 2024 Brookville Baseball Club Opening Day Parade on April 27, 2024 as presented. All yeas, motion carried.

Ms. Stammen also requested approval of the 2024 Community Picnic 5K Run on July 27, 2024, beginning at 8:00 a.m., with set-up beginning at 6:00 a.m. The run will follow the traditional route.

Motion by Kristof, second by Fowler to approve the 2024 Community Picnic 5K Run on July 27, 2024, beginning at 8:00 a.m. All yeas, motion carried.

Mayor Letner announced the Business of the Month is DMAX Ltd.

Rhonda McCoy, Brookville Operations Manager and Aaron Allen, Safety Manager at DMAX Ltd, gave a brief presentation about DMAX, which builds diesel engines for General Motors. Their home site is in Moraine, Ohio and the Brookville plant has been open for three years. The Brookville plant will soon be expanded to the size of three football fields. There is such a high demand for the L5P Duramax 6600 Diesel Engine that Brookville is the overage for the Moraine plant. The Moraine plant employs 783 and the Brookville plant employs 81 people across three shifts. DMAX ships 882 engines per day. The engines are built for the GMC Sierra, Chevy Silverado, JLTV Marine Diesels, commercial fishing boats and Navistar, who builds Commercial duty trucks in Springfield, Ohio. Ms. McCoy advised the Moraine workers will be coming to Brookville over the next few years as the plant is expanded. Future plans for the Moraine plant have not yet been announced. Ms. McCoy stated DMAX is happy to be here and strives to be a good community partner. They have worked with the school to adopt families during the holidays and donated bikes as prizes for the school reading program.

Manager Keaton reported the School Resource Officer Agreement between the City of Brookville and Brookville Local Schools expired on July 31, 2023. She has spoken with Chief Jerome and Superintendent Woods, and both would like to continue with this program. Manager Keaton requested Council authorization to enter into a three-year Agreement with Brookville Local Schools to continue the School Resource Officer Program retroactive to August 1, 2023 with

Brookville Schools and the City each paying 50% of the wages and benefits of the School Resource Officer.

Motion by Fowler, second by Zimmerlin to authorize Manager Keaton to enter into a three-year Agreement with Brookville Local Schools to continue the School Resource Officer Program retroactive to August 1, 2023 with Brookville Schools and the City each paying 50% of the wages and benefits of the School Resource Officer. All yeas, motion carried.

Manager Keaton requested Council adopt proposed Resolution No. 23-35, which declares the necessity of constructing, replacing, or repairing sidewalks, curbs, and gutters in the second phase of the Hay Avenue Reconstruction Project. This Resolution requires the property owner to replace their curbs and sidewalks within 31 days after they receive notice from the City. All property owners have been instructed that this Resolution is a necessity to begin this project. They were encouraged not to replace on their own as the City receives better pricing with bidding the project out, and the curbs and walks will look more uniform.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 23-35. All yeas, motion carried.

Motion by Kristoff, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 23-35 entitled "A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING, REPLACING OR REPAIRING CERTAIN SIDEWALKS, CURBS AND GUTTERS IN THE CITY OF BROOKVILLE, OHIO AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Manager Keaton reported bids were opened last Friday for the N. Wolf Creek Water Main Replacement Project. Surprisingly, we only received four bids. Manager Keaton advised Council has a copy of the bid tabulation and requested Council adopt proposed Resolution No. 23-36 under New Business, which tentatively awards the contract for the N. Wolf Creek Water Main Replacement Project. This Resolution is a requirement to be submitted to Ohio EPA-DEFA within one week after bids are received. The contractor still needs to supply their DBE paperwork and we are also contacting references as we are not familiar with Performance Site Development, LLC. That is the reason for tentatively awarding the contract.

Motion by Wilder, second by Kristof to read proposed Resolution No. 23-36. 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. 23-36 entitled "A RESOLUTION TENTATIVELY AWARDING THE CONSTRUCTION CONTRACT FOR THE WOLF CREEK WATER MAIN REPLACEMENT PROJECT IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY." All yeas, motion carried.

Manager Keaton requested Council authorization to enter into a one-year contract with the Montgomery County Public Defender for 2024. This Agreement allows the County to provide legal representation to indigent adults charged with a violation of an ordinance of a municipal corporation for which the penalty or possible adjudication includes potential loss of liberty. The 2024 Agreement is the same as the 2023 Agreement with the exception of a 2.5% rate increase. The 2024 rate will be \$192.79 per case. To date we had zero cases in 2023; we had two cases in 2022 and zero cases in 2021.

Motion by Fowler, second by Schreier to enter into a one-year contract with the Montgomery County Public Defender for 2024 at a cost of \$192.79 per case. All yeas, motion carried.

