

Brookville City Council
Regular Meeting
November 2, 2021

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on November 2, 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, Requarth, 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 Acting Clerk Brandt.

Motion by Fowler, second by Zimmerlin to approve the October 19, 2021 Regular Meeting Minutes. All yeas, motion carried.

Mayor Letner announced the November Citizen of the Month is Jenny Phillips. Ms. Phillips has served as the High School Secretary since 2000, she volunteers at the Brookville F.I.S.H. food pantry, and she is the advisor for Relay for Life at Brookville Schools since 2007 and in that time, she has helped raise just over \$65,000 that has been donated locally to the American Cancer Society. Ms. Phillips has spearheaded the Goodwill Drive to Victory since 2011. Ms. Phillips attends The Ridge Church since 1998 where she serves on the Meal Team and oversees First Impressions. Ms. Phillips helps support the Brookville Community Network in connecting people with resources they may need to use during difficult times.

Manager Keaton announced the Optimist Pumpkin walk is Saturday November 6, from 6:00 to 8:30 p.m. at Golden Gate Park. Participants will gather at the back parking lot and walk down the decorated bike way to the Historical Society where they will receive free donuts, then return to the park for a bonfire, hotdogs, cider, and a storyteller. They will also have horse and wagon hayrides.

Manager Keaton reported 52 applications were submitted to the Ohio Public Works Commission this year for funding. Trotwood removed one of their projects, so that left 51 projects to score. Our two projects, Hay Avenue Roadway Improvements Project, Phase II received a score of 39 and our Jefferson Street Waterline Replacement Project received a score of 38. Altogether, 30 of the 51 applications received a score of 38 or better. The OPWC Committee will be meeting on November 17 to rank projects and we should learn at that meeting if any of our projects were awarded.

Manager Keaton reported she applied for and received a \$1,500 Walmart Community Grant. Grant funds will be used for purchasing Christmas lights and supplies for Christmas in the Park. We also received two additional donations this year that totaled \$1,500 that will also be applied to the Christmas in the Park event. The opening night for Christmas in the Park is Friday December 3 at Golden Gate Park from 6:00-8:00 p.m. This will be a drive-thru event only. Treat bags will be distributed to the first 200 children on opening night. Lights will be displayed for the remainder of the month through January 2.

Manager Keaton reported the Brookville Area Chamber of Commerce Annual Banquet is scheduled for November 12 at Gatherings on the Green. Tickets are \$25 each, and the deadline to order tickets is November 5 through the Chamber website.

Manager Keaton requested Council authorization to enter into a contract with the Montgomery County Public Defender for 2022. This Agreement allows the County to provide legal representation to indigent adults charged with a violation of an ordinance of a municipal corporation for which the penalty or possible adjudication includes potential loss of liberty. The 2022 Agreement is the same as the 2021 Agreement except for a 2.5% rate increase. The 2022 rate will be \$183.50 per case. To date we have zero cases in 2021 and we had zero cases in 2020 and 2019.

Motion by Schreier, second by Fowler to authorize the City Manager to enter into a contract with the Montgomery County Public Defender for 2022. All yeas, motion carried

Manager Keaton requested Council adopt proposed Resolution No. 21-32 that establishes a wage scale for the Development Specialist position. Manager Keaton stated she is pleased to announce Rod Stephan has been selected as our Development Specialist. Rod will oversee community and economic development activities for the City. Rod will remain on as the Law Director for the City.

Law Director Stephan thanked Mayor Letner, City Council, and the Manager for this opportunity to serve the City in this new role. Mr. Stephan congratulated Zoning & Property Maintenance Officer Snedeker for his many years of service with the City.

Motion by Zimmerlin, second by Requarth to read proposed Resolution No. 21-32. All yeas, motion carried.

Motion by Requarth, second by Fowler to accept the first reading, dispense with the second and third reading and adopt proposed Resolution No. 21-32 entitled "A RESOLUTION ESTABLISHING A NEW WAGE SCALE FOR FULL-TIME HOURLY CITY EMPLOYEES, AND DECLARING IS AN EMERGENCY." All yeas, motion carried.

Finance Director Brandt presented the October 31, 2021 Fund Balance for Council review and approval.

Motion by Zimmerlin, second by Fowler to approve the October 31, 2021 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt requested Council authorization to transfer \$40,000 from the General Fund to the Park Fund as appropriated. This should be the last transfer into the Park Fund for 2021.

Motion by Wilder, second by Zimmerlin to authorize the transfer of \$40,000 from the General Fund into the Park Fund as appropriated. All yeas, motion carried.

Fire Chief Fletcher went over the Fire Department Operations Report for October. Chief Fletcher commented the call activity is still well above last year and we're on a trajectory to have about 2,000 calls for fire and EMS this year at the current rate. Chief Fletcher stated we are still transitioning to our new system and as soon as that is up and running, he will have a better report.

Fire Chief Fletcher reported we are still waiting on a part for the new engine that we recently purchased. Chief Fletcher reported he took time to look at what our 1995 fire engine might bring on GovDeals. Chief Fletcher stated this is a basic engine that did not come with a lot of bells and whistles, and it does not hold a lot of value. The company that we are buying the fire engine from is willing to give us a trade-in value of \$10,000. If Council allows us to trade-in our 1995 fire engine, they will deduct \$10,000 from the amount that we still owe on the new fire engine. Fire Chief Fletcher stated he is requesting Council authorization to allow the City Manager to execute a trade-in of the 1995 engine on the purchase of the fire engine we are getting.

Motion by Requarth, second by Fowler to authorize the City Manager to execute a \$10,000 trade-in of our 1995 fire engine toward the purchase of the 2005 Pierce 1500 with Command Fire Apparatus. All yeas, motion carried.

