

Brookville City Council
Regular Meeting
September 3, 2024

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on September 3, 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.

Roll Call by Clerk Duncan.

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

Motion by Piper, second by Schreier to accept the August 20, 2024 Regular Meeting Minutes as presented. Crane abstained, Fowler yea, Schreier yea, Zimmerlin yea, Wilder yea, Piper yea, Lettner yea. Motion carried with six yeas and one abstention.

Manager Kuntz reported the Wolf Creek Resurfacing Project will start the week of September 9. This ODOT managed project will include signage and flaggers where appropriate to ensure traffic control is better managed than previous projects.

Manager Kuntz reported we received six responses to the city's Request for Proposals for the city's Comprehensive Land Use Plan Update. The Steering Committee has scheduled interviews with several of the companies who submitted responses and hopes to have a recommendation for City Council at either the September 17 or October 1 City Council meeting.

Manager Kuntz advised due to staff scheduling and other projects currently underway, we are now looking to have the first senior program event at Lieber Center in November. Flyers and other marketing material will be distributed at the end of September.

Manager Kuntz reported the Hay Avenue bank drive-thru demolition is tentatively scheduled for September 14 and 15.

Manager Kuntz reminded everyone that this month's Third Thursday event is September 19, from 4:00 p.m. until 7:00 p.m. at Gruenig Park. The local business community is doing an awesome job driving this event and has created a special gathering in Historic Downtown Brookville.

Manager Kuntz reported the Brookville Fire Department has put together an Emergency Preparedness Guide for a variety of disasters. Interested residents can stop by the lobby of Station 76 for a free copy of this valuable resource guide. Manager Kuntz thanked the Fire Department for putting this together and making it available to the Brookville community.

Manager Kuntz reported the Brookville Police Department has recently rolled out their newest community outreach program, Project Chill, which is sponsored by 7-Eleven and Speedway. Officers are handing out free slurpee coupons to kids in the Brookville community, specifically recognizing & rewarding our kids for good behavior and safe practices.

Manager Kuntz reported the First Responder Friday program at the school helps introduce the community's youth to the great men and women of the fire and police departments and is another great opportunity for our staff to interact with the community on a weekly basis.

Manager Kuntz thanked the Service Department for their work at the Wastewater Treatment Facility cleaning up the burn trailers and other large items of training equipment/material for the Fire Department. After all the equipment and material was moved, the Service Department laid

asphalt grindings making the area much nicer. Manager Kuntz also provided a list of other items the Service Department has worked on over the past few weeks.

Manager Kuntz requested Council dispense with the second and third readings of proposed Resolution No. 24-15 and proposed Resolution No. 24-16 in order to meet the OPWC grant application deadline of September 11.

Manager Kuntz requested approval of Change Order #3 for the Hay Avenue, Phase II Project in the amount of -\$1,527.00 due to some contingency quantities included in the bid that were not used for the project.

Motion by Zimmerlin, second by Fowler to approve Change Order #3 for the Hay Avenue, Phase II Project in the amount of -\$1,527.00. All yeas, motion carried.

Finance Director Brandt had no report.

Fire Chief Fletcher reported the Fire Department participated in a high angle rescue at the edge of Sycamore State Park last week. This was an unusual call for the Fire Department, but everyone performed very well and completed the rescue without incident.

Police Chief Jerome reported What's the Scoop will host the Cones with Cops event on September 29 and Scramble by Café 19 will host the Coffee with a Cop event on October 9. Another upcoming event is Ghostly Night Out, which will be held at Golden Gate Park on October 19.

Police Chief Jerome reported the Police Department is not responding to stray animal calls as the Montgomery County Animal Resource Center and surrounding shelters are full to capacity. The public is encouraged to contain stray animals to an enclosed area and the Police Department will attempt to reunite the animals with their owners via Facebook.

Police Chief Jerome urged the public to be cautious of property deed fraud, which is becoming a nationwide problem. The County Recorder offers a free Fraud Alert Notification System to protect against fraudulent property transactions.

Law Director Stephan reported proposed Ordinance No. 2024-13 is before City Council for a first reading. This ordinance would establish a new rural residential zoning district for large lots for single-family housing. Planning Commission has made an initial recommendation to City Council for this ordinance. Upon approval of the first reading, a public hearing would be scheduled for October 1, 2024 to take public comment.

Member Zimmerlin inquired how this proposed zoning district would align with the Land Use Plan update?

