

Brookville City Council  
Regular Meeting  
June 15, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on June 15, 2021. 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, Schreier, Swabb, 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 approve the Agenda as presented. All yeas, motion carried.

Motion by Swabb, second by Crane to approve the Regular Council Meeting Minutes of June 1, 2021. Member Fowler abstain, Member Zimmerlin abstain, Member Schreier yea, Wilder abstain, Crane yea, Swabb yea and Letner yea. Motion carried with four yeas and three abstentions.

Mayor Letner announced former Mayor, Council Member and Brookville firefighter Mike Duncan passed away over the weekend. Mayor Letner stated Mike Duncan spent many years here. He loved the City and represented it well. Mayor Letner requested a moment of silence to pay respects to Mike Duncan.

Mr. Joe Salerno, Director of New Business Development of MetroNet Fiber, gave a presentation regarding the company's fiber optic telecommunication services, which includes high-speed Fiber internet, phone and TV products. MetroNet is looking to expand their footprint into the City of Brookville.

Manager Keaton reported our BC1400 Brush Chipper sold on GovDeals for \$25,200, which more than covers the City's share of the Solid Waste Grant of \$17,784. There were 49 bids submitted for this chipper. Our 1985 Ford Econoline truck also sold for \$2,575. This truck was purchased used in 1992 for \$7,575. It was used to carry tools and supplies to work on watermain breaks. Earlier this year, the Service Department converted the former 1988 Hazmat vehicle into a service truck to use on watermain breaks.

Manager Keaton reported she reached out to Superintendent Hopkins last week and the School Board will be discussing the SRO Agreement at their June 17 meeting.

Manager Keaton reported we received one proposal from Appraisal Stream in the amount of \$2,850 to complete an appraisal of the property at 320 S. Wolf Creek Street as part of our Hazard Mitigation Grant.

Manager Keaton requested Council approval for the new Water Service Agreement between the City of Dayton and City of Brookville. The new Water Service Agreement is very similar to our current Water Service Agreement. The primary difference in the new Agreement are the rates are equal to the rates established within Dayton's Cost-of-Service Financial Model. Manager Keaton reported she and Finance Director Brandt met with the City of Dayton to go over the calculation for this new model and to see how those rates compared to our current rates. Manager Keaton provided Council with a copy of the calculation for our first quarterly billing this year. The Cost-of-Service model rates will begin with our October 2021 billing, and she was assured the rates will remain the same for two years. The new Water Service Agreement was also reviewed by Law Director Stephan.

- Term is 15 years once approved by City of Dayton and City of Brookville. The Agreement can be renewed by mutual agreement of both parties for an additional 10 years.
- The five-percent early pay discount was removed from all Agreements that Dayton has with other municipalities.
- The 10% surcharge on rates and charges was removed.

- The due date has changed to 30 days of receipt of bill. Beginning 5 years after commencement of Agreement, any amount not paid in full is subject to a 10% penalty.
- Brookville shall coordinate with Dayton for a complete Brookville Water System leak detection every 5 years that the Agreement is in effect. Current Agreement is every 7 years.

Motion by Fowler, second by Wilder to authorize Manager Keaton to enter into the new 15-year Water Service Agreement between the City of Dayton and City of Brookville. All yeas, motion carried.

Manager Keaton reported at the last Council Meeting, she received Council approval for a new metal roof to be installed at 401 Albert Road in the amount of \$8,000 plus \$65 per sheet for damaged sheathing. When the contractor ordered the materials, the price increased \$3,000. Manager Keaton stated when she asked the contractor how the price could increase that much in two-weeks and the contractor stated his quote was based off the cost of his last metal roof install in late 2020. The price increase strictly reflects material cost increases due to current market conditions with building materials. She was assured by the contractor that the supplier locked the proposal in until she could bring this back before City Council. Manager Keaton stated during all the rain we experienced last week, the roof has sprung additional leaks. Council has a revised spreadsheet which shows the proposals, warranties and the revenue generated from our lease. Manager Keaton requested Council amend the motion to allow Campbell's Roofing to install the Mansea Metal Premium Rib Roof System at a revised cost of \$11,000 plus \$65 per sheet for damaged sheathing.

Member Schreier asked if Campbell's Roofing is still the low bidder?

Manager Keaton replied yes.

Member Crane asked if the plywood sheathing is still \$65 per sheet?

