

Brookville City Council
Regular Meeting
March 15, 2022

The Regular Meeting of the Brookville City Council was called to order by Mayor Letner at 7:30 p.m. on March 15, 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, 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 Clerk Duncan.

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

Motion by Schreier, second by Zimmerlin to approve the March 1, 2022 Regular Meeting Minutes as presented. All yeas, motion carried.

Mayor Letner recognized Dale Mendenhall as the Citizen of the Month for the month of March. Mayor Letner read a proclamation honoring Mr. Mendenhall for his legacy of Mendenhall Motors, which he operated in the City of Brookville for 59 years.

Mr. Mendenhall thanked Mayor Letner, stating he has been a proud citizen of Brookville all of his life and his many customers were like family.

Fire Chief Fletcher presented FF/EMT Crag Wilson with the 2021 Brookville Fire Department Firefighter of the Year Award; Firefighter/Paramedic Caleb Broomhall with the 2021 Brookville Fire Department EMS Provider of the Year Award and Lieutenant Ken Collier as the 2021 Brookville Fire Department Officer of the Year.

Mayor Letner congratulated each of the award recipients and thanked them for their service to the City of Brookville.

Manager Keaton reported at the March MVRPC Board of Directors Meeting, the Board approved 31 STP Projects totaling \$25.5 Million, which includes our Wolf Creek Street Resurfacing Project, and 18 Coronavirus Response and Relief Supplemental Appropriations Act Projects totaling \$5.2 Million, which includes our Market Street Resurfacing Project. Manager Keaton thanked the MVRPC for funding our projects. The Market Street Project is scheduled for 2023 and the Wolf Creek Street project is scheduled for 2024.

Manager Keaton advised the City recently submitted a grant, on behalf of the Brookville Leaf and Blossom Garden Club, to Keep Montgomery County Beautiful. If awarded, funds will go toward planting our Market Street flowerpots.

Manager Keaton reported the Service Department will soon replace the seeping chopper pump in the lift station on Albert Road near Brookhaven at a cost of \$10,500. The current pump is the original pump installed during the construction of that lift station in the late 1990's.

Manager Keaton reported the Ohio Office of Budget and Management recently notified us that we are receiving an additional \$1,228.22 in American Rescue Plan Act funds. The Ohio Office of Budget and Management completed the initial first tranche payments of ARPA funds to all eligible non-entitlement units that completed the application process. The U.S. Treasury requires the state to now redistribute the unclaimed remaining funds to those eligible in accordance with its guidelines. When we receive our second tranche later this year, we will have received \$616,535.94 in ARPA funds.

Manager Keaton advised the MVRPC Institute for Livable & Equitable Communities recently announced a new funding opportunity for MVRPC member organizations. In 2022, ten MVRPC member agencies will each be awarded a \$10,000 grant from the Del Mar Health-Dayton Fund at

the Dayton Foundation to pursue a multi-year planning effort focused on recognizing and enhancing age-friendly, livable aspects of their communities. Manager Keaton advised we submitted our AARP Livable & Age-Friendly Community Grant yesterday, in hopes of receiving funding to update our Comprehensive Plan. Manager Keaton commented in the document she provided Council, she found it shocking to read that the population of the United States is rapidly aging and by 2030, one of every five people in the United States will be 65 or older. By 2035, the number of adults older than 65 will be greater than the number of children under 18 and for the first time ever the United States will be a country comprised more of older adults than children.

Manager Keaton advised the Notice to Proceed was issued last Friday for the Wolf Creek Tree Removal Project. Risner's Tree Service mobilized their equipment yesterday. Removal and hauling away of the tree debris began today. The project should be completed by April 1, 2022. The contract amount on this project totals \$79,500 with the City contributing \$19,875, or 25% of the contract amount.

Member Zimmerlin inquired if there is any expectation that removing those trees will alleviate some of our storm water challenges?

Manager Keaton replied the contractor will clear and dispose of storm induced fallen trees, logs, brush and rubbish within the channel cross-section. They will also remove some of the fallen trees that have broken main trunks. The fallen tops and remaining standing portions of the trees are to be cleared. Manager Keaton advised that trees leaning at a 30-degree angle or greater with a root ball displaced more than 3-feet from its pre-storm location will be removed. Otherwise, trees are to be firmly placed back in the existing depression. The contractor was told if there is any attachment whatsoever to leave the trees in place.