Law Director Stephan replied the proposed zoning would provide a category for larger lots for single-family housing. The Land Use Plan will also make recommendations related to our zoning, which could be yea or nay with respect to this. The Land Use Plan may also suggest modifying it. Law Director Stephan advised staff is planning to update our zoning codes after the Land Use Plan is completed. Staff is moving forward with this now in order to provide this zoning option, but how we would apply it could be affected by the Land Use Plan.

Member Fowler inquired why we are going from a quarter acre lot in our existing zoning districts to a one-and-a-half-acre lot. Member Fowler stated he is in favor of having larger lot zoning districts, but we are skipping to much larger lots. Member Fowler stated he feels it would be best to wait for the updated Land Use Plan before creating any new zoning districts.

Member Schreier stated Planning Commission felt the new zoning classification would give us an additional option. We could look at adding additional zoning classification that would be between the one quarter acre and one and a half acre lots after the Land Use Plan is updated.

Member Fowler stated he is certainly in favor of half acre or one acre lots but thinks that one and a half acre lots inside the city is a little excessive. Member Fowler stated getting some guidance from the Land Use Plan would be prudent.

Mayor Letner reported the Optimists will be putting up the flags for Patriot Day next week. The program is up to 583 flags.

Motion by Fowler, second by Wilder to read proposed Resolution No. 24-14. All yeas, motion carried.

Motion by Wilder, second by Schreier to accept the third reading and adopt Resolution No. 24-14 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED." All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2024-10. All yeas, motion carried.

Motion by Piper, second by Schreier to accept the third reading and adopt Ordinance No. 2024-10 entitled "AN ORDINANCE AMENDING SECTION 961.16 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Fowler, second by Wilder to read proposed Ordinance No. 2024-11. All yeas, motion carried.

Motion by Piper, second by Fowler to accept the third reading and adopt Ordinance No. 2024-11 entitled "AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF ZONING PERMITS FOR RETAIL ESTABLISHMENTS PRIMARLY SELLING TOBACCO OR VAPING PRODUCTS IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Zimmerlin, second by Wilder to read proposed Ordinance No. 2024-12. All yeas, motion carried.

Motion by Schreier, second by Wilder to accept the second reading of proposed Ordinance No. 2024-12. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to table the first reading of proposed Ordinance No. 2024-13 until after the Land Use Plan update is completed. Wilder yea, Piper yea, Crane yea, Fowler yea, Zimmerlin yea, Schreier nay, Letner yea. Motion carried with six yeas and one nay.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 24-15. All yeas, motion carried.

Motion by Piper, second by Wilder to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-15 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED." All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 24-16. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the first reading, dispense with the second and third reading and adopt Resolution No. 24-16 entitled "A RESOLUTION AUTHORIZING THE CITY OF BROOKVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED." All yeas, motion carried.

City Manager Kuntz reported staff is working to find options that balance the concerns of residents and business owners regarding riding motorized scooters on the sidewalks in the downtown business district with our current legislation.

Police Chief Jerome advised an ordinance was passed in 2004 that prohibits skateboarding and rollerblading in the downtown business district, which includes several streets, alleys, sidewalks and public grounds within the downtown area. The ordinance does not prohibit scooters, which are classified as low speed micro mobility devices. Police Chief Jerome suggested implementing a public service campaign and educating young people about safety rather than adding more restrictions or enforcing speed limits. Businesses could also play a role in promoting safety by warning customers about the busy sidewalks and encouraging caution.

General discussion followed.


Damian Kristof, 61 Oak Street, invited everyone to a historical walk down Market Street, organized by the library and the Historical Society, on September 10, 2024 at 6:00 p.m. The library is also holding a dedication ceremony and reception on September 30 for the new Gold Star Family/Purple Heart parking spot at the library, with the sign donated by Mr. Jerry Ferrell.


Bruce Garber, 434 Sycamore Street, asked Council to reconsider adding the larger lot zoning classification now rather than waiting for the Land Use Plan Update. He also had concerns about a dip in the roadway in front of O'Reilly's and commended the residents of Brookville for winning the Goodwill challenge, stating it is a good representation of community spirit.

Mike Hughes, 278 Johnsville Brookville Road, suggested putting stanchions and chains at the business doors on Market Street to keep the kids on the outside of the sidewalks.

Mark Hayworth, 10352 Upper Lewisburg Salem Road, commented on the stray dog problem in Brookville, stating it is sad for the dogs.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor