

Brookville City Council
Regular Meeting
November 21, 2023

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on November 21, 2023. The meeting was held in the City Council Chambers and virtually using the Cisco Webex application. The Pledge of Allegiance was recited. Members Crane, Fowler, Kristof, Schreier, Wilder and Zimmerlin; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present.

Roll Call by Clerk Duncan.

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

Motion by Wilder, second by Kristof to accept the November 7, 2023 Special Meeting Minutes as presented. Crane abstained, Fowler yea, Zimmerlin yea, Schreier yea, Wilder yea, Kristof yea, Letner yea. Motion carried with six yeas and one abstention.

Motion by Wilder, second by Schreier to approve the November 7, 2023 Regular Meeting Minutes. Fowler yea, Zimmerlin yea, Schreier yea, Wilder yea, Kristof yea, Crane abstained, Letner yea. Motion carried with six yeas and one abstention.

Motion by Fowler, second by Zimmerlin to accept the November 9, 2023 Special Meeting Minutes as presented. Zimmerlin yea, Schreier yea, Wilder yea, Kristof yea, Crane abstained, Fowler yea, Letner yea. Motion carried with six yeas and one abstention.

Manager Keaton reported since 2011, the City has been participating in an Electric Generation Supply Agreement through the Miami Valley Communication Council for the City's electric accounts. Brookville participates with 25 other entities in an electric generation supply consortium. Our current Agreement with Interstate Gas Supply, otherwise known as IGS, expires May 2024. IGS has proactively managed our accounts and identified opportunities to "refinance" the contract mid-term. 2022 was a record year for volatility in the electric market. There were 46 days where the price changed by 7% or greater, and through October of this year, there were 21 days where price change was 7% or greater. Due to volatility in the electric market, IGS revisited the rate structure, and they are recommending we extend our current contract through December 2026 at a rate of \$0.05995 per kWh. Our current rate is \$0.04387 per kWh, which continues through the April 2024 meter reading date. For comparison purposes, AES Ohio's current rate is \$0.1081 per kWh, and the MVCC aggregation rate is \$0.06570 per kWh. Manager Keaton advised Council has been provided the MVCC electric rate history back to 2011. Manager Keaton requested Council authorization to sign Amendment No. 6 to the General Supply Agreement that will provide a locked in rate of \$0.05995 per kWh, beginning with the meter reading date in May 2024, through the meter reading date in December 2026.

Motion by Wilder, second by Fowler to authorize Manager Keaton to sign Amendment No. 6 to the General Supply Agreement that will provide a locked in rate of \$0.05995 per kWh, beginning with the meter reading date in May 2024, through the meter reading date in December 2026. All yeas, motion carried.

Manager Keaton reported we received notification from the Ohio Division of Liquor Control that Casey's Marketing Co. has requested the transfer of a TREX permit from one of Casey's stores to their proposed new location at 945 Arlington Road. City Council has the ability to request a hearing on the advisability of issuing that transfer, or they can choose not to request a hearing. Manager Keaton advised she met with Chief Jerome as our Police Department receives the same notice, and he does not have any concerns with this transfer. Manager Keaton recommended that Council choose not to request a hearing on this transfer.

Motion by Schreier, second by Zimmerlin to waive the hearing on the transfer of a TREX permit from one of Casey's stores to their proposed new location at 945 Arlington Road. All yeas, motion carried.

Manager Keaton stated Council and residents may have noticed new markings on Wolf Creek Street from Main Street to Gaines Street, and on Western Avenue from Wolf Creek Street to the bridge. This is a Centerpoint natural gas replacement project scheduled for early 2024, and Ritter is currently locating existing utilities.

Manager Keaton gave a shout out to our Service Department personnel who are picking up leaves this year. They have done an incredible job staying on top leaf pick-up. Manager Keaton advised leaf pickup will continue through December 8.

Manager Keaton reported the Service Department has been busy the last two weeks with winterizing the concessions stands and removing the fountains at Golden Gate and Gateway parks. They also hung Christmas lights on the trees on Market Street, Gateway Park, and the exterior fence at Golden Gate Park.

Manager Keaton reminded everyone the Downtown Brookville Tree Lighting is Wednesday, November 29 from 6:00 to 8:00 p.m. in Gruenig Park on Market Street. Opening night for Christmas in the Park is Friday, December 1 from 6:00 to 8:00 p.m. in Golden Gate Park.

Manager Keaton reported she learned yesterday that the Natural Gas Aggregation RFP went out and proposals are due back December 13.

Manager Keaton reported the SRO Agreement was approved by the School Board last evening.

Manager Keaton wished everyone a Happy Thanksgiving!

Finance Director Brandt requested Council authorization to transfer \$3,000 to the Note Retirement from the General Fund, which is a portion of the amount appropriated.

Motion by Zimmerlin, second by Kristof to authorize Finance Director Brandt to transfer \$3,000 to the Note Retirement from the General Fund, as appropriated. All yeas, motion carried.

Finance Director Brandt advised proposed Resolution No. 23-38 is to request an advance of Real Estate Taxes collected in 2024 for tax year 2023.

Finance Director Brandt requested a Budget Work Session prior to the first Council meeting in December.

The Budget Work Session was set for 6:00 p.m. on December 5, 2023.

Motion by Fowler, second by Zimmerlin to read proposed Resolution No. 23-38. All yeas, motion carried.

Motion by Kristof, second by Wilder to accept the first reading of proposed Resolution No. 23-38. All yeas, motion carried.