Member Zimmerlin stated there should be some effect from the storm water perspective.

Manager Keaton agreed and stated Montgomery County Soil and Water has been waiting to do their flyover until this project is completed.

Manager Keaton reported on the Hay Avenue Roadway Reconstruction Project, the connection to the storm sewer at McKinley Street and the water at Western Avenue is complete, with the exception of connecting 5 and 14 S. Wolf Creek Street to the new waterline. Brumbaugh Construction is in the process of installing the new waterline on Hay Avenue. Testing of the new waterline should take place later this week, or early next week. Once the tests pass, Brumbaugh will connect all water services to the new waterline. S. Wolf Creek Street will be closed for a short time to through traffic when the new waterline is connected to those two properties on Wolf Creek Street.

Manager Keaton reported the bids were opened for the Sludge Processing Facility on March 9. We received three combined bids and one electric only bid. Manager Keaton provided Council with a copy of the bid tabulation, and copies of several pages out of the spec book. The C200 sheet shows a darkened outline of the current asphalt driveway that will be removed by our Service Department, which is Alternate C-1, Site Demo by Owner, sheet C300 displays where the new building will be constructed, and sheet A101 shows a rendering of the building. As part of this project, we are relocating two digester blowers. One of the two blower motors was damaged during the Memorial Day tornado and was replaced by Fryman & Kuck at a cost of \$28,310 in early 2020. Staff is recommending that we replace the motor in the second blower that is being relocated. This is a motor that was installed during the 1998 upgrade at our WWTP. It has seen its useful life, and we are no longer able to get parts for this motor.

Manager Keaton recommended that Council accept Arcon Builders combined bid of \$466,000, and accept Alternate C-1, Site Demo by Owner, with a deduction of \$5,600, and Alternate P-1, New Blower Motor, at an additional cost of \$31,000 for a net project amount of \$491,400 as the lowest and responsive bid. This bid is below the Engineer's Estimate of \$531,652.

Member Zimmerlin asked if Arcon bid on this project previously?

Manager Keaton replied yes they did. We removed the area to be re-asphalted from the project as we felt this is something we can do in-house later, when the price of asphalt is lower.

Member Schreier asked what the engineer's estimate was last time?

Manager Keaton replied it was \$443,546.

Motion by Requarth, second by Zimmerlin to accept Arcon Builders combined bid of \$466,000, and accept Alternate C-1, Site Demo by Owner, with a deduction of \$5,600, and Alternate P-1, New Blower Motor, at an additional cost of \$31,000 for a net project amount of \$491,400 as the lowest and responsive bid. All yeas, motion carried.

Member Requarth advised kids are dropping their bikes in the middle of the sidewalks in front of What's the Scoop on Market Street and asked if a bike rack could be installed on the corner?

Manager Keaton replied a bike rack was installed a few years ago on the other side of the Home Sweet Home Restaurant. We can look to see if we could get one installed in that area.

Fire Chief Fletcher stated the owner of What's the Scoop is very conscientious and would surely work with us to remedy the problem.

Member Fowler asked if we could place a bike rack in one of the parking spots?

Manager Keaton replied she and staff would take a look at the area and maybe get our engineer involved.

Finance Director Brandt requested Council accept the first reading and dispense with the second and third reading to adopt proposed Resolution No. 22-07, which amends the 2022 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 Zimmerlin, second by Fowler to read proposed Resolution No. 22-07. All yeas, motion carried.

Motion by Requarth, second by Wilder to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-07 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 reminded everyone that the City of Vandalia will be here to help residents with their local income tax filing on April 1 from 8:00-4:30 and again on April 2 from 8:00-12:00.

Fire Chief Fletcher reported work continues on the engine and ladder truck. The new fire engine was pressed into service last Saturday evening to respond to a fire in building 12 at Dull Homestead. Our crews, along with mutual aid from numerous departments, made a great stop and kept the fire from spreading to the multi-million dollar building next to it.

Fire Chief Fletcher reported the Fire Department has been very busy this month, including a fatal crash on Diamond Mill this morning.

Mayor Letner commended the Fire Department for learning the new engine and pressing it into service when needed. The Dull family was very grateful for their services.

