

Brookville City Council
Regular Meeting
May 6, 2025

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on May 6, 2025. 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, Finance Director Brandt, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present.

Roll Call by Clerk Duncan.

Mayor Letner stated the Agenda should be corrected to read chapter 1353, not 1153, under New Business on the Agenda.

Motion by Fowler, second by Zimmerlin to accept the Agenda with a correction. All yeas, motion carried.

Motion by Piper, second by Fowler to accept the April 15, 2025 Regular Meeting Minutes as presented. Crane yea, Fowler yea, Piper yea, Schreier yea, Wilder yea, Letner yea, Zimmerlin abstained. Motion carried with six yeas and one abstention.

Todd Clemons, Brookville Soccer Association, requested permission to install field lights on Field 2 at Westbrook Soccer Park. The league serves approximately 350 kids per season and lights are needed in order to get all the games in before dark. The proposed lighting includes four 30-foot stadium lights, at a cost of approximately \$60,000, with partial funding of \$43,000 already secured. Mr. Clemons also discussed the need for a lightning detector and potential wiring for flagpoles at the soccer park.

Manager Kuntz advised Mr. Clemons previously presented the field light proposal to Park Board and they recommended Council approval of the project. City staff is willing to apply for grants on behalf of the Brookville Soccer Association to help fund the project.

Motion by Fowler, second by Zimmerlin to approve the proposal for field lights on Field 2 at Westbrook Park as presented, with funding to be secured by Brookville Soccer Association. All yeas, motion carried.

Manager Kuntz reported we have received seven letters of interest for the Charter Review Commission. Manager Kuntz suggested Council review the applicants and take action to appoint the commission at the next Council meeting.

Manager Kuntz reported last year, Council approved suggested changes to the Property Maintenance Code. With the city continuing to identify opportunities to implement a more proactive code enforcement program, staff has proposed additional changes and some commonsense additions to the code, many of which are similar to code sections the city previously had in place. The majority of changes are in the form of better defining what constitutes a property maintenance violation, additional definitions and some clerical edits. These changes will assist staff when filing charges against habitual violators in court.

Manager Kuntz reported he recently joined other jurisdictions, along with the Miami Valley Communications Council (MVCC) and our consultant, Palmer Energy regarding the status of both the electric and gas aggregation program for our residents. Manager Kuntz reported that Palmer Energy is recommending moving forward with the gas aggregation bid from Archer Energy, which is a 20-month fixed rate at \$6.90 per MCF. This would start with the October 2025 billing cycle.

Manager Kuntz reported since gas providers change their monthly pricing, based primarily on weather patterns and market scenarios, it is difficult to predict if there will be savings. However, this is providing a “price ceiling” for our residents for the next 20 months. If we have two warm winters, there may not be savings. If we have two cold winters, Palmer believes we will realize savings. Manager Kuntz reported bids on electric aggregation are due the first full week of May. Palmer Energy should have recommendations to MVCC by the end of the month. Manager Kuntz commented aggregation is simply locking in the top rate for our residents if they opt into the program. Residents are free to shop for better deals if they desire to do so.

Member Crane inquired how to convert the MCF figures to CCF in order to compare on the apples-to-apples website?

Manager Kuntz replied he will research this and report back to Council so they can make a more informed decision on the gas aggregation program.

Manager Kuntz Montgomery County has recently released some CDBG information to local communities, specifically regarding the status of the regional CDBG program and timeframes for submittals. They do have some remaining funds from previous funding cycles available for immediate disbursement via their newly named CDBG Accelerated Project Program. Staff has submitted a \$50,000 funding application for the Leiber Center Sidewalk Project, which would allow replacement of the sidewalk and curbs in front of the Leiber Center as well as extending the sidewalk towards the western parking lot. This would provide additional ADA compliance and accessibility for seniors and individuals with various mobility levels to access the Leiber Center. The Accelerated Project Program requires zero local match. If awarded, this project will be completed this summer.

Motion by Fowler, second by Wilder to authorize the city manager to apply for and accept CDBG Accelerated Project Program grant funds for the Leiber Center Sidewalk Project. All yeas, motion carried.

