

Brookville City Council  
Regular Meeting  
January 18, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on January 18, 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.

Motion by Zimmerlin, second by Fowler to adopt the Agenda as presented. All yeas, motion carried.

Motion by Zimmerlin, second by Requarth to approve the January 4, 2022 Regular Meeting Minutes. Crane yea, Fowler abstain, Zimmerlin yea, Schreier yea, Wilder yea, Requarth yea, Letner yea. Motion carried with 6 yeas and one abstention.

Mayor Letner recognized Angie Sprada as the Citizen of the Month for the month of January for her service to the students and families of Brookville Schools, and the community of Brookville.

Ms. Sprada thanked the Mayor, stating she is both honored and humbled to accept the Citizen of the Month Award.

Manager Keaton reported we are finally seeing action on the removal of the fallen tree debris, adjacent to our WWTP, from the 2019 Memorial Day tornado. Solicited bids are due this Thursday, and work can begin once awarded by the U.S. Department of Agriculture. The tentative completion date is mid-March. Manager Keaton stated in May of 2020, she provided Council with an estimate of \$92,440 for this project with federal funding providing 75% of the cost and the City providing the remaining 25%, and any cost overruns. Manager Keaton stated she should know by February 1 who the project was awarded to and the amount.

Manager Keaton stated she is pleased to announce that ODOT approved a lower speed limit on East Westbrook Road between the city limits and Heckathorn Road. A 45-mph speed limit sign is posted eastbound when leaving the city limits and a sign will be posted westbound just west of Wellbaum Road. The speed limit will increase to 55-mph on Westbrook Road just east of Heckathorn Road.

Manager Keaton advised Brumbaugh Construction's target start date on the Hay Avenue Reconstruction Project is January 31, weather permitting. Letters advising the homeowners of this date will be mailed out this week.

Manager Keaton reported the wood floor in the Christena Leiber Center is scheduled to be refinished next week. That floor was last refinished in 2017.

Manager Keaton reported a 30-HP Flygt submersible pump, at the influent pump station in the WWTP, was recently damaged. The cost to repair the pump is \$13,293.61. It should be reinstalled within the next week or two. Manager Keaton advised the cost for a new pump was \$38,861 and the lead time for a new pump was 14 weeks.

Member Fowler asked what caused the pump damage?

Manager Keaton replied water got into the pump seal and damaged the electrical components inside.

Manager Keaton reported the Service Department installed new snow emergency signs at entrances into the city. Additional signs will be posted in neighborhoods where residents frequently park on the street.

Manager Keaton stated she is pleased to report the City received an anonymous donation totaling \$12,400 that is to be used to enlarge and refurbish the existing basketball court in Ward Park.

Manager Keaton advised we received notification from the City of Dayton Water Department of our 2022 water rates. Per the Dayton-Brookville Water Service Agreement, the 2022 base charge will be \$35,968.02/quarter and the volume charge will be \$22.49/1,000 cubic feet of consumption. These rates will be effective with the first quarter billing of 2022. The 2022 rates are based upon Dayton's 2020 actual expenses. The overall charges for 2022 are less than those for 2021 due to a decrease in Dayton's 2020 operating and maintenance costs due to the pandemic.

Manager Keaton reported on January 6, 2022, the U.S. Treasury released the Final Rule for the State and Local Fiscal Recovery Funds. The Final Rule goes into effect on April 1, 2022 and will supersede the previous Interim Final Rule. The most notable change is the ability to claim a standard allowance of \$10 million in revenue loss for the entire allocation without completing the revenue loss calculation. In Ohio, this allows every non-entitlement unit to use their entire allocation as revenue loss. Revenue loss can be used towards general government services such as road paving, facility repairs, equipment, payroll, parks and recreation, etcetera. Manager Keaton advised once she has had a chance to read the 437-page Final Rule and attend various webinars, she will come back to Council with suggestions on how we spend our \$615,308 allocation.