Manager Keaton replied it is, however, the City has some plywood sheathing left over from the tornado cleanup that can be used for the roofing project.

Motion by Zimmerlin, second by Fowler to amend the motion to allow Campbell's Roofing to install the Mansea Metal Premium Rib Roof System at a revised cost of \$11,000 plus \$65 per sheet for damaged sheathing. All yeas, motion carried.

Member Zimmerlin inquired about the reputation of MetroNet Fiber in other local communities they have installed in?

Manager Keaton replied she has not made any inquiries about the company, but she will reach out to Englewood, Tipp City, Vandalia and Dayton where they have a presence. Manager Keaton advised that Montgomery County may be using CARES ACT funds to establish internet, so she would like to follow up on that to see what they may have to offer.

Member Zimmerlin asked about the polling and whether we have any ability to control the placement of poles.

Mayor Letner replied MetroNet will use an existing utility pole or they will lay fiber underground.

Member Zimmerlin inquired whether the City has had any conversation with the tenants of Brookside Plaza regarding the missing awnings at the plaza?

Manager Keaton replied she will look into the missing awning situation.

Manager Keaton stated the Work Session needs to be rescheduled and asked if next week would work for Council?

The consensus is to schedule the Council Work Session for June 22, 2021 at 7:45 p.m.

Member Fowler commented it would be a great idea to have another internet provider in Brookville to give our residents options.

Mayor Letner stated he reached out to MetroNet Fiber after they installed their product in Englewood. The feedback he has received is that the internet speed and quality is very fast.

Member Fowler asked if business site seekers ask about our internet options when looking at Brookville as a potential site?

Manager Keaton stated she has not received questions about the internet options. Manager Keaton advised the Northbrook Industrial Park has both Spectrum and Frontier fiber internet, which was installed as part of the Payless project.

Finance Director Brandt reported she received our health insurance renewal rates from Anthem and with some negotiation, Anthem is allowing us to renew our current dual health insurances plans with a 0% increase. The City funds 85% of the monthly health insurance premium with the employee contributing 15% of the monthly premium. There were also no changes to our life insurance plan. Dental and vision insurance were not up for renewal this year.

Finance Director Brandt advised an option that could be considered to recoup funds is to implement a spousal surcharge on these plans that insure a spouse who is currently employed and is eligible to obtain health insurance with their employer. Finance Director Brandt stated if we move forward with a \$50.00 per month spousal surcharge, she would recommend it start on January 1, 2022 as many employers' health insurance renews at the beginning of a year. If a spousal surcharge is implemented effective August 1, a spouse will not be able to get on their employer's health insurance until their open enrollment period, as a spousal surcharge is not considered a qualifying event. If the City implemented the \$50 surcharge it could potentially save the City \$6,300 over a seven-month period, from January through July.

Member Crane commented that \$50.00 per month is low. His employer would charge \$100.00 per month for his spouse to be on his health insurance policy.

Finance Director Brandt replied that is just an example she provided. Currently, we have 18 employees who insure their spouse through the City.

Member Zimmerlin commented if our employees have a spouse who does not have access to health care, we should just be covering them without a surcharge. The surcharge should be charged if the spouse has access to their employer's insurance plan but chooses to be on our plan instead.

Finance Director Brandt agreed, stating that her suggestion for the surcharge would not apply to spouses who have no access to insurance.

Member Schreier stated Council should discuss this at the Work Session next week.

Manager Keaton agreed, stating this is something they have considered implementing January 1st to give the spouse time to get on their employer's insurance plan.

Finance Director Brandt requested Council approve her recommendation to renew the Anthem Blue Access 2021 HSA Option E2 health insurance plan with the RX-T8 prescription plan and the Anthem Blue Access 2021 PPO Option 17 health insurance plan with the RX-T2 prescription plan, which allows the City to offer dual health insurance plans, with the employee contributing 15% and the employer contributing 85% of the monthly rate. The City will contribute \$1,000 for each single employee and \$2,000 for an employee and dependent contract under the Blue Access guarantee HSA plan; and to renew our Life and AD&D insurance through Anthem at a monthly rate of \$17 per full-time employee with life insurance paid 100% by the employer.