Fire Chief Fletcher reported one year ago he reported that we were being evaluated by the Insurance Services Office (ISO) for an updated Public Protection Classification (PPC) Summary Report. We originally received this report in early June and although our classification did not suffer, our score dropped from our 2014 evaluation. A thorough review found multiple areas inaccurate and unreported information resulting in an erroneous score. Demands for a re-evaluation resulted in a new report published in October that reflects a much-improved score. However, another thorough review found areas where we were not credited appropriately. We will continue to work with ISO to ensure that Brookville has an accurate Public Protection Classification. We are very close of being an ISO three department.

Police Chief Jerome reported the Police Department has been busy. Chief Jerome stated he is getting ready to put out picture of a thief and his vehicle that hit several cities and several businesses here in the community.

Police Chief Jerome reported they have been busy training, and our new staff are doing great. A week from this Thursday will be Veterans' Day at Rob's. The Brookville Police Department will be there from 11:00 a.m. to 1:00 p.m. The Thanksgiving lunch is November 20, 2021, at the school. Attendees will be able to eat lunch and then watch the high school matinee at 2:00 p.m.

Police Chief Jerome reported they will be testing the process of getting ready to do a dispatch software switch over between the County and Englewood. That's been quite the process and we're not there yet. But we are testing the Verizon Reveal that will be replacing the GPS that we have on our cars now. It's going to save us money next year and he's impressed with the demo product they have on one of their cars. This product monitors everything the cars do.

Law Director Stephan reported the second reading of proposed Ordinance No. 2021-14 is before City Council this evening. Planning Commission unanimously approved a recommendation to City Council to adopt proposed Ordinance No. 2021-14. Law Director Stephan requested Council accept the second reading tonight and we are asking that Council dispense with the third reading so we can move forward with other aspects of this project.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2021-14. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the second reading, dispense with the third reading and adopt proposed Ordinance No. 2021-14 entitled, "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART LOT 2174 OF THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF (HS) HIGHWAY SERVICE DISTRICT TO THE NEW CLASSIFICATION OF (I-2) GENERAL INDUSTRIAL DISTRICT. All yeas, motion carried.

Law Director Stephan reported that he provided Council with a Memorandum regarding an alley vacation, involving the property of 120 W. Westbrook Rd. The property owners requested the vacation of a public alley that is adjacent to their property. The alley has been used for many years as a driveway for this property. The plan would be to vacate the alley and then under Ohio law when an alley is vacated it is then divided up between the property owners on each side of the alley. The Property owners on the East side of the alley along Hill Street are being contacted to transfer their interest in the vacated alley to the property owner of 120 W. Westbrook Rd. The result would be the entire 16' wide alley would then be owned by the property owner at 120 W. Westbrook Rd. The driveway would be part of their property rather than a right-of-way. In terms of planning for future development of the former school property on Hill Street, it appears that this alley would not be used to provide access to the former school property on Hill Street. The entrance to this alley onto Westbrook Rd. is close to the intersection of Hill St. and Westbrook Rd., and the intersection of Terrace Park Blvd. and Westbrook Rd, and having vehicles enter or exit from that access point would add additional traffic to an already high-volume traffic area. Law Director Stephan stated he is looking tonight for some consensus of City Council whether to move forward with this. Law Director Stephan indicated he also plans to discuss this with Planning Commission at their next meeting.

The consensus of City Council is to proceed with preparing an alley vacation for 120 W. Westbrook Road if all parties approve to the vacation and Planning Commission approves this.

Mayor Letner reported that he swore in new Police Officer Geovanny Mercado on Sunday afternoon.

Member Fowler, Park Board Liaison, had nothing to report.

Member Schreier, Planning Commission Liaison reported they had a meeting on October 21, 2021. The only topic on the agenda was Ordinance No. 2021-14 that we made a recommendation for City Council.

Karen Braund, of 15 Heckathorn Rd., says she received a flyer in the mail yesterday and she is really concerned. The flyer was about Issue 3 back by the Fire Station, and she wanted to know if we have had referendums in the past?

Mayor Letner replied, pertaining to?

Ms. Braund responded, anything in a similar situation where the citizens have put something on a ballot.

Mayor Letner stated there was a referendum when the City was looking at a water park.

Ms. Braund inquired if a mailing was sent out on that one by the City. Manager Keaton replied yes, a Fact Sheet was mailed out to residents in 2000.

Ms. Braund asked how many mailings were sent out on this flyer and what was the cost of printing and postage.

Manager Keaton replied approximately \$2,300, which included printing and postage.

Ms. Braund commented those were her concerns. There were a lot of facts that were not included in the flyer. I guess as a citizen, if you're going to present something like that that there is a potential tax abatement or reduction, whatever the correct verbiage is for the developer was not mentioned, and the side yard setbacks were not mentioned. Clearly myself, and some of my neighbors, friends are more involved and read up and voice our opinions on these, but a lot of citizens don't and if that's where they're getting their full information from, she doesn't feel that it wasn't full information.

Mayor Letner replied, are you saying the facts that we presented were not correct?

Ms. Braund responded there were additional facts that should have been included to present a broad full picture instead of just facts that are correct that don't paint the entire portrait.

Mayor Letner replied, for space wise for what we had to work with and what we were presented, but everything that was on that, you're saying to me was correct.

Ms. Braund stated yes, there were no errors on that, there were just omissions.

Mayor Letner replied that was due to space. We took a trifold, and we presented the facts as we saw them, we did not have the room to present all the facts and you are agreeing with that.

Ms. Braund stated yes, she does agree with that, thank you.

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



Michelle Brandt, Acting Clerk

Charles Letner, Mayor