

Brookville City Council
Regular Meeting
August 2, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on August 2, 2022. 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, Requarth, Schreier, 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.

Member Zimmerlin requested the Agenda be modified to add the approval of the July 19, 2022 Special Meeting Minutes.

Motion by Zimmerlin, second by Fowler to adopt the Agenda with an addition. All yeas, motion carried.

Motion by Fowler, second by Zimmerlin to approve the July 19, 2022 Regular Meeting Minutes. All yeas, motion carried.

Motion by Fowler, second by Schreier to approve the July 19, 2022 Special Meeting Minutes. All yeas, motion carried.

Manager Keaton commended the Chamber of Commerce on an outstanding Community Picnic this year. The fireworks show was exceptional and it looked like everyone had a great time.

Manager Keaton reported we recently sold our 1997 International dump truck on GovDeals for \$13,000. We purchased that dump truck on GovDeals in January 2009 for \$27,100. We also sold two generators, two push mowers, and aluminum toolboxes that totaled \$1,082.

Manager Keaton reported the breakdown of the Hay Avenue Roadway Improvement, Phase II OPWC application is as follows: Total Project Cost is \$914,332 which includes a 10% contingency, engineering, and advertising. Manager Keaton stated she is submitting this application as a 25% grant (\$228,583) and a 75% loan (\$685,749) over a 29-year period at zero percent interest. The breakdown of the estimated annual debt payment by Fund if this project receives approval is as follows:

- Street Fund - \$449,440 - \$15,498 annually
- Storm Fund - \$104,440 - \$ 3,601 annually
- Water Fund - \$131,869 - \$ 4,547 annually

Manager Keaton reported the total cost of the North Wolf Creek Street Waterline Replacement OPWC Project is \$1,472,646, which includes a 10% contingency, engineering, and advertising. Manager Keaton stated she is still working on the application to determine the best grant/loan breakdown for the City and to maximize our points. Manager Keaton advised she will provide an update on this application at the next Council Meeting.

Manager Keaton reported the Sludge Press building is nearing completion; final grade work around the building is complete, the garage doors are installed, and electrical work should be completed this week. The blower motor has been installed. The entry doors have arrived, and the contractor needs to finish painting. Manager Keaton stated she anticipates the project to be completed by August 12.

Manager Keaton reported she received an update from MetroNet yesterday advising that AES Ohio poles continue to release slowly. MetroNet expects aerial construction to begin sometime this month.

Manager Keaton reported the contractor for the Safe Routes to School Project is currently working on West Westbrook Road between Johnsville-Brookville Road and Western Avenue. This week the contractor is scheduled to pour curb and gutter, finish the sidewalk, driveway approaches, and curb ramps on Westbrook Road and curb ramps at the intersection of Western Avenue and Westbrook Road. The project should finish with paving on August 8 and striping on August 9.

Member Requarth asked if there will be any work done on the intersection of Blue Pride Drive and Western Avenue, where the school granted an easement years ago?

Manager Keaton replied she needs to verify what work is to take place at that intersection. It is possible the crosswalk will be painted differently.

Member Requarth stated the handicap ramp on the northeast corner has been damaged.

Manager Keaton replied she will take a look at that.

Member Fowler inquired what the useful life is of asphalt?

Manager Keaton replied if the asphalt is taken down to the base, the useful life is 29 years. The useful life of a resurfaced roadway is 12-15 years.

Manager Keaton reported Southwest Ohio Purchasers for Government recently opened the 2022/2023 Rock Salt Bids and the lowest bidder for Brookville was American Rock Salt Company, LLC at a cost of \$79.16 per ton delivered price from August 1, 2022 through July 31, 2023. The cost per ton is significantly more than what we paid to Cargill over the last two years, which was \$48.16 and \$58.16 per ton respectively. In 2018 & 2019, we paid \$85.12 per ton for road salt. The bid also includes a 12-month option to renew from August 1, 2023 through July 31, 2024 at a cost of \$86.36 per ton. Manager Keaton provided Council with a copy of the bid tabulation and recommended Council approve the 2022/2023 Rock Salt Bid for the purchase of 300 tons at a cost of \$79.16 per ton from American Rock Salt Co. LLC, and to approve the 2023/2024 Rock Salt Bid for the purchase of 300 tons at a cost of \$86.36 per ton.