Motion by Zimmerlin, second by Fowler to renew the Anthem Blue Access 2021 HSA Option E2 health insurance plan with the RX-T8 prescription plan and the Anthem Blue Access 2021 PPO Option 17 health insurance plan with the RX-T2 prescription plan, which allows the

City to offer dual health insurance plans, with the employee contributing 15% and the employer contributing 85% of the monthly rate. The City will contribute \$1,000 for each single employee and \$2,000 for an employee and dependent contract under the Blue Access HSA plan; and to renew our Life and AD&D insurance through Anthem at a monthly rate of \$17 per full-time employee with life insurance paid 100% by the employer. All yeas, motion carried.

Finance Director Brandt reported the City received two proposals for Commercial Property, Automobile and Liability Insurance coverage for the period of 7/1/2021-6/30/2022. The first proposal is through the Public Entities Pool of Ohio or PEP with a premium of \$75,890. The second proposal is through the Ohio Plan, who we are currently insured with, with a premium of \$79,961. The difference between the two proposals is \$4,071. The increase from the prior year with the Ohio Plan is \$3,487 or 4.6%. The increase in the Ohio Plan can be attributed mainly to a hardening of the insurance market. The last few years there have been numerous large claims due to natural disasters such as floods, hurricanes and tornados causing the insurance industry to increase rates as a result.

Finance Director Brandt advised the City receives a 10% discount with Lexipol for being a member of the Ohio Plan. In 2020, that saved police \$572.44 and fire \$353.29 for a total savings of \$925.73. As a member of the Ohio Plan, we are eligible for an Ohio Plan Advantage discount, which is available to members with four or more consecutive years of membership with the Ohio Plan. Finance Director Brandt advised we can receive up to 60 points based on our loss ratios and up to 40 points on risk management. If all points are received a \$6,869 discount is awarded. This year the City received 40/40 points for risk management saving us \$2,747, but due to the tornado loss our loss ratio points were 0. The tornado loss will slowly start to drop off and we will begin to see more loss ratio points and receive a larger savings each year from the Ohio Plan. This discount requires at least 4 years in the plan. Ohio Plan coverage happens when the occurrence happens so as long as your occurrence happens while you had their coverage, they will cover you. PEP plan coverage happens when the claim is filed so even if the occurrence is during your coverage, but the claim was not filed until after your coverage ended then you are not covered. PEP can increase your rates at any time throughout the year, Ohio Plan only changes rates at renewal. PEP requires a signed contract with each renewal. Cyber related liability claims – trigger is injury (PEP), trigger is breach (Ohio Plan) Ohio plan helps with the upfront costs, but PEP does not. Our PEP contributed funds help to cover the PEP board and if there is negligence with the board it could cause our rates to increase.

Finance Director Brandt advised the City has been with the Ohio Plan since 2008. If we leave the Ohio Plan and decide to use PEP, we will have to be in the Ohio Plan for another four years before we would get our current discount back.

Member Schreier stated it looks like it is a wash when comparing the two plans.

Fire Chief Fletcher commented the Ohio Plan sends a risk manager to come out and talk to each department head. PEP does not do that, they only look at us on paper.

Finance Director Brandt stated the Ohio Plan also has all of our equipment on their proposal and PEP does not.

Member Zimmerlin inquired if we could be insured through MVRMA?

Manager Keaton replied that MVRMA is by invitation only and we have never been invited. It is mainly larger entities.

Motion by Schreier, second by Fowler to authorize Finance Director Brandt to accept our Commercial Property, Automobile and Liability Insurance coverage through the Ohio Plan at a rate of \$79,961 effective July 1, 2021 for a one-year period. All yeas, motion carried.

Fire Chief Fletcher had no report.

Police Chief Jerome reported activity is up as always happens in the summer months. Traffic stops have slowed just a bit, but he expects them to increase again.

Police Chief Jerome reported Officer Creager and Officer Beaver have completed their Associate Degrees and congratulated them on their accomplishment.

Law Director Stephan had no report.

Mayor Letner encouraged everyone who can to donate blood as there is currently a shortage.

Member Schreier commented the blood bank has lowered a lot of the restrictions for donating.

Fire Chief Fletcher suggested the City could sponsor a blood draw as a drive-through event at the Fire Station. He will have his staff look into it.

Mayor Letner wished everyone a Happy Fourth of July holiday and encouraged everyone to be safe.

Motion by Swabb, second by Fowler to read proposed Ordinance No. 2021-03. All yeas motion carried.

