

Brookville City Council  
Regular Meeting  
October 1, 2024

The Regular Meeting of the Brookville City Council was called to order by Vice Mayor Zimmerlin at 7:30 p.m. on October 1, 2024. 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, Piper, Schreier, Wilder and Zimmerlin; Manager Kuntz, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Mayor Letner was absent.

Roll Call by Clerk Duncan.

Motion by Schreier, second by Piper to accept the Agenda as presented. All yeas, motion carried.

Motion by Wilder, second by Schreier to accept the September 17, 2024 Regular Meeting Minutes as presented. Wilder yea, Schreier yea, Fowler abstained, Crane yea, Piper yea, Zimmerlin yea. Motion carried with five yeas and one abstention.

Manager Kuntz reported the Wolf Creek Road resurfacing project began yesterday and should be completed in five to ten business days.

Manager Kuntz advised the city employee organizational chart needs to be updated to accommodate the new Zoning Code Enforcement Officer position and who that person reports to. The old chart had this position under the Assistant City Manager which is currently empty with no plans to fill it. Manager Kuntz reported staff has extended a conditional offer of employment to a candidate, with the condition that the organizational chart is amended, and that City Council adopts proposed Resolution No. 24-18, which will establish a new pay scale for this position.

Motion by Fowler, second by Wilder to adopt the amended organizational chart as presented. All yeas, motion carried.

Manager Kuntz advised the Service Department has been very busy recently, including paving Albert Road, Westbrook Road and Foothill Drive, installing a hydrant at Sycamore and Lisa Court and installing new concrete blocks at the north Speedway dead end to prevent semi-trucks from parking and backing into that field. They also built a new dump site with concrete blocks at the garage, repaired the street sweeper, inspected all job sites and trimmed vegetation in the ditch at Salem and Walnut Streets.

Manager Kuntz thanked the Service Department for their diligence in cleaning up the storm debris from the storm cell that came through last week. Manager Kuntz also thanked the Police and Fire Departments for their response during the storm. Manager Kuntz reported the City is currently offering free storm debris removal for residents. Brush should be placed at the curb and residents can call the city office to be placed on the pick-up list.

Manager Kuntz reported the city sustained storm damage to a swing set at Ward Park and a shelter at Westbrook Park. Staff is looking at the cost to replace and weighing whether it would be better to repair these items in-house or place a claim with our insurer.

Manager Kuntz announced Pure Beauty Bar at 21 Market Street is having a Grand Opening Celebration and ribbon cutting this Saturday, beginning at 10:00 a.m.

Manager Kuntz reported the new business Mulberry & Main, located at the old fire station, is also gearing up for their grand opening very soon.

Manager Kuntz reported Beggars Night in Brookville will be held on Thursday, October 31<sup>st</sup> from 6:00 p.m. until 7:30 p.m.

Finance Director Brandt requested Council waive the second and third reading of and approve proposed Resolution No. 24-18, which establishes a new wage scale for the Zoning Code Enforcement Officer position.

Motion by Fowler, second by Schreier to read proposed Resolution No. 24-18. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-18 entitled "A WAGE RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR SEASONAL AND/OR TEMPORARY AND PERMANENT PART-TIME HOURLY CITY EMPLOYEES." All yeas, motion carried.

Finance Director Brandt requested Council set the annual budget meeting for 6:00 p.m. on December 3, 2024, prior to the regular Council meeting.

The consensus was to approve this date and time.

Fire Chief Fletcher reported September was a busy month, especially with the storm that came through last week. Fire Chief Fletcher thanked AES employee Casey Little for keeping the community up to date with AES progress on getting the power restored to all Brookville residents.

Fire Chief Fletcher advised the power outages due to the storm emphasized the need for underground electric to the park, particularly to monitor the levels in the water tower.

Fire Chief Fletcher announced the State Fire Marshall still has a burn ban in place for Ohio residents due to the drought.

Police Chief Jerome commended the scouts in attendance who are working toward earning their merit badges.

Police Chief Jerome reported the Cones with Cops event at What's the Scoop went well and thanked those who attended.

Police Chief Jerome reported the Brookville High School Band's March-a-thon fund raiser has been rescheduled for October 19, 2024.

Police Chief Jerome reported Brookhaven will host a Coffee with a Cop event on October 2 and Scramble by Café 19 will host the Coffee with a Cop event on October 9. The annual Veteran's Day Lunch will be held on November 12 at Rob's Restaurant.

Police Chief Jerome reminded everyone to follow the 9 pm Routine to help prevent thefts from cars and other crimes during the midnight hours. This will help our Police Officers, who are working diligently to prevent these crimes.

Law Director Stephan reported at the September 19, 2024 Planning Commission meeting, Planning Commission approved a preliminary plat for Arlington Woods II Subdivision. A copy of the approved preliminary plat is attached to this memorandum. The plan provides for 64 lots to be developed in three phases. The subdivision is located on Westbrook Road west of the existing Arlington Woods Subdivision. The proposed subdivision is 23.952 acres and included County Auditor Parcels C05 00314 0057 and C05 00314 0063. The property is zoned R-1B Urban Residential District. This property was part of 78.11 acres annexed to the City of Brookville on September 3, 1991. The property was zoned R-1B on December 3, 1991.