Manager Kuntz reported the traditional CDBG funding cycle is moving forward at this time and requested Council authorization to apply for and sign all documents associated with an application for a \$50,000 grant, with a 20% match to fund an update of the Leiber Center restrooms in order to make them more ADA compliant.

Motion by Zimmerlin, second by Schreier to authorize Manager Kuntz to apply for CDBG funding in the amount \$50,000 to fund a renovation of the Leiber Center restrooms for ADA compliance and to sign all documents related to the project. All yeas, motion carried.

Manager Kuntz requested Council accept all bids on the 2025 Brookville Street Resurfacing Project and award the project to Wagner Paving as the lowest and most responsive bidder. Manager Kuntz also requested Council authorization to sign all documents associated with this project, which includes the resurfacing of Maple Street, from Hay Avenue to Westbrook Road, E. Upper Lewisburg Salem Road, from the bridge to the exit of Golden Gate Park and Osage Street from Harshman Avenue to Western Avenue.

Motion by Wilder, second by Fowler to accept the 2025 Brookville Street Resurfacing Project bids and award the project to Wagner Paving, and to authorize the city manager to sign all documents associated with this project. All yeas, motion carried.

Manager Kuntz reported our street light contract with Miami Valley Lighting and DPL Energy Resources, Inc. expires on December 31, 2025. Recently, the Miami Valley Communications Council (“MVCC”) held a meeting with city managers from across the region to discuss the upcoming street light contract negotiations. MVCC in the past has taken the lead in negotiating the street light contract for its member cities and affiliate members. As a result of the April

meeting, it is recommended that a regional coalition be established and negotiate the upcoming streetlight contract. This regional coalition would allow for a uniform approach to the upcoming contract negotiations, provide leverage in negotiating reasonable rates and provisions for streetlight services and ensure consistent contract provisions for cities across the region. To prepare for the upcoming negotiations, MVCC has retained M. K. Pope engineering from Columbus to complete a rate analysis and a review of maintenance practices for the current street light system. MVCC has also retained attorney Michael McNamee to provide legal review of the current streetlight contract and Ohio revised code provisions relevant to the contract along with assistance with the upcoming contract negotiations. Both McNamee and Pope served in similar capacities for the negotiation of the 10-year contract expiring December 31, 2025. The estimated cost of professional services associated with this set of negotiations is \$60,000. MVCC will cover one-third of those costs and any additional fees, and the participating jurisdictions will pay the remaining costs based upon population. Brookville's estimated participation cost is \$493.

Motion by Zimmerlin, second by Piper to participate in the Miami Valley Communications Council regional coalition for street lighting contract negotiation at a cost of \$493. All yeas, motion carried.

Manager Kuntz reported the Dayton Foundation and MVRPC have awarded the city a \$10,000 grant to help with the installation of Wi-Fi and audio/visual equipment in the Leiber Center, which will help with programming for our Age Friendly Community programming.

Manager Kuntz announced upcoming events are the Age Friendly Lunch and Learn Program on May 15 at noon and the Third Thursday event on May 15 from 5:00 p.m. until 8:00 p.m.

Manager Kuntz reported the City of Brookville utility bills are due tomorrow.

Motion by Fowler, second by Zimmerlin to allow the Brookville Soccer Association to move forward with their stadium field lights project at Westbrook Soccer Park as presented. All yeas, motion carried.

Finance Director Brandt had no report.

Fire Chief Fletcher reported unprecedeted activity during the month of April, including a fire at the school, which was quickly contained after appropriate action by students and staff.

Fire Chief Fletcher urged motorists and cyclists to use caution as motorcycle season is approaching.

Police Chief Jerome reported recent community engagement by the Police Department included the drug take-back event, catalytic converter event, BBC Parade and Brookville High School prom. Upcoming events are the Brookville Schools Serve Brookville event on May 9 and the Lights, Sirens and Pizza event on May 12 at the Brookville Library. The Police Department will provide an escort for the Ride to the Wall cyclists on May 21. The Brookville High School commencement will be held on May 18, 2025.