Manager Keaton requested Council approval to purchase a 2022 Police Explorer at a cost of \$33,797.73 through the State of Ohio Cooperative Purchasing Program. This vehicle will replace the 2015 Ford Explorer that will rotate to the School Resource Officer and the current SRO vehicle will be sold or rotate to the Zoning Code Enforcement Officer. Manager Keaton advised once we take delivery of the vehicle, we will have additional costs to furnish and install the lighting/siren package, console, cage, window bars, plastic transport seat, lettering, striping and an in-car video camera system.

Member Fowler asked if this vehicle will replace the current police vehicle with one working headlight?

Police Chief Jerome replied it is a constant battle to keep the headlights working on that vehicle. As soon as they replace one, the other quits working.

Member Requarth asked if the new vehicle is readily available?

Manager Keaton replied it is not. The lead time is 3-4 months.

Member Schreier inquired if this vehicle purchase was allocated for in Capital Improvements?

Manager Keaton replied that is correct, \$44,000 was allocated for a vehicle in Capital Improvement.

Member Zimmerlin inquired when we last purchased a new police vehicle?

Manager Keaton replied in late 2020.

Motion by Requarth, second by Fowler to authorize Manager Keaton to purchase a 2022 Police Explorer at a cost of \$33,797.73 through the State of Ohio Cooperative Purchasing Program. All yeas, motion carried.

Manager Keaton announced the Safe Routes to School Project bid opening was held last Thursday. Unfortunately, the bids came in higher than the State Estimate of \$269,000. Based on the apparent low bidder, the City will owe an additional \$29,480 if awarded. The project was approved in 2019 for \$336,342.40. A breakdown of the approved amount shows Federal Safe Routes to School funds paying 80% of eligible costs up to a maximum of \$250,067.20 and ODOT Toll Revenue Funds paying 20% of the eligible costs up to a maximum of \$62,516.80. Manager Keaton stated the City is responsible for acquisition of right-of-way and any cost overruns. Manager Keaton stated to

date, the City has paid \$36,075 for Right-of-Way Acquisition Services; \$3,097 for temporary easements along the project and \$58,316 due to the increase in the State Estimate.

Manager Keaton inquired whether Council has any questions, or comments? The ODOT District 7 office needs to know by noon tomorrow if the City will pay the additional \$29,480 within 30 days after the bid award.

There was discussion regarding materials and construction cost increases due to the pandemic.

Motion by Zimmerlin, second by Schreier to authorize the expenditure of an additional \$29,480 to fund the Safe Routes to School Project. All yeas, motion carried.

Member Requarth inquired where the funds will come from for this project?

Manager Keaton replied it will come out of the Street Fund or the General Fund. There is room in both. If we take it from the Street Fund, we may have to postpone the purchase of one of the vehicles.

Manager Keaton requested Council approval for an adjustment to the ambulance transportation fees for 2022. The Center for Medicare and Medicaid Services recently released The Ambulance Inflation Factor for 2022 and approved a 5.1% fee increase for EMS Services. Manager Keaton provided Council with our current rates and proposed rates with the 5.1% increase.

	<u>Current Rates</u>	<u>AIF of 5.1% Rates</u>
Mileage	\$ 13.82	\$ 14.52
Basic Life Support (BLS)	\$ 689.02	\$ 724.16
Advanced Life Support 1 (ALS1)	\$ 915.00	\$ 961.67
Advanced Life Support 2 (ALS2)	\$1164.49	\$1223.88

Member Requarth asked Fire Chief Fletcher how close these rates are to what we spend?

Fire Chief Fletcher replied the EMS billing is not calculated to cover what we spend. We have always gone with the recommended inflation factor.

Motion by Schreier, second by Fowler to approve a 5.1% increase in EMS billing. All yeas, motion carried.