Planning Commission also approved the Final Subdivision Record Plan for the first phase of Arlington Woods II Subdivision. Arlington Woods II Section One Final Subdivision Plan contains 25 lots for single family housing that will be built in the first phase of this project. The Arlington Woods II Section One Final Subdivision Plan also provides for the completion of the extension of Meadow Glen Avenue to Westbrook Road. The record plan is consistent with the preliminary plat for this subdivision that Planning Commission approved at the September 19, 2024 meeting. The builder in this subdivision will be Arcon Builders located in Arcanum, Ohio. They will be building single family homes that will have a minimum of 1800 square feet of living area. The covenants and restrictions on the subdivision will be substantially the same as those covenants and restrictions in the original Arlington Woods subdivision that abuts the east side of this new subdivision. Law Director Stephan requested that City Council approve the Final Subdivision Record Plan for Arlington Woods II Section One.

Motion by Fowler, second by Piper to approve the Arlington Woods II Section One Final Subdivision Record Plan as presented. All yeas, motion carried.

Vice Mayor Zimmerlin welcomed Scout Troop 5047 and thanked them for attending.

Motion by Schreier, second by Wilder to read proposed Resolution No. 24-17. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the second reading of proposed Resolution No. 24-17. All yeas, motion carried.

Manager Kuntz reported proposed Resolution No. 24-19 is to authorize the City Manager to enter into a contract with Envision Group LLC to perform the Comprehensive Land Use Plan Update. Envision Group was one of six companies that submitted a proposal and was chosen by the Selection Steering Committee composed of the Brookville Planning Commission Chairperson, Mayor Letner representing City Council, a representative from MVRPC, Law Director Stephan and Manager Kuntz. Manager Kuntz requested Council dispense with the second and third reading and declare it an emergency in order to move forward with the contract as soon as possible.

Motion by Schreier, second by Fowler to read proposed Resolution No. 24-19. All yeas, motion carried.

Motion by Wilder, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-19 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ENVISION GROUP LLC TO PERFORM THE CITY'S COMPREHENSIVE LAND USE PLAN UPDATE." All yeas, motion carried.

Member Fowler, Park Liaison, had no report.

Member Schreier, Planning Liaison, reported Planning Commission heard and recommended to City Council the Arlington Woods Section One Preliminary Plan and Final Subdivision Record Plan.

Damian Kristof, 61 Oak Street, thanked the Police Department and their Chaplain for their support during the Purple Heart/Gold Star Family event at the library. Mr. Kristof also thanked AmVets and the VFW for participating in the event.

Rob Rutherford, 39 Wilderness Cove, thanked Council for everything that they do for the community. Mr. Rutherford stated he has listened to recent meeting minutes regarding zoning classifications, so he compared the zoning options of surrounding communities. Mr. Rutherford questioned Planning Commission's decision to propose 1.5-acre (65,000 square feet) city lots and skipped over .3-acre, .5-acre, .7-acre and 1-acre lot options. Mr. Rutherford questioned why the

proposed zoning jumped from .28 to 1.5 acre lots, stating he has been in finance for 30 years and he does not see how those large lots would be economically feasible. Mr. Rutherford stated he has also looked at the current Comprehensive Land Use Plan. There was a housing crisis in 2004 and a recession in 2007 and 2008, which is likely the reason that growth in Brookville was delayed for a number of years.

Bruce Garber, 434 Sycamore Street, also thanked homegrown resident Casey Little for her help during the power outages and homegrown resident Jason Stephan who helped kids into the school with an umbrella. Mr. Garber commended citizens for their spirit of community during the recent Goodwill Drive. Mr. Garber stated Council could have sent the proposed large lot zoning classification back to Planning Commission for revision. Mr. Garber feels the Moving Brookville Forward Group is being deceptive about Issue 2 protecting property rights of city residents and about which meetings overrode Planning Commission recommendations. Mr. Garber suggested Council had predetermined their votes on the proposed larger lot zoning and suggested Council Members were committing a breach of ethics. Mr. Garber called for the moratorium on annexations to be extended.

Michelle Ezerski, 237 Maple Street, stated the Moving Brookville Forward group is misleading people and that Issue 2 is not about anyone's property rights. It is purely about the zoning of the land across from the Fire Department.

Dave Kindell, 526 Meadow Glen, stated much of the land in the current Comprehensive Land Use Plan has not been developed. The population of Brookville has remained flatlined, with no significant growth. Mr. Kindell stated he is the former school board president and advised that Brookville Schools were built based on the Comprehensive Land Use Plan and with community input. The school was built with wings that can be expanded for growth if necessary. Mr. Kindell stated school enrollment is flatlined and most of the new homes are being purchased by current residents of Brookville. Mr. Kindell stated he agrees that Planning Commission should consider different layers of lot sizes. Mr. Kindell expressed concern over Planning Commission questioning the cost of homes during meetings and questioned whether Planning Commission members must give a reason if they vote no on a permitted use. Mr. Kindell also thanked the Council, Police and Fire Departments.

Jared Ledford, 441 Meadow Glen, expressed concern over the way the community is acting as a whole, stating it is embarrassing, not proud and progressive. Mr. Ledford encouraged people to get together in a public forum, not blast each other on Facebook. Mr. Ledford stated we are all lucky to live in Brookville, and we are not giving a great first look at Brookville. Mr. Ledford stated he also appreciates City Council.

Matthew Williamson, 277 Johnsville Brookville, stated the petition that is being circulated is about integrity, honesty and responsible planning. Mr. Williamson stated Brookville is a great school district. Mr. Williamson feels the presence of a vape shop and a growth facility is irresponsible planning.

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



Kimberly Duncan, Clerk



James Zimmerlin, Vice Mayor