Police Chief Jerome presented the 2025 Brookville Police Department Annual Report.

Law Director Stephan requested Council approve the second reading of proposed Ordinance No. 2025-06 as recommended by Planning Commission, with an amended Exhibit A, which adds "sexually oriented businesses" as a prohibited use.

Motion by Zimmerlin, second by Wilder to read proposed Ordinance No. 2025-06. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the second reading of proposed Ordinance No. 2025-06. All yeas, motion carried.

Law Director Stephan requested Council approve the second reading of proposed Ordinance No. 2025-07 as recommended by Planning Commission.

Motion by Zimmerlin, second by Piper to read proposed Ordinance No. 2025-07. All yeas, motion carried.

Motion by Fowler, second by Schreier to accept the second reading of proposed Ordinance No. 2025-07. All yeas, motion carried.

Law Director Stephan requested Council approve the third reading of proposed Ordinance No. 2025-09, with updated signage requirements and additional documentation which adds the publication date and the DORA application.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2025-09 as amended. All yeas, motion carried.

Motion by Fowler, second by Piper to accept the third reading and adopt Ordinance No. 2025-09 entitled "AN ORDINANCE APPROVING AN APPLICATION FOR AND ESTABLISHING AN OUTDOOR REFRESHMENT AREA IN THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Mayor Letner reported Brave Church will be holding a "Blessing of the Bikes" on May 18. The public is welcome to participate.

Motion by Zimmerlin, second by Wilder to read proposed Ordinance No. 2025-10. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the second reading of proposed Ordinance No. 2025-10. All yeas, motion carried.

Motion by Zimmerlin, second by Wilder to read proposed Resolution No. 25-03. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the third reading and adopt Resolution No. 25-03 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE COMMUNITY REINVESTMENT AREA #2 AGREEMENT OF GIANT OHIO LLC DATED JUNE 21, 2017 IS IN COMPLIANCE AND THAT THE COMMUNITY REINVESTMENT AREA AGREEMENT BE CONTINUED." All yeas, motion carried.

Motion by Zimmerlin, second by Piper to read proposed Resolution No. 25-04. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the third reading and adopt Resolution No. 25-04 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE ENTERPRISE ZONE AGREEMENT OF GREEN TOKAI CO. LTD. DATED MARCH 25, 2016 IS IN COMPLIANCE AND THAT THE ENTERPRISE ZONE AGREEMENT BE CONTINUED." All yeas, motion carried.

Motion by Wilder, second by Zimmerlin to read proposed Resolution No. 25-05. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the second reading of proposed Resolution No. 25-05. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 25-06. All yeas, motion carried.

Motion by Piper, second by Wilder to accept the second reading of proposed Resolution No. 25-06. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to read proposed Ordinance No. 2025-11. All yeas, motion carried.

Motion by Wilder, second by Schreier to accept the first reading of proposed Ordinance No. 2025-11. All yeas, motion carried.

Lindsey Gray, 71 N. Hill, advocated for keeping backyard chickens, stating it has been a great educational experience for her children.

Joshua Johnson, 440 Albert Road, stated many could benefit from having chickens in order to be more self-sufficient.

Trevor Hopkins, 430 Albert Road, stated he is concerned about pedestrian safety on Albert Road, due to the fact there are no sidewalks or stop signs near the bikeway. Mr. Hopkins requested a four-way stop at Albert and Cusick Avenue. Mr. Hopkins highlighted the benefits of chickens, including organic waste management.

Troy Tyree, 281 Doyle Avenue, spoke in favor of keeping chickens, stating they are helpful for yard pest control.

Member Piper commented the City of Brookville promo videos are a great addition to our social media.

Member Fowler thanked Manager Kuntz for having the unauthorized signs removed from the utility poles.

Member Zimmerlin thanked the citizens who advocated raising chickens, stating Council will research the issue.

Member Schreier commented on motorcycle safety, reminding residents that blowing grass into the street creates a hazard for riders.

Motion by Zimmerlin, second by Wilder to go into Executive Session per O.R.C. 121.22(G)(1) to consider the employment of a public employee or official. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler 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