Motion by Schreier, second by Crane to accept the third reading and adopt Ordinance No. 2021-03 entitled "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED AT 201 SYCAMORE STREET IN THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF OR (PD) OFFICE RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE NEW CLASSIFICATION OF I-1 (PD) LIGHT INDUSTRIAL PLANNED DEVELOPMENT OVERLAY DISTRICT." All yeas, motion carried.

Motion by Swabb, second by Wilder to read proposed Ordinance No. 2021-05. All yeas, motion carried.

Motion by Swabb, second by Fowler to accept the third reading and adopt Ordinance No. 2021-05 entitled "AN ORDINANCE AMENDING SECTION 1123.03 (b)(2) and SECTION 1125.03(b)(2) OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Fowler, second by Swabb to read proposed Ordinance No. 2021-06. All yeas, motion carried.

Motion by Schreier, second by Swabb to accept the third reading and adopt Ordinance No. 2021-06 entitled "AN ORDINANCE AMENDING SECTIONS 1157.01 AND 1157.10 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO TO REGULATE SOLAR ENERGY EQUIPMENT." All yeas, motion carried.

Motion by Zimmerlin, second by Crane to read proposed Ordinance No. 2021-07. All yeas, motion carried.

Motion by Fowler, second by Swabb to accept the third reading and adopt Ordinance No. 2021-07 entitled "AN ORDINANCE AMENDING THE DEFINITION OF BUILDING LINE, SETBACK LINE AND YARD IN SECTION 1103.03 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE, OHIO." All yeas, motion carried.

Motion by Wilder, second by Schreier to read proposed Resolution No. 21-09. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the second reading of proposed Resolution No. 21-09 entitled "A RESOLUTION ESTABLISHING THE LOCAL FISCAL RECOVERY FUND NO. B12 AND AUTHORIZING THE FINANCE DIRECTOR TO MAINTAIN REQUIRED

BOOKS AND RECORDS TO EVIDENCE PAYMENTS INTO AND WITHDRAWALS FROM SAID FUND.” All yeas, motion carried.

Finance Director Brandt asked Council to dispense with the third and adopt proposed Resolution No. 21-10. The line items on this Resolution have been amended since the first reading.

Motion by Zimmerlin, second by Swabb to read proposed Resolution No. 21-10. All yeas, motion carried.

Motion by Zimmerlin, second by Swabb to accept the second reading, dispense with the third reading and adopt Resolution No. 21-10 entitled “A RESOLUTION AMENDING THE 2021 APPROPRIATIONS, AS SET FORTH BELOW, PURSUANT TO SECTION 5705.40 OF THE OHIO REVISED CODE, AND SECTION 12.35 OF THE OHIO ADMINISTRATIVE CODE, AND APPROVING THE AMENDMENT TO THE CERTIFICATE OF ESTIMATED RESOURCES, AS SET FORTH BELOW.” All yeas, motion carried.

Manager Keaton indicated she received a letter of resignation from Council Member Matthew Swabb, effective after tonight’s meeting. Member Swabb is moving out of Brookville for a new job opportunity. Manager Keaton congratulated Member Swabb on his new job and stated he will be missed.

Mayor Letner thanked Member Swabb for his service, stating he has represented himself well.

Member Swabb replied he has appreciated the opportunity.

Member Fowler, Park Liaison, stated the parks have been heavily utilized the past week.

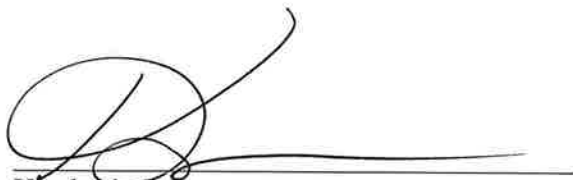
Member Schreier, Planning Commission Liaison reported Planning Commission is scheduled to review a revised Preliminary Plan from DDC Management at the corner of Albert Road and Upper Lewisburg Salem Road.

Mayor Letner requested an Executive Session per ORC. 121.22(G)(2) to consider the appointment, employment, dismissal, discipline, promoting, demotion or compensation of a public employee and per Section 121.22 (G)(4) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Motion by Zimmerlin, second by Wilder to go into Executive Session. All yeas, motion carried.

Mayor Letner called Council back into Regular Session.

Motion by Swabb, second by Crane to adjourn. All yeas, motion carried.

  
Kimberly Duncan, Clerk  
Charles Letner, Mayor