Member Zimmerlin inquired if the price fluctuation is due to the light winters that we have had?

Manager Keaton replied she is not sure what drove the price back up again. Much of it is driven by labor, which is hard to find right now. Manager Keaton stated there has been an ebb and flow on salt prices for a number of years.

Member Crane inquired whether we should purchase salt yearly, since the price is fluctuating so much?

Member Requarth inquired whether we have to sign one year at a time to get that price?

Manager Keaton replied we have purchased it two years at a time for a long time. She can inquire about purchasing one year at a time. It is a gamble with the current economy.

Member Requarth commented we are estimating we will need 300 tons of salt.

Manager Keaton stated that is the amount we buy each year. Our salt barn can hold 550 to 600 tons and we currently have 450 tons in stock. We can buy 150 tons for the remainder of this year and then purchase the remainder before the price increases.

Member Zimmerlin inquired about the disparity of the price being paid for salt by other entities?

Manager Keaton agreed it does not make sense.

Manager Keaton stated we purchase the 300 tons per year even if we do not use it, so that we can lock in the price.

The consensus is to table the salt purchase discussion until Manager Keaton inquires about the ability to purchase salt one year at a time.

Manager Keaton reported the 2022 Southwest Ohio Regional Refuse (SWORRE) Consortium consists of Brookville, Bellbrook, and Miamisburg. The SWORRE bid was sent to Waste Management, Rumpke, Republic, and Bestway Disposal. Bestway dropped out early in the bidding process. The Consortium opened bids in late April for the collection of solid waste and recyclable materials. Our current Contract with Rumpke expires December 31, 2022. The Consortium received a responsive bid and an alternate bid from Rumpke. Several meetings were held over the summer with members of the Consortium and Rumpke to discuss and clarify changes that were made between the 2017 and 2022 bids. Rates have increased nationally and locally due to inflation, fuel, and staffing pressures. Manager Keaton reported the Council packet includes an overview sheet of the bids submitted by Rumpke and language changes, a large sheet that displays the 2017 and 2022 refuse and recycling rates, a benchmark sheet, a question/response summary document from Republic, Waste Management, and Rumpke, a “no bid” letter from Waste Management, and an article on the City of Centerville increasing their refuse and recycling rates beginning January 1, 2023.

Manager Keaton stated the breakdown of the rates shows that Rumpke submitted a 3-year proposal with 2 optional years and a 5-year proposal. Rumpke also submitted an Alternate Bid for a term of 5-years. The alternate bid escalates prices each year for 5 years and limits the amount of solid waste that can be set out to six 30-gallon cans or bags, or two 95-gallon trash carts and up to three large items per service day. Manager Keaton stated our 2017 Rumpke contract was \$13.27 per residential unit for both refuse and recycling pick up. In July of 2019, Rumpke imposed a 9 cent increase per month, per residential account, due to the change in the Ohio gas tax. The 2022 proposal that breaks down in years 1 through 3 is \$19.26 for both solid waste and recycling pick up. The year 4 extension is \$20.49, the year 5 extension is \$21.81 and the 5-year term is \$21.36 per residential unit. Manager Keaton reported the alternate bid is strictly for a 5-year term. The alternate bid escalates pricing each year for 5 years, and it also limits the amount of solid waste that can be set out. In year one, it starts out at \$16.64, year two is \$17.70, year three is \$18.83, year four is \$20.04 and year five is \$21.33.

Member Requarth inquired what happens if someone has more refuse set out for pick-up than the contract allows?

Manager Keaton replied Rumpke will tag it to notify the customer it is over the limit. The customer does have the ability to call Rumpke and let them know they will have extra trash set out for the week they will pick it up. Rumpke advised there is not going to be an additional charge but by calling ahead they are prepared. Rumpke claims limiting the amount of trash helps eliminate strain on their drivers and keeps down workers compensation claims. This residential limit is based on what most of the other trash haulers are doing. Manager Keaton stated some entities will struggle with educating their customers on how much refuse they can put out, but she does not see that being much of an issue for us.

Member Zimmerlin observed the difference between the regular bid and the alternate bid is that we are limiting trash. Member Zimmerlin stated the price should go down then.

