

Brookville City Council  
Regular Meeting  
July 5, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on July 5, 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, Schreier and Wilder; Manager Keaton, Finance Director Brandt, Law Director Stephan, Fire Chief Fletcher, Police Chief Jerome and Clerk Duncan were present. Member Zimmerlin was absent.

Roll Call by Clerk Duncan.

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

Motion by Fowler, second by Schreier to approve the June 21, 2022 Regular Meeting Minutes. All yeas, motion carried.

Motion by Fowler, second by Requarth to approve the June 24, 2022 Special Meeting Minutes. All yeas, motion carried.

Mayor Letner administered the Oath of Office to recently appointed Lieutenants Matt Rhodes and Kyle Sewert.

Mayor Letner thanked the men for their service to the community, commenting they both come from a long family lineage of fire and community service.

Manager Keaton reported the pickleball courts at Westbrook Park are complete and the courts are being used quite frequently. Manager Keaton thanked the anonymous donor who made the courts possible.

Manager Keaton reported the electric extension project at Golden Gate Park is complete. The final inspection is scheduled for this Friday.

Manager Keaton reported the siding and roof ridge vents have been installed and the contractor is working on the electrical conduit and installing vent fans and louvers on the new Sludge Processing Facility.

Manager Keaton reported the contractor is installing curb, gutter and sidewalk on Johnsville-Brookville Road for the Safe Routes to School Project.

Manager Keaton reported the Service Department removed eleven trees from Golden Gate Park in preparation for the Community Picnic. They also removed three overgrown pine trees from Gateway Park that were obstructing the view for those stopped on East Upper Lewisburg Salem Road.

Manager Keaton gave a Power Point presentation on the American Rescue Plan Act (ARPA) which delivers 350 billion dollars to state, local and Tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency.

Manager Keaton advised the Final Rule offers a standard allowance for revenue loss up to \$10 million, allowing recipients to select between a standard amount of revenue loss, or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount for general government services. Government Services is the most flexible use category under the State and Local Fiscal Recovery Fund Program. Funds are subject to streamlined reporting and compliance requirements, including expenditures that would not be eligible under other eligible use categories. Manager Keaton advised staff chose to go with the Standard Allowance, which allows the City to use all our ARPA funding on government services to the extent of reduction in revenue.

Manager Keaton reported the City received \$307,653.86 in ARPA funds in 2021 and \$1,228.22 in March of 2022. We expect to receive an additional \$308,882.08 in ARPA funds this year.

Manager Keaton reported projects that have been identified for ARPA funds are the Main Street Waterline Replacement Project, which replaces water lines from Wolf Creek Street to Columbia Street at a cost of \$347,200 plus \$35,000 in engineering costs; the Westbrook/Albert Drainage Improvement Project, at a cost of \$49,000 plus \$6,000 in engineering costs and upgrading the Influent/RAS Control Panel at the Wastewater Treatment Plant at a cost of \$75,000. Other projects identified include street resurfacing, additional playground and sport activities in our parks, improving the basketball courts at Golden Gate Park, resurfacing the drive and parking lots in Golden Gate Park, adding additional parking at Golden Gate Park and the Inflow and Infiltration (I & I) Study.

Member Requarth asked for confirmation that the I & I study is stormwater getting into our sewer system?

Manager Keaton replied that is correct.

Member Fowler stated our number one projects should be the waterline replacement and resurfacing our roadways.

Member Requarth asked if these are current estimates on these projects?

Manager Keaton replied they are current estimates.

Member Requarth suggested we can commit to the first three projects now, then come back to the table once those are completed to decide how to spend any remaining funds.

Manager Keaton advised the engineering costs can come out of our Water and Stormwater funds. We can work on the first two projects and then work on the sewer plant upgrade out of our Sewer Fund next year.

Motion by Requarth, second by Fowler to move forward with the Main Street Waterline Replacement Project, and the Westbrook/Albert Drainage Improvement Project using funds from the American Rescue Plan Act. All yeas, motion carried.

Member Wilder asked if the Safe Routes to School Project will be completed by the time school starts?

