

Brookville City Council
Regular Meeting
November 5, 2024

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on November 5, 2024. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Members Crane, Fowler, Piper, Schreier, Wilder and Zimmerlin; Manager Kuntz, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Finance Director Brandt was absent.

Roll Call by Clerk Duncan.

Motion by Schreier, second by Zimmerlin to accept the Agenda with an addition. All yeas, motion carried.

Motion by Zimmerlin, second by Piper to accept the October 15, 2024 Regular Meeting Minutes as presented. Crane yea, Fowler yea, Piper yea, Schreier yea, Wilder yea, Zimmerlin abstained, Letner yea. Motion carried with six yeas and one abstention.

Mayor Letner administered the Oath of Office to newly appointed Fire Department Lieutenant Kaleb Broomhall and Fire Department Lieutenant Justin Slone.

Mayor Letner administered the Oath of Office to newly appointed Police Officer Steven Gingry.

City Manager Kuntz reported all city board and commission members with expiring terms have been contacted and agreed to serve another term.

Motion by Piper, second by Crane to reappoint Ken Claggett and Ryan Henderson to three-year terms on Planning Commission; Tony Perry to a five-year term on the Board of Zoning Appeals; Loren Wilson to a four-year term on Park Board; and Shari Fowler to a two-year term on the Board of Tax Review. All yeas, motion carried.

Manager Kuntz reported Park Board President Adam Blevins has nominated Brookville resident Jared Ledford to fill the unexpired Park Board term vacated by Carolyn Haney, which expires at the end of 2026. Manager Kuntz requested City Council approve this nomination.

Motion by Zimmerlin, second by Fowler to appoint Jared Ledford to fill the unexpired term on Park Board vacated by Carolyn Haney, which expires on December 31, 2026. All yeas, motion carried.

Manager Kuntz reported staff has received two liquor permit applications from the Ohio Department of Commerce, Division of Liquor Control. The first is for the transfer of a C1 and C2 license from Brookville Drive Thru LLC to Nick Price Enterprises, Inc., DBA The Red Barn Drive Thru, located at 408 Main Street. The second application is for a new D2 & D3 liquor license for Tipsy Treats at the Scoop LLC, 230 Market Street. Manager Kuntz stated if City Council would like to object, request a hearing or file a 30-day extension to make that decision, staff must notify the state within 30 days of the "mailed" date of both notices.

Upon hearing no objections or concerns, Manager Kuntz advised staff will notify the Ohio Division of Liquor Control that City Council has waived the right to a hearing on these liquor permit applications.

Manager Kuntz presented a Special Event application from the Brookville Area Chamber of Commerce for the annual Downtown Brookville Tree Lighting event, hosted by the Brookville Area Chamber of Commerce, is scheduled for December 4, 2024 from 6:00 p.m. until 8:00 p.m. at Gruenig Park. The proposed Special Event application also lists the downtown area will be

blocked on Market Street from O'Riley's to Sycamore and Mulberry and Walnut Streets between Market and Hay. Manager Kuntz advised city staff will work with the Chamber to ensure everything is done in a safe and appropriate manner and requested Council approval of the application.

Motion by Zimmerlin, second by Crane to approve the Special Event permit for the annual Downtown Brookville Tree Lighting event on December 4, 2024 from 6:00 p.m. until 8:00 p.m. at Gruenig Park.

Manager Kuntz reminded everyone of the upcoming annual Miami Valley Planning & Zoning Workshop at Sinclair Community College on December 6. Members should RSVP to Clerk Duncan if they are interested in attending.

Manager Kuntz thanked the Brookville Police Department and all the volunteers and vendors who came out for the Ghostly Night Out event. It was an awesome crowd, and everyone seemed to have a great time throughout the evening. Manager Kuntz also thanked the Brookville Optimist Club for organizing and hosting the annual Pumpkin Walk on November 2. This is a great event which is always enjoyed by the entire Brookville community and all the time and effort spent by the volunteers to make it a reality is greatly appreciated.

Manager Kuntz reported the city's first Age Friendly Lunch and Learn is scheduled for November 14 at the Leiber Center. This program offers seniors and retirees a free lunch Officer Wilson from the Brookville Police Department as a guest speaker who will be discussing ways to make sure the community can stay safe from fraud and identify theft. Interested participants need to RSVP by November 6, by calling Ronda at 937-833-2001 x 4 or emailing at Rdittrick@brookvilleohio.com.

Manager Kuntz reported in addition to their normal day-to-day services, the Service Department has been very busy assisting all the various outreach programs over the past several weeks. Leaf pick-up also began last week.

Manager Kuntz congratulated the Brookville Marching Band on winning the Goodwill Challenge. Brookville residents donated 62,000 pounds of clothing and household items. Manager Kuntz also congratulated the Brookville Volleyball Team on winning the district championship for the first time since 1991.

Manager Kuntz reminded everyone that utility bills are due November 6, 2024.