Manager Keaton stated Council has a copy of a report she received from MetroNet for the month of December. The report shows they received 8 tickets or calls into their office and responded to those tickets within 1-3 days. The report shows they installed 10,725' of underground fiber during the month.

Manager Keaton advised she provided Council with a draft spreadsheet on potential fees for use of our Patrol Officers during non-city sponsored events, such as parades, runs, etcetera as discussed last year. Manager Keaton opened the floor for discussion to see if Council wants to move forward. Manager Keaton stated we will have groups approaching Council soon to request Opening Day Parades and so forth.

Member Zimmerlin asked for an estimate of costs throughout the year for non-city sponsored events?

Manager Keaton advised on the proposed budget cuts that Council reviewed last summer, the 2019 cost of overtime for detail and special events was just shy of \$24,000.

Police Chief Jerome commented this could include amounts from Ghostly Night Out and other special events. Police Chief Jerome advised he contacted other agencies to survey what they billed

for and found most agencies bill for non-city sponsored events. Police Chief Jerome advised most agencies stated they only have a homecoming parade.

Member Requarth asked if we should charge anything at all?

Manager Keaton replied that is what she is asking Council to determine.

Member Schreier stated since Council originally had discussions regarding charging for non-city sponsored events, things have changed a little bit in our revenue stream with some of the hiring. Member Schreier asked if we know the impact of where we might sit now compared to where we were last fall when we discussed these cuts?

Member Fowler asked specifically with DMAX and Pak-Rite?

Finance Director Brandt replied a lot of these businesses are still not at full capacity because of COVID. We do not have a lot of information on Pak-Rite yet. Finance Director Brandt stated she is not sure Pak-Rite will make up for what we lost with Provimi, whose employees were scientists that commanded higher wages. Finance Director Brandt stated she does not know if they will even each other out.

Manager Keaton stated she thinks we will have a better feel once we get February and March payroll reports. Right now we are getting reports that end in 2021. Their reporting system is comparing 2020 to 2021, but 2020 seems to be the driving factor. Right now Pak-Rite and DMAX are not on the report because they are comparing 2020 to 2021.

Member Requarth commented most of the organizations who sponsor the non-city sponsored events are either non-profit or providing a service to the community. Member Requarth stated he can see charging an outside organization for a non-city sponsored event in our community but does not feel we should charge our schools or sports organizations.

Police Chief Jerome advised it takes six officers for a parade. We used to use part-time staff to handle parades but we now have a limited number of part-time staff with limited availability. Our case load and serious crimes are increasing rapidly, so these events will create overtime.

Member Requarth suggested the baseball and spring soccer parade be combined.

Member Fowler suggested they get help from various service groups to help close off roads.

Mayor Letner replied the service organizations cannot help with road closures as they are not trained.

Police Chief Jerome commented that other agencies, such as Clay and Perry Township are generous in supplying officers to help us with these types of events, but they can usually supply just one officer. Everyone is currently fighting for manpower with COVID and staffing issues.

Member Fowler stated we are nickel and diming. The parades are an hour, maybe two at the most. We are looking at \$200 max for a parade which is hardly a drop in the bucket.

Fire Chief Fletcher stated he thinks we need a mechanism for any type of event, not just parades. Certain things, such as the bicycle group that camped in the park a few years ago, cause us to upstaff our public safety. Fire Chief Fletcher stated we can always put it in place, and then waive the fee if we want.

Police Chief Jerome stated in the past we have billed for highway detail during highway construction, but we couldn't staff it with the amount of hours required.

Member Zimmerlin commented we support other non-profits monetarily, such as the Historical Society, and he feels like this would be our contribution. He also sees the other side. If we cannot

pass levies that cover our costs, then we have to look at these sorts of things to make up for those costs. These are non-essential things that we choose to support.

Member Crane stated he likes the idea of having a fee structure in place and evaluating it on an individual basis. We can re-evaluate as we see how our revenue stream is down the road.

Member Requarth commented it could be hard to decide arbitrarily between the groups.