Police Chief Jerome advised he will present the 2021 Police Officer of the Year awards at the April 5, 2022 Council Meeting.

Police Chief Jerome reported tomorrow he will be attending the Parent & Community Whole Child Event at Brookville High School. Friday night he will attend the Eagle Scout Court of Honor Event for Christian Seitz. Monday he will make a presentation to Superintendent Tim Hopkins at the school board meeting to honor his retirement from Brookville Schools.

Police Chief Jerome reported the Mayor swore in the new full-time Police Officer Sunday and the Police Department is now fully staffed.

Law Director Stephan reported the Tax Incentive Review Council (TIRC) of the City of Brookville met on March 14, 2022. The TIRC reviewed three City of Brookville tax incentive agreements with Green Tokai, Co., Giant Ohio, LLC, and General Motors, LLC, and found that the businesses were in compliance with their agreement. The TIRC recommended that the agreements be continued. Proposed Resolution No. 22-04, Resolution No. 22-05, and Resolution No. 22-06 are before City Council to accept the recommendation of the TIRC to continue these agreements. Law Director Stephan requested Council dispense with the second and third readings and approve these Resolutions in order to meet the end of the month deadline to report to the State of Ohio.

Motion by Zimmerlin, second by Schreier to read proposed Resolution No. 22-04. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-04 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 Zimmerlin, second by Fowler to read proposed Resolution No. 22-05. All yeas, motion carried.

Motion by Schreier, second by Fowler to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-05 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE COMMUNITY REINVESTMENT AREA #2 AGREEMENT OF GIANT OHIO LLC DATED JUNE 21, 2017 IS IN COMPLIANCE AND THAT THE COMMUNITY REINVESTMENT AREA AGREEMENT BE CONTINUED." All yeas, motion carried

Motion by Zimmerlin, second by Fowler to read proposed Resolution No. 22-06. All yeas, motion carried.

Motion by Fowler, second by Wilder to accept the first reading, dispense with the second and third reading and adopt Resolution No. 22-06 entitled "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL FINDING THAT THE COMMUNITY REINVESTMENT AREA #1 AGREEMENT OF GENERAL MOTORS, LLC DATED SEPTEMBER 17, 2019 IS IN COMPLIANCE AND THAT THE COMMUNITY REINVESTMENT AREA AGREEMENT BE CONTINUED." All yeas, motion carried.

Mayor Letner thanked Dale Mendenhall for being his Citizen of the Month, stating Dale was an institution in this City for many years.

Mayor Letner reported he swore in our new Police Officer on Sunday, who was formerly with the Secret Service.

Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2022-01. All yeas, motion carried.

Motion by Fowler, second by Requarth to accept the third reading and adopt Ordinance No. 2022-01 entitled "AN ORDINANCE LEVYING ASSESSMENTS FOR DELINQUENT UTILITY

BILLS FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

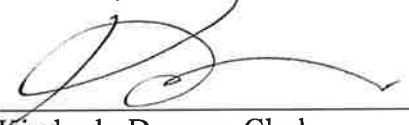
Motion by Zimmerlin, second by Fowler to read proposed Ordinance No. 2022-02. All yeas, motion carried.


Motion by Requarth, second by Fowler to accept the third reading and adopt Ordinance No. 2022-02 entitled “A RESOLUTION LEVYING ASSESSMENTS FOR CUTTING AND REMOVAL OF WEEDS, VINES, GRASS AND/OR OTHER VEGETATION DURING THE YEAR 2021 FOR CERTAIN PROPERTIES IN THE CITY OF BROOKVILLE, OHIO.” All yeas, motion carried.

Member Fowler, Park Board Liaison, reported a new Gaga Ball Pit is scheduled to be installed on March 25 and 26 at Westbrook Park near the existing play area behind field #4. Community Park Clean-up Day is April 2 at 10:00 a.m. with a rain date of April 9. The Optimist Adult Egg Scramble was well attended, with a 50/50 drawing that brought in \$503 for the Park Fund. Brookville Soccer Association has 315 kids signed up to play soccer this spring. The average is normally 150 kids.

Member Schreier, Planning Commission Liaison, reported Planning Commission will hold a Public Hearing on March 17, 2022 regarding the Preliminary Planned Development for Part Lot 1743.

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



Kimberly Duncan, Clerk

Charles Letner, Mayor