Manager Keaton requested Council authorization to allow the Clerk to advertise for the open Planning Commission seat effective January 1, 2024.

Motion by Zimmerlin, second by Fowler to authorize Clerk Duncan to advertise for the open Planning Commission seat effective January 1, 2024. All yeas, motion carried.

Manager Keaton reported the concrete work has been completed at Golden Gate Park. The contractor is finishing up seeding at Golden Gate Park. Work will begin this week at Westbrook Park and then the CDBG Park Improvements project will be completed.

Manager Keaton reported the construction of our Level 2 EV chargers is scheduled to begin in May 2024.

Manager Keaton reported the Downtown Christmas Tree Lighting will take place on Market Street in Gruenig Park on Wednesday, November 29 from 6:00 to 8:00 p.m.

Manager Keaton reporting opening night for Christmas in the Park is Friday, December 1 at Golden Gate Park from 6:00 to 8:00 p.m. This is a drive-thru event, with lights to be displayed nightly for the month of December.

Manager Keaton reported she received a call from Vogel's Nursery that they are going out of business, and all inventory was marked down 60%. The City purchased nine Maple & Oak and five Norway Spruce trees to be planted in GG Park.

Manager Keaton reported the leaf machine is currently out of service. Our mechanic should have it repaired later this week.

Finance Director Brandt presented the October 31, 2023 Fund Balance for Council review and approval.

Motion by Zimmerlin, second by Fowler to approve the October 31, 2023 Fund Balance. All yeas, motion carried.

Finance Director Brandt requested Council authorization to transfer \$200,000 to the Street Fund from the General Fund, which is only a portion of the total amount appropriated.

Motion by Wilder, second by Schreier to authorize the transfer of \$200,000 to the Street Fund from the General Fund as appropriated. All yeas, motion carried.

Captain Ferguson reported the Fire Department responded to 157 calls for service during the month of October. EMS calls were average and Fire calls were down more than 17% over this time last year.

Captain Ferguson reported the Fire Department has completed the Fire Prevention education program. Rather than use the Fire Safety house, each classroom was visited this year. This approach was well received by the students and the teachers.

Captain Ferguson reported he and Firefighter Sloane taught three CPR classes during the month of October.

Police Chief Jerome reported the Ghostly Night Out event was well-attended and well received by the community. He estimated over 1,000 people attended and thanked all of the Police Officers and volunteers who helped make the event a success.

Police Chief Jerome reminded everyone the annual Veterans Day luncheon sponsored by Brookville and Clay Township Police Departments will be held at Rob's Restaurant on Friday, November 10, 2023.

Law Director Stephan reported proposed Ordinance No. 2023-12 establishes a zoning district for the newly annexed territory of 113.562 acres. Planning Commission made an initial recommendation of R-1A Suburban Residential District for this annexed land at its October 19, 2023 meeting. Law Director Stephan advised a Public Hearing on the proposed Ordinance will be held on December 5, 2023 at 8:00 pm to receive public comments on the proposed zoning for this annexed land.

Motion by Zimmerlin, second by Kristof to read proposed Ordinance No. 2023-12. All yeas, motion carried.

Motion by Kristof, second by Schreier to accept the first reading of proposed Ordinance No. 2023-12. All yeas, motion carried.

Law Director Stephan reported on October 31, 2023, the Montgomery County Board of County Commissioners approved the annexation of 85.611 acres from Clay Township to the City of Brookville. This property is located on Upper Lewisburg Salem Road. The City will now need to wait 60 days before City Council can take action to accept the annexation.

Mayor Letner reported Ghostly Night Out was a great event. The weather was perfect and the kids were obviously happy to be there. Mayor Letner thanked Brookville Police Administrative Assistant Ronda Dittrick for organizing all of the volunteers. It went off without a hitch and everyone had a great time.

Mayor Letner reported the Chamber of Commerce dinner was great and thanked the Brookville Area Chamber of Commerce for hosting.

Mayor Letner thanked DMAX for being the business of the month.

Member Wilder commented there is another window broken out of the abandoned oil and lube shop on Wolf Creek Street and asked what the status is of this building?

Law Director Stephan replied City Staff is working on moving forward with demolition of the property.

Mayor Letner reported that last February, Planning Commission Chairperson Ryan Henderson brought to our attention that there is no streetlight at the Safe Routes to School intersection at Westbrook Road and Western Avenue. It took a while, but Manager Keaton has managed to get a streetlight installed here and the crosswalk is now well lit for our students.

Member Fowler, Park Board Liaison, reported the Optimist Club Pumpkin Walk was a huge success. The Parks look beautiful and the new sidewalks at Westbrook Park look great.

Member Schreier, Planning Commission Liaison, reported Planning Commission recommended the Ordinance to Council on the recent annexation.

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



Kimberly Duncan, Clerk



Charles Letner, Mayor