Manager Keaton replied it will be completed by the time the school year begins. We are currently in the longest phase of the project.

Mayor Letner stated he has had questions from citizens about feral cats and asked what approach citizens should take to curb the problem?

Manager Keaton advised we passed an ordinance regarding feral cats last year and asked Law Director Stephan to go over it with Council. Manager Keaton stated we will post an advisory regarding our feral cats policy on Facebook.

Law Director Stephan stated Section 505.21 of our Ordinance book, titled Feral Cats, states that any cat that is wild, stray or not owned shall be considered feral. Domestic cats that have turned wild should also be considered feral. It is unlawful for persons to continue to feed a feral cat. It is *prima facie* evidence of a violation of this section if a person knowingly or recklessly leaves food or any other type of feed outdoors after daylight hours, or leaves food, or any other type of feed, outdoors, unattended, not in the presence of the owners, domestic cats or allows feral cats to run at large and feed on their property. Any person feeding feral cats may be required to cooperate with any humane program sponsored by the City or operating under the City's auspices, that traps feral cats for the purpose of spaying/neutering the cats and immunizing the cats from rabies,

“tipping” the cat’s ear and then returning the cat to its environment in the general vicinity in which it was trapped. Whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of a violation of this section within one year of a new violation of this section, the offender shall be guilty of a misdemeanor of the fourth degree. Law Director Stephan advised we are working on a number of complaints right now related to feral cats as we have several neighborhoods in which individuals are feeding feral cats. We recently sent out notices to those individuals asking them to stop feeding the feral cats. We also have a program with Brookville Animal Hospital where the city will assist with the cost of spaying and neutering. We receive calls from people in neighborhoods that are trapping these cats and taking them to the animal hospital to have that procedure done. We have a program to control the cat population, we are asking that citizens not feed feral cats as it is becoming a difficult situation for everyone.

Finance Director Brandt presented the Fund Balance for June 30, 2022.

Motion by Schreier, second by Crane to accept the June 30, 2022 Fund Balance as presented. All yeas, motion carried.

Fire Chief Fletcher reported the Fire Department was busy in the month of June, especially with weather related emergencies.

Member Wilder inquired about the COVID numbers?

Fire Chief Fletcher replied there has been a recent uptick in COVID related emergencies. There are two strains prevalent right now, but they are generally not debilitating.

Police Chief Jerome reported the Police Department had a number of fireworks complaints over the weekend. The new fireworks ordinance will be effective on July 7, which will be publicized online so that our citizens are informed.

Law Director Stephan reported construction has started on Hunters Run, Section 2. This is another positive sign for the City.

Mayor Letner thanked the Optimists Club for flying the flags this weekend, which make the city look beautiful.

Mayor Letner advised the Montgomery County Fair opens this Sunday at noon and encouraged everyone to attend.

Motion by Fowler, second by Crane to read proposed Resolution No. 22-09. All yeas, motion carried.

Motion by Wilder, second by Fowler to accept the third reading and adopt Resolution No. 22-09 entitled “A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ODOT FOR THE 2023 MARKET STREET RESURFACING PROJECT.” All yeas, motion carried.

Mayor Letner requested a Special Council Meeting for Tuesday, August 2, at 7:00 p.m. to hold a Public Hearing regarding Clerk Duncan retiring and seeking reemployment with the City of Brookville.

Motion by Requarth, second by Fowler to hold a Special Council Meeting on Tuesday, August 2, at 7:00 p.m. regarding Clerk Duncan retiring and seeking reemployment with the City of Brookville. All yeas, motion carried.

Member Fowler, Park Liaison, had no report.

Member Schreier, Planning Commission Liaison, had no report.

Motion by Fowler, second by Wilder to go into Executive Session regarding ORC. 121.22(G)(1) to consider employment of a public employee. All yeas, motion carried.

Motion by Schreier, second by Fowler to go into Executive Session regarding ORC. 121.22(G)(1) to consider discipline of public employees. All yeas, motion carried.

Motion by Fowler, second by Crane to go back into Regular Session. All yeas, motion carried.

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

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Kimberly Duncan, Clerk

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Charles Letner, Mayor