Manager Keaton replied they are limiting the number of containers that can be set out. On the alternate bid, the average over the five years is \$18.91.

Member Zimmerlin inquired what percentage increase does this calculate to be?

Manager Keaton replied it is close to a 40% increase.

Finance Director Brandt replied the three-year contract with the option for the two years is almost a 47% increase and the five-year is a 39% increase.

Member Zimmerlin stated we eliminated our city refuse services which was supposed to have saved money and now we're coming back with a 40% increase. Is this truly going to save us money in the long term?

Member Requarth stated you have to consider equipment, wages, benefits and everything else for our workers to pick up trash.

Member Zimmerlin stated that is a big jump. The selling point when we went with Rumpke was the cost savings.

Member Fowler asked what it would cost us if we went back to the city picking up trash?

Manager Keaton replied we would have to hire at least two people, which includes payroll benefits and workers compensation. We would also have to purchase another refuse truck, because we have to have a back-up. We also must consider fuel costs.

Member Requarth inquired whether we have less employees now than we did in 2017 when we discontinued refuse pick-up?

Manager Keaton replied we have the same number of employees now as in 2017. The two employees that used to work on the refuse truck do nothing but mow, spring through fall. The third employee that was on the truck helps in other areas of the Service Department.

Member Zimmerlin asked if it would be cheaper to contract out mowing?

Member Requarth stated mowing is expensive and inquired if staff can calculate the cost for the city to pick up refuse? This would give us something to compare it to and enable us to answer any questions from the public with actual numbers to base it on.

Manager Keaton reminded Council that when we picked up refuse in-house, we still used Rumpke as our recycling hauler.

Mayor Letner commented we would also have to pay tipping fees if we went back to in-house refuse collection.

Member Fowler inquired how we maintained the mowing when we were also picking up trash? He stated we should look into contracting out some of our mowing.

Manager Keaton replied we had more employees at that time and also had seasonal summer help. Some of those employees retired and we did not replace them. Manager Keaton stated we had a seasonal worker mowing for us this year, but he left for full-time employment.

Member Zimmerlin commented our residents were not pleased when we switched to Rumpke and there were a lot of issues when we first switched over.

Manager Keaton replied there was definitely a learning curve between our citizens and Rumpke when we made the change.

Member Crane inquired whether Rumpke would charge the same price as they did before for picking up recycling only?

Manager Keaton stated it would probably be more. Manager Keaton pointed out we currently pay over \$2,000 per month in fuel surcharges.

Member Fowler asked if we could push back on Rumpke and possibly get a better price if we tell them we are considering going back to in-house refuse pick-up.

Manager Keaton replied we cannot re-negotiate a bid. We would have to reject the bid and start the bid process over.

Finance Director Brandt advised the proposed five-year Rumpke contract increases refuses charges by \$5 per month per resident. Raising the rate by this amount per month would pay all of our costs and we would not have to raise our rates for the next five years. Finance Director Brandt stated the three-year contract would put us in the hole approximately \$130,000 with a \$5 per month/per resident increase.

Member Fowler stated we could purchase a used refuse truck.

Mayor Letner commented that would be asking for trouble due to the extent that we would use it on a daily basis.

Police Chief Jerome inquired if some of the haulers did not bid because they do not pick up in alleys?

Manager Keaton replied information about alley pickup is included in the Council packet. Some haulers are going to automated pick-up only and this cannot be done in the alleys.

Member Fowler asked if the alleys could be segregated and picked up by the City?

Manager Keaton stated at some point we need to take refuse pick-up out of the alleys altogether.

Mayor Letner commented \$60 per year per resident is not a bitter pill to swallow as we are currently looking at 9% inflation.

Discussion continued. The consensus is that it is Council's responsibility to the citizens to have staff calculate what it would be to bring refuse pick-up back in-house for comparison. Manager Keaton will bring those figures back to Council at the next meeting for further discussion.

Finance Director Brandt presented the Fund Balance for month ending July 31, 2022.

Motion by Fowler, second by Requarth to accept the July 31, 2022 Fund Balance as presented. All yeas, motion carried.

Finance Director Brandt requested Council accept the first reading, dispense with the second and third reading and adopt proposed Resolution No. 22-25, which amends the 2022 appropriations. This would take effect immediately after passage as provided in 4.07(a)(1) of the Charter of the City of Brookville. The majority of the changes are related to personnel changes, the opioid fund and other revenue increases which are positive things.

Motion by Fowler, second by Schreier to read proposed Resolution No. 22-25. All yeas, motion carried.

Motion by Requarth, second by Zimmerlin to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-25 entitled "A RESOLUTION AMENDING THE 2022 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 requested Council authorization to transfer \$100,000 to the Park Fund and \$100,000 to the Street M&R Fund from the General Fund. Finance Director Brandt stated these transfers are in the budget and are only a portion of the total amount appropriated.

Motion by Zimmerlin, second by Fowler to authorize the transfer of \$100,000 from the General Fund to the Park Fund and \$100,000 from the General Fund to the Street M&R Fund. All yeas, motion carried.

Fire Chief Fletcher advised Council should have received the second quarter report last week. He will work on enlarging the print on the monthly report to make it more user friendly.

Fire Chief Fletcher reported the month of July was very busy with 90% of their activity being EMS related. EMS crews responded to a fatal crash and a child attacked by a family pet. Fire Chief Fletcher commended our EMS personnel for their hard work and professionalism, stating they did some really good work saving that small child who was critically injured. Fire Chief Fletcher reported they also continue to receive a lot of COVID related calls, and he just received information from the Ohio Department of Health on monkeypox. The Fire Department will continue their stringent disinfection protocol so that we are not part of the disease transmission process.

Fire Chief Fletcher reported they will be making some changes to streamline the process for food trucks and trailers. There were some issues with the more than 70 vendors at the Community Picnic and streamlining the process would prevent problems in the future.

Fire Chief Fletcher reported their annual blood drive will be held on September 27, 2022 from 2:00 p.m. until 6:00 p.m.

Member Wilder inquired if we have counseling in place for our fire personnel after they respond to critical calls?

Fire Chief Fletcher replied we do have professional employee assistance opportunities in place. One of the most important things after a critical call is for the supervisor to sit down at the kitchen table with personnel to stress debrief before they go home to their families.

Police Chief Jerome reported he and staff are in the process of completing a wellness policy through Lexipol which will require our officers to speak with a mental health professional for one hour one time per year. This is something that other area agencies are doing through the Ohio Collaborative to ensure Officer wellness.

Police Chief Jerome advised he will be presenting a body camera demonstration at the next Council meeting.

Police Chief Jerome reported the new part-time administrative assistant he is sharing with the Fire Department, Brittany Ferguson, has entered all the UCR data from 2021 and 2022 and it has been submitted to the FBI. Police Chief Jerome reported Ms. Ferguson has also been trained to spot check our body cam video in an effort to police ourselves. She will begin with reviewing one recording per day, and will progress to at least one recording per shift, per day. This is done in many agencies.

Member Fowler inquired specifically what she would be looking for?

Police Chief Jerome replied anything that might raise a red flag with the public such as a language issue or use of force issue.

Member Fowler inquired whether the Officers have the ability to turn on and off the body cam recording?

Police Chief Jerome replied they do have this ability. However, once a video is downloaded it is impossible to delete it.

Member Requarth inquired if a red flag regarding an Officer's conduct is raised on one of the videos that is spot checked, will other recordings of that Officer be reviewed?

Police Chief Jerome replied that is correct. Many of the Officer conduct things you see on the news were likely caught through spot checking.

Member Crane inquired if there is a policy regarding when it is appropriate to turn the body cams on and off?

Police Chief Jerome replied the policy states the recording can be turned off when it is no longer of evidentiary value.

Police Chief Jerome reported he attended a presentation by the BCI representative regarding what services BCI will provide with the recent cuts made by the Miami Valley Crime lab. He was encouraged by the type and number of services they will provide to local police agencies and the time frame they return results in. The drawback is that our Officers will have to follow chain of custody and personally drive our samples and evidence to the BCI lab in London, Ohio. Officers will be trained to ensure we are compliant.

Police Chief Jerome reported our speed trailer has been out on Wolf Creek, and it has helped slow down the traffic. The speed trailer is aging and in need of repairs. There may be some grant opportunities to help with that.

Police Chief Jerome commended our new Fleet Mechanic Dave Schmitt for his speed in getting things repaired and back in service. Vehicles in the Police Department are used 24/7 which requires almost daily repairs and maintenance.

Member Zimmerlin inquired why traffic stops are on trend with last year, but citations are significantly down?

Police Chief Jerome replied one of our Officers that issued a lot of citations is no longer with us. With COVID easing, the number of citations is coming back up. Police Chief Jerome advised the Police Department will be paying a lot of attention to the new crosswalk in the 500 block of Westbrook Road. Although it is not optimal, this is not a unique crosswalk. The new crosswalk on Johnsville Brookville Road has been needed for years and is a tremendous safety enhancement for our students.

Law Director Stephan reported the second reading of proposed Ordinance No. 2022-04 is before City Council tonight. This Ordinance amends the zoning classification of part of Lot 2222 of the City of Brookville from its present classification of (HS) Highway Service to the new classification of (I-2) General Industrial District. This is for the property on Arlington Road, north of I-70, which both Planning Commission and Council have received briefings on from the developer. Planning Commission voted unanimously to recommend this re-zoning Ordinance for approval. Law Director Stephan recommended Council approve the second reading and dispense with the third reading so that we can keep moving forward on this project. The developer has a deadline to close on this property by the end of the year.

Member Fowler inquired whether the developer has reached out to the property owners who raised issues.

Law Director Stephan stated the developer is hoping to come to Ohio in August, and they are looking at potentially having a meeting at that time. Law Director Stephan stated he has recommended to the developer that they get the site plan completed, particularly the traffic study

and stormwater management portion completed before meeting with the property owners. They are working on this to get it completed. The traffic study may take up to two months to complete.

Member Fowler observed the water issues will be less than what they are currently once the development is completed.

Member Zimmerlin commented he would not want a truck stop to be built on that property.

Motion by Fowler, second by Zimmerlin to read proposed Ordinance No. 2022-04. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the second reading, dispense with the third reading and adopt Ordinance No. 2022-04 entitled "AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PART OF LOT 2222 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.

Mayor Letner thanked the Chamber of Commerce for the 71st Annual Community Picnic.

Mayor Letner reported the City of Englewood has been thanked properly for our new ladder truck. It has been a great addition to our fleet.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 22-19. All yeas, motion carried.

Motion by Requarth, second by Fowler to accept the second reading of proposed Resolution No. 22-19. All yeas, motion carried.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 22-20. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the second reading of proposed Resolution No. 22-20. All yeas, motion carried.

Member Fowler, Park Board Liaison, reported the park has been restored to its natural beauty after the Community Picnic. Member Fowler thanked the Fire and Police Departments and city staff for their assistance with the Picnic. It was a great event that was well attended.

Member Zimmerlin asked if there has been any interest in the open board positions and how long they will be advertised?

Manager Keaton replied we will keep them open until they are filled. We have not received any letters of interest.

Member Schreier, Planning Commission Liaison, reported Planning Commission met on July 21 and the Preliminary Plat for Meadowlark Subdivision was passed by a majority vote. The plan included 111 zero lot line homes.

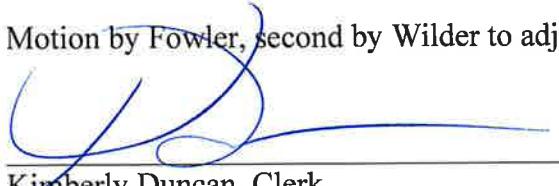
Member Fowler inquired if any Planning Members had issues with the development?

Member Schreier replied there were questions around density, road noise from the interstate and the overall number of homes.

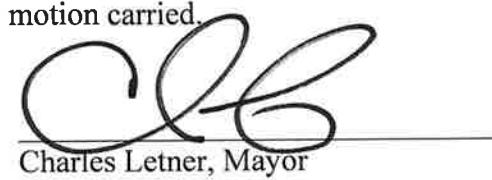
Damian Kristof, of 61 Oak Street, invited everyone to attend a presentation about the Spitler House on August 23, 2022 at 7:00 p.m. The event is sponsored by the Brookville Library and Brookville

Historical Society and is an opportunity to boost membership in the Historical Society and provide the public with a resource guide for what they offer in their research library.

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



Kimberly Duncan, Clerk



Charles Letner, Mayor