Member Zimmerlin commented it would be hard to decide what to do with the school as they are a public jurisdiction.

Manager Keaton stated she brought this before Council because they had previously discussed this at the budget session. She has forewarned the groups that this change might be coming.

Member Fowler stated he is in the mindset to wait and see where we sit financially over the next couple of months.

Member Zimmerlin stated he could go either way. It is not essential, but he also feels that if we are supporting certain organizations, we should support all. Member Zimmerlin suggested we table the discussion at this time.

Member Fowler commented the parades are something that makes Brookville a great place to live.

Mayor Letner agreed, stating the kids enjoy it.

The consensus is to table the discussion of charging for non-city sponsored events at this time.

Finance Director Brandt requested Council accept the following purchases: \$14,355.25 to ESO Solutions, Ince for the Fire Departments Records Management System and \$21,034.36 to Software Solutions for our Accounting/Utility Software.

Motion by Fowler, second by Zimmerlin to accept purchases in the amounts of \$14,355.25 to ESO Solutions, Ince for the Fire Departments Records Management System and \$21,034.36 to Software Solutions for our Accounting/Utility Software. All yeas, motion carried.

Finance Director Brandt requested Council approval of our membership with the Miami Valley Regional Planning Commission (MVRPC) for 2022, and to appoint Chuck Letner as a Member and City Manager, Sonja Keaton as Alternate to the MVRPC Board; and Rod Stephan as Member and Manager Keaton as Alternate to the Technical Advisory Committee for 2022. The dues are \$2,706.64 and are based on the 2010 census population figures. The dues are computed at forty-six cents per capita. A copy of the 2020 Benefits Report for the City of Brookville is attached. This report shows Brookville received \$116,700 or a 26% return on investment.

Motion by Zimmerlin, second by Schreier to approve our membership with MVRPC for 2022, and to appoint Mayor Letner as Member and Manager Keaton as Alternate to the MVRPC Board; and Law Director Stephan as Member and Manager Keaton as Alternate to the Technical Advisory Committee for 2022. All yeas, motion carried.

Finance Director Brandt requested Council approval to designate two of its members to sit on the Volunteer Firefighters' Dependents Fund for 2022. Mayor Letner and Member Wilder have indicated that they would like to serve as the Legislative Board Members on this Fund for 2022.

Motion by Fowler, second by Requarth to designate Mayor Letner and Member Wilder to serve as Legislative Board Members on the Volunteer Firefighters' Dependent Fund for 2022. Crane yea, Fowler yea, Zimmerlin yea, Schreier yea, Wilder abstained, Requarth yea, Letner abstained. Motion carried with five yeas and two abstentions.

Finance Director Brandt reported our Fire Station bonds required an Arbitrage Rebate calculation to be done to ensure that we owed no back taxes to the IRS on the interest we earned on our debt

proceeds. Due to the complexity of this calculation, we contracted with Baker Tilly for this calculation and received their report back last week. We were happy to find out that we owe \$0 to the IRS.

Fire Chief Fletcher reported the Fire Department had 1,967 calls for service in 2021. Of those calls, there were 1,650 EMS/Rescue (83.9%) calls. Of those, 94.8% EMS calls and 5.2% were Rescue incidents. The balance of the calls equaled 317 Fire/Service (16.1%) calls. The national average for EMS calls is 80-82% of total calls. Fire Chief Fletcher stated the increase in the percentage of EMS calls can be attributed directly to COVID. Fire Chief Fletcher commented there were less calls within the city limits this year, and more calls in the townships. This is attributed to the normal ebb and flow of calls.

Fire Chief Fletcher reported his staff is in the process of preparing information for Council regarding the changes in the fireworks law. This information will include recommendations regarding the concerns he and Police Chief Jerome shared with Council at a previous meeting.