Finance Director Brandt requested Council approval to transfer \$452,167.35 from the Local Fiscal Recover Fund into the Water Fund. This is the final transfer for the Wolf Creek Street Project ARPA/ODOD grant funds received and repaying the water fund. Finance Director Brandt also requested approval to transfer \$125,000 from the General Fund to the Street Fund.

Motion by Zimmerlin, second by Wilder to authorize the transfer of \$452,167.35 from the Local Fiscal Recover Fund into the Water Fund. All yeas, motion carried.

Motion by Schreier, second by Fowler to authorize the transfer of \$125,000 from the General Fund to the Street Fund. All yeas, motion carried.

Finance Director Brandt advised Ordinance No. 2024-14 is before Council tonight for a first reading. This Ordinance is to assess the property owners for the balances remaining on the Hay Avenue Phase II project for Sidewalk, Curb, and Gutter replacements.

Motion by Zimmerlin, second by Piper to read proposed Ordinance No. 2024-14. All yeas, motion carried.

Motion by Wilder, second by Fowler to accept the first reading of proposed Ordinance No. 2024-14. All yeas, motion carried.

Fire Chief Fletcher reported the amount of calls during the month of October was average. Fire Prevention activities kept both Captain Ferguson and Administrative Assistant Brittany Ferguson busy during the month. Fire Chief Fletcher thanked both of them for their hard work to make the activities successful.

Police Chief Jerome thanked everyone who volunteered or contributed financially to Ghostly Night Out, stating the event would not be possible without community support. Police Chief Jerome stated Trick or Treat also went well with no incidents.

Police Chief Jerome announced Bridge Credit Union sponsored the entire Veterans Day Luncheon at Rob's Restaurant on November 12, 2024. Police Chief Jerome commented the luncheon will be held on Tuesday as Rob's Restaurant is closed on Monday. The school will have their annual Veterans Day program on Monday. Police Chief Jerome encouraged all veterans to attend this free luncheon.

Law Director Stephan requested an Executive Session under O.R.C. 121.22 (G)(3). Law Director Stephan recommended Mayor Letner and Vice Mayor Zimmerlin abstain from the motion and the session.

Motion by Schreier, second by Fowler to go into Executive Session under O.R.C. 121.22 (G)(3) to consult with an attorney for the public body concerning pending or imminent court action. Crane yea, Fowler yea, Piper yea, Schreier yea, Wilder yea, Zimmerlin abstained, Letner abstained. Motion carried with five yeas and two abstentions.

Motion by Fowler, second by Piper to go back into Regular Session. All yeas, motion carried.

Law Director Stephan reported on November 5, 2024 the city received a formal protest filed by Attorney Dennis Leiberman on the recall petitions on Mayor Letner and Council Member Zimmerlin. Law Director Stephan requested proposed Resolution No. 24-22 and Resolution No. 24-23 be tabled until the next Council meeting in order to review the filing with the Board of Elections and schedule the matter for a hearing.

Motion by Crane, second by Schreier to table proposed Resolution No. 24-22. Crane yea, Fowler yea, Piper yea, Schreier yea, Wilder yea, Zimmerlin abstained, Letner abstained. Motion carried with five yeas and two abstentions.

Motion by Crane, second by Piper to table proposed Resolution No. 24-23. Crane yea, Fowler yea, Piper yea, Schreier yea, Wilder yea, Zimmerlin abstained, Letner abstained. Motion carried with five yeas and two abstentions.

Mayor Letner reported he presented a proclamation to Dr. Jeffrey Studebaker last week, who retired after 44 years of service to the residents of Brookville.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 24-21. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the first reading of proposed Resolution No. 24-21. All yeas, motion carried.

Member Fowler, Park Board Liaison had no report.

Member Schreier, Planning Commission Liaison, had no report.

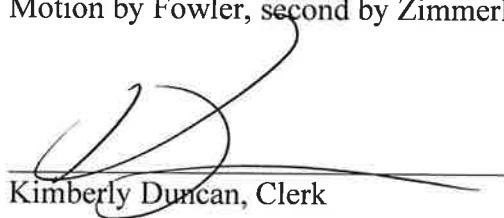
Bruce Garber, 434 Sycamore Street, congratulated Barrett's Paving and the city's service department for the great job they did on the recent Wolf Creek resurfacing project. Mr. Garber also commended Brookville residents on winning the Goodwill Drive to victory. Mr. Garber referred to tabling the proposed resolutions and asked if the special election date would also be moved by two weeks.

Law Director Stephan replied staff is hoping to keep the same special election dates.

Matthew Williamson, 277 Johnsville Brookville Road, asked if the burn ban is still in effect?

Fire Chief Fletcher replied the burn ban is in effect from 6:00 a.m. until 6:00 p.m. through the month of November.

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



Kimberly Duncan, Clerk



Charles Letner, Mayor