

Brookville City Council
Regular Meeting
March 16, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on March 16, 2021. The meeting was held in the 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, Law Director Stephan, Finance Director Brandt, Fire Chief Fletcher, and Police Chief Jerome were present. Clerk Duncan was absent.

Roll Call by Manager Keaton.

Motion by Swabb, second by Zimmerlin to approve the Agenda as presented. All yeas, motion carried.

Manager Keaton announced that our ballot language was approved by the Secretary of State and she provided the ballot language in her report. The Parks and Rec Levy is Issue 1 and the Streets and Roads Levy is Issue 2. These are the same issue numbers that we had for the November 2020 Election. If anyone still has a levy yard sign from last Fall, it can be reused. If anyone needs a yard sign, please let her know.

**OFFICIAL QUESTIONS AND ISSUES BALLOT
SPECIAL ELECTION – MAY 4, 2021
MONTGOMERY COUNTY**

PROPOSED TAX LEVY (ADDITIONAL)

CITY OF BROOKVILLE

A majority affirmative vote is necessary for passage.

An additional tax for the benefit of the City of Brookville for **parks and recreational purposes** at a rate not exceeding 0.96 mill for each one dollar of valuation, which amounts to \$0.096 for each one hundred dollars of valuation, for 5 years, commencing in 2021, first due in calendar year 2022.

**FOR THE TAX LEVY
AGAINST THE TAX LEVY**

**OFFICIAL QUESTIONS AND ISSUES BALLOT
SPECIAL ELECTION – MAY 4, 2021
MONTGOMERY COUNTY**

PROPOSED TAX LEVY (ADDITIONAL)

CITY OF BROOKVILLE

A majority affirmative vote is necessary for passage.

An additional tax for the benefit of the City of Brookville for the purpose of **general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges** at a rate not exceeding 3.85 mills for each one dollar of valuation, which amounts to \$0.385 for each one hundred dollars of valuation, for 5 years, commencing in 2021, first due in calendar year 2022.

**FOR THE TAX LEVY
AGAINST THE TAX LEVY**

Manager Keaton reported she provided a link for residents who would like to complete the voter registration online. The link can also be used to download the voter registration form and mail it in, <https://www.montgomery.boe.ohio.gov/registration/>. Residents can also register in person at the Brookville Public Library, Brookville High School, Miami Valley Career Technology Center, Clayton License Bureau, or the Montgomery County Board of Elections. April 5 is the deadline to register for the May 4, 2021 Primary Election.

Early in-person voting begins 29 days prior to the election and ends the day before the election at 2:00 p.m.

Absentee voting by mail begins 29 days prior to the election and must be postmarked the day before the election, or hand delivered to the Montgomery County Board of Elections by 7:30 p.m. on election day.

Manager Keaton provided an update on various projects throughout the City. Work began today on the Johnsville-Brookville sanitary sewer crossing. The project should be completed in 7-10 working days, weather permitting. Detour signs have been posted on Johnsville-Brookville Road and on our Facebook, advising of the road closure.

Surveying and engineering have begun on the Hay Avenue Roadway Improvements Project and the Walnut Street Waterline Replacement Project.

The Mitigation Grant for 306-312 S. Wolf Creek Street is complete. Hydroseeding of the lot was completed on March 4. Work will begin soon on the Mitigation Grant that was approved for 320 S. Wolf Creek Street.

The drawings and specs for the USDA Wolf Creek Tree Removal Project is hopefully in final review. We hope this project moves forward this summer.

Our Permissive Tax Project Application was recently approved for repaving of E. Westbrook Road from Wolf Creek Street to Albert Road. This project should be completed this summer.

Engineering is wrapping up on the Golden Gate Park Walking Path Project. We hope to advertise for bids soon.

There are no new updates on the SRTS Project, which is scheduled for 2022.

Manager Keaton reminded everyone of our Annual Community Park Cleanup Day scheduled for Saturday, March 27 from 10:00 a.m. to noon. Supplies will be available at Shelter #4. Hot dogs and refreshments will be available at noon.

Manager Keaton reported the FEMA SAFER grant was completed and submitted last Friday. The anticipated funding selection date is May 24, 2021.

Manager Keaton stated we recently learned that eight of the twelve lots in Meadows of Brookville, Section 5, on E. Westbrook Road, have sold. Of the eight lots sold, we received payment for five zoning permits and five water and sewer taps.

Manager Keaton announced the Brookville Optimist Club will hold their Annual Youth Easter Egg Hunt at Golden Gate Park, on Saturday, April 3, beginning at 9:00 a.m. sharp. For everyone's safety, all are encouraged to wear a mask, implement social distancing, and hygiene practices. Hand sanitizer stations and disposable masks will be available!

Manager Keaton reported over the last couple of weeks, the Service Department has removed trees from Gruenig Park, replaced the guide rails at the Urban Lane lift station, scrubbed the concrete at Gruenig Park and near the former Old Hickory building, repaired a fire hydrant on Parker Dr., repaired two water service stops, and repainted the park cleanup trailer.

Member Zimmerlin inquired if we had any update, or figure on the federal stimulus.

Manager Keaton stated she wished she had an update to provide to Council. Manager Keaton commented that she read through several documents that were included in the Ohio Municipal League Bulletin. Manager Keaton stated she is certain that the Department of Treasury will be distributing funds to the states within 60 days and from there, the states have 30 days to distribute funds to the municipalities. The formula for how much funds will be distributed is based on a CDBG formula of population + poverty rate + rates of housing instability. According to preliminary figures that were recently released, the City may see funds totaling \$1.15M. Funds would be distributed in two tranches, the first 60 days after enactment and the other half one year later.

Mayor Letner asked Manager Keaton to explain the difference between Entitlement and Non-entitlement.

Entitlement cities are those cities with more than 50,000 residents and the Non-entitlement cities are cities with less than 50,000 residents.

Member Wilder asked if repaving E. Westbrook Road would solve the standing water problem at the Albert Road intersection?

Manager Keaton responded that she has a meeting this week with our Engineer to discuss this very subject to see what our options are on where we stop the paving, or if we can resolve the standing water at Albert Road prior to repaving.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution No. 21-08 that amends the 2021 Appropriations and Estimated Resources. This Resolution shall take effect immediately after passage of this Resolution as provided in 4.07(A)(1) of the Charter of the City.

Motion by Schreier, second by Wilder to read proposed Resolution No. 21-08. All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to accept the first reading and dispense with the second and third and adopt Resolution No. 21-08 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.

Finance Director Brandt reminded everyone that the City of Vandalia will be at the City Building to help residents with their local income tax filing on March 26 from 8:00-4:30 and again on March 27 from 8:00-12:00.

Fire Chief Fletcher reported they moved into a cycle where they are doing combined training with the Brookville Police Department on active shooter procedures and to care for those injured in a mass casualty that are involved with both Police and Fire. Fire Chief Fletcher commented with the warmer weather approaching, they will be conducting training outside and will soon begin low flow flushing.

Police Chief Jerome reported the Brookville Police Department stats are up. Reportable incidents and citations are up, and traffic stops are down through March 12.

Police Chief Jerome reported the Brookville Police Department received a call on March 8 on an isolated incident where a gentleman in a van offered to give a child a bike, but to give her the bike, she would have to enter the van. The girl made some comments and walked away. The Police Department checked the area and residents Ring camera. Over the last week, the Police Department did heavy patrols after school, and to date, they have not been able to locate the vehicle.

Police Chief Jerome introduced Captain Jacobs who just completed his three-week session at Command School.

Captain Jacobs thanked City Council for allowing him to attend the Police Executive Leadership College (PELC) over the last three months. He walked away with invaluable knowledge and new friends. The program shapes future leaders for law enforcement. Captain Jacobs went over the various topics that he learned during this course. PELC covered 20 topics and had 15 instructors. Captain Jacobs expressed his appreciation to Council and the Chief for allowing him to attend.

Mayor Letner commented that each time he sees Captain Jacobs when he visits the building, Captain Jacobs is very dedicated and is concerned about his employees. Mayor Letner indicated he has seen Captain Jacobs' leadership role progress since he assumed the position of Captain and he is very impressed with that. Mayor Letner wished Captain Jacobs continued success and stated he was glad that he went through the program and he is glad to hear the positive comments and how it has reflected on him as it also reflects on the City.

Law Director Stephan reported the Tax Incentive Review Council (TIRC) met on March 10, 2021. The Council is comprised of County, Brookville Schools and City representatives. The Council reviews pending Agreements that provide tax incentives. The Council found the Green Tokai Co. Ltd. Enterprise Zone Agreement dated March 25, 2016, that Green Tokai is in compliance, and recommended that the Enterprise Agreement be continued. With respect to the Community Reinvestment Area (CRA) Agreement of Giant Dayton, LLC, dated June 21, 2017, the TIRC found that they were in compliance, and recommended that the CRA Agreement be continued. Law Director Stephan requested Council approve the two Resolutions and dispense with the second and third reading as we must provide a report by the end of this month.

Motion by Swabb, second by Zimmerlin to read proposed Resolution No. 21-06. All yeas, motion carried.

Motion by Swabb, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 21-06 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 Crane, second by Fowler to read proposed Resolution No. 21-07. All yeas, motion carried.

Motion by Fowler, second by Swabb to accept the first reading, dispense with the second and third reading and adopt Resolution No. 21-07 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE COMMUNITY REINVESTMENT AREA #2 AGREEMENT OF GIANT DAYTON LLC DATED JUNE 21, 2017 IS IN COMPLIANCE AND THAT THE COMMUNITY REINVESTMENT AREA AGREEMENT BE CONTINUED." All yeas, motion carried.

Law Director Stephan stated as Council is aware, Staff has been in negotiations with a group of individuals to redevelop the Fire Station at Mulberry and Main. We have reached an Agreement and it follows the terms which were previously discussed with City Council in Executive Session. Tonight, we are asking for approval of a City of Brookville Development Agreement with JB Wright Ventures LLC and Jeffrey L. Wright and Brandie N. Wright and the Purchase and Sale Agreement with JB Wright Ventures LLC. These Agreements would be designed to sell the property and to govern the redevelopment of the property for a retail facility.

Motion by Schreier, second by Fowler to authorize Manager Keaton to enter into a City of Brookville Development Agreement with JB Wright Ventures LLC and Jeffrey L. Wright and Brandie N. Wright and to enter into a Purchase and Sale Agreement with JB Wright Ventures LLC for the property located at 130 Main Street, Parcel No. C05 00201 0023 and Parcel No. C05 00201 0024, 25. All yeas, motion carried.

Mayor Letner encouraged everyone to be out there for park cleanup on Saturday, March 27.


Mayor Letner stated he wanted to touch briefly on the upcoming election. We did not have the success we wanted in November, but the need has not gone away. The need is still there. We need


some help on our parks and if you drive around town, you can see our roads need repaving. It is a need that is there, and it is not going to go away. Mayor Letner stated he is asking early on for your yes vote and your support. We are all in this together. It is not going to get any cheaper if we keep pushing it to the curb.

Member Fowler, Park Board Liaison, reported there was some discussion with Park Board and the Chamber of Commerce about a disc golf course in Golden Gate Park. The course would start off with 9 holes and potentially increasing that to 18 holes over time. There was some discussion about the Boy Scouts putting in a Gaga Ball Pit as well. There was some discussion around a Christmas theatre play during the Christmas in the Park event. Member Fowler also reported Thrush & Son donated shingles and labor to repair the former BMX building in Golden Gate Park.

Member Schreier, Planning Commission Liaison, reported Planning Commission will be meeting later this week.

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


Sonja M. Keaton, City Manager


Charles Letner, Mayor