Fire Chief Fletcher reported he has applied to Ohio EMA to host a class for Advanced Incident Management training that will come to the city at no cost. This training will be available to his command staff, and to elected officials and city staff. He has asked for the focus to be on managing a weather-related incident.

Member Zimmerlin asked if the training is only for weather-related incidents? Member Zimmerlin stated the reason for his question is that out of everything that occurred after the tornado, losing the water twice was a big concern to everyone.

Fire Chief Fletcher replied he had the option to pick the type of incident training. With the other options being things like train derailment and wildfires, the weather-related category seemed the best fit for Brookville.

Mayor Letner asked if the training would also apply to a snow-related event, such as blizzard conditions?

Fire Chief Fletcher confirmed that the training would apply to a snow-related weather event.

Police Chief Jerome reported the Police Department recently responded to bomb threat at a business on Carr Drive. They also responded to a stabbing on Carr Drive after two contractors got into an argument. There was a major language barrier on the latter call, which our Officer Mercado was a huge help with. Officer Mercado is bilingual and was able to communicate effectively and handle the investigation. Police Chief Jerome recognized Officer Mercado as invaluable to us in this situation.

Police Chief Jerome reported they also responded to a recent incident in the Terrace Park plat where a car went off-road, struck a light pole in a front yard, hit two the cars in the driveways of the next two homes, hit a car on the street in front of the next house and then struck the fourth house. This was a non-injury accident. Police Chief Jerome thanked the Fire Department for their help in contacting someone to stabilize the house that was hit. Police Chief Jerome reported there was an officer in trouble call in Union at the same time as this accident, so our department was unable to respond to that call. Police Chief Jerome advised these types of violent calls have been happening more and more county-wide.

Police Chief Jerome reported last year the Police Department charged a sexual offender who pled guilty to eight felony counts of pandering sexually oriented material involving a minor. Police Chief Jerome reported he has no comment on the offender's sentence of five years of probation.

Police Chief Jerome reported the Police Department is teaming up with Sinclair College to host an eight-hour course on Crisis Intervention for our staff members and other law enforcement agencies. Police Chief Jerome thanked retired Officer Chuck Crosby and Law Director Stephan, who helped coordinate and get the training recognized by OPOTA as credit for reimbursement.

Police Chief Jerome also thanked OPOTA's Curriculum Director Erica Wilson for her assistance and Fire Chief Fletcher for the use of the fire training center.

Member Requarth asked if Police Chief Jerome was able to help the Sycamore Street apartment resident with the neighbor issue he brought to Council recently.

Police Chief Jerome replied the resident has never followed up and contacted him or the City Manager.

Law Director/Development Specialist Stephan reported under Economic Development, we are continuing to have new housing permits in the Meadows of Brookville. The Final Record Plan for Meadows of Brookville, Section 9 will be coming before Planning Commission on January 20, 2022. Once approved by Planning Commission and City Council, this will add nine more lots.

Law Director/Development Specialist Stephan reported the Home Sweet Home Café has opened at Market and Sycamore Streets. They are doing very well, which is a big positive for our downtown.

Mayor Letner thanked Angie Sprada for being the Citizen of the Month. He also thanked everyone who attended the Community Prayer Breakfast and the Brookville Grille for preparing the food.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 21-35. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the third reading and adopt Resolution No. 21-35 entitled "A RESOLUTION AUTHORIZING THE REQUEST FOR AN ADVANCE OF TAXES COLLECTED IN 2022 FOR TAX YEAR 2021". All yeas, motion carried.

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 22-02. All yeas, motion carried.

Motion by Requarth, second by Fowler to accept the second reading of proposed Resolution No. 22-02. All yeas, motion carried.

Member Fowler, Park Board Liaison, reported Adam Blevins was elected Park Board President and Carolyn Haney was elected Vice President. Community Park Clean-up Day was scheduled for April 2, 2022.

Member Schreier, Planning Commission Liaison, had no report.

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

  
Kimberly Duncan, Clerk  
Charles Letner, Mayor