Fire Chief Fletcher had no report.

Police Chief Jerome reported Incidents and Traffic Stops are up for the month of November.

Police Chief Jerome reported the Police Department will be busy with the Downtown Tree Lighting and Christmas in the Park events next week.

Member Zimmerlin asked what the impact of the passage of Issue 2 will be on the City of Brookville?

Police Chief Jerome replied there is a bill currently in the House of Representatives associated with Issue 2. The Police Chief's Association is working with legislators to determine how that will work for cities and municipalities. Police Chief Jerome commented that some of the things that will come with legalized marijuana will be lower productivity, OVI's and homelessness.

Member Zimmerlin stated his concern is the regulation and proximity of dispensaries in relation to the schools and children.

Police Chief Jerome replied this is one of the items that the Police Chief's Association is working through. He does not have many details right now but will report to Council as soon as he is advised.

Fire Chief Fletcher commented that Manager Keaton also gave the Fire and Police Chiefs the opportunity to participate in a webinar sponsored by the Ohio Municipal League on the specifics of the passage of Issue 2. Fire Chief Fletcher stated the City is still a drug free workplace so our policies and procedures will have to be in line with what we can legally enforce.

Law Director Stephan reported at the November 16, 2023 Planning Commission Meeting, Planning Commission approved a site plan for the construction of a Casey's Convenience Store/Gas Station to be located at 945 Arlington Road. Planning Commission also approved a Subdivision Record Plan for the Casey's project. The Subdivision Record Plan will combine Lots 2175 and 2176 in the Brookville Retail and Industrial Campus into a single 3.419-acre lot for the Casey's Project. The proposed project is to construct a 4,350 square foot convenience store and a 2,500 square foot automobile fueling canopy with four double sided fuel dispensers and a three-lane, 1,700 square foot diesel fueling canopy. Planning Commission spent a lot of time reviewing the plan, along with the signage, setbacks and landscape buffer. Law Director Stephan requested Council approval of the Casey's Record Plan.

Member Fowler commented there was some discussion about putting in a stop light in that area at some point and asked what the typical cost would be to install a stop light?

Law Director Stephan replied installing a traffic light would cost at least \$100,000. Law Director Stephan stated if this project moves forward, along with the DMAX project, we will definitely need a traffic light at that intersection.

Manager Keaton commented we have had discussions with ODOT regarding grant assistance for a light at that intersection in the future.

Member Zimmerlin inquired whether there will be an entrance on Arlington Road as well as West Campus Boulevard?

Law Director Stephan replied that is correct.

Motion by Fowler, second by Kristof to approve the Casey's Record Plan as presented. All yeas, motion carried.

Law Director Stephan reported Planning Commission also approved a site plan for the construction of a Hilton Hotel on property located between Triggs Road and Upper Lewisburg-Salem Road. Planning Commission also approved the Parkview Commercial Subdivision-Section Three Subdivision Record Plan for this project. This subdivision plat creates a 3.007-acre lot for the hotel, and a 1.191-acre lot for a future restaurant. Law Director Stephan commented the proposed hotel will be an extended stay hotel, with 121 rooms. The subdivision provides for a private street to run between Triggs Road and Upper Lewisburg Salem Road. Law Director requested Council approval of the Parkview Commercial Subdivision-Section Three.

Member Fowler inquired if staff had looked at reducing the required amount of parking spaces to allow for a full street to run through versus a private street?

Law Director Stephan replied we could reduce the number of parking spaces, which would give us a little more room if we wanted to go to a public street. We would have to decide whether we wanted to build the street to full size, which would encourage more traffic.

Member Fowler asked how many parking spaces we would have to eliminate to make it a public street?

Law Director Stephan replied 10-20 spaces. If Council wants staff to work towards a public street, we can work through that with the engineer and with the hotel.

Member Zimmerlin commented this street will likely become a traffic turnaround for semi-trucks. If we make it a public street, the City will be responsible for the maintenance and repairs of this street.

Mayor Letner commented Hilton Hotels are good at keeping the street private. As a private street, Hilton would be responsible for maintenance, plowing and policing it.

Motion by Kristof, second by Fowler to approve the Parkview Commercial Subdivision-Section Three as presented. All yeas, motion carried.

Law Director Stephan reported Tik Tacos on Market Street will open for business on Friday, November 24, 2023.

Mayor Letner thanked the Police Chief and all the volunteers who participated in serving at the Veterans Day Luncheon. The stories you hear from the Veterans never get old. The Brookville students did a great job at the Veterans school program.

Mayor Letner announced AmVets is sponsoring a Thanksgiving Dinner at the VFW on Thanksgiving Day. The public is invited to attend.

Member Fowler, Park Board Liaison, reported Park Board and the service groups have started putting up the decorations for the Christmas in the Park event. The Brookville Area Chamber of Commerce donated \$1,000 for the Christmas in the Park event. Christmas in the Park begins on December 1 and will be open daily until New Years.

Member Schreier, Planning Commission Liaison, reported in addition to reviewing the Casey's and Hilton plans, Planning Commission also approved a Special Use for Pepcon Concrete Mixing on Sakura Drive.

Motion by Zimmerlin, second by Fowler to go into Executive Session regarding O.R.C 121.22(G)(1) to consider the appointment of a Public Official. All yeas, motion carried.

Motion by Schreier, second by Kristof to go back into Regular Session. All yeas, motion carried.

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



Kimberly Duncan, Clerk



Charles Letner, Mayor