

NEW CARLISLE CITY COUNCIL
REGULAR MEETING AGENDA
January 22, 2019 @ 7:00pm

1. Call to Order: Mayor Ethan Reynolds
2. Roll Call: Clerk of Council
3. Invocation
4. Pledge of Allegiance
5. Action on Minutes: Regular Meeting: 1/7/19
6. Communications: None
7. City Manager's Report: Attached
8. Comments from Members of the Public: Please limit comments to 5 minutes or less.
9. Committee Reports: None

10. RESOLUTIONS: (1 - Intro and Action)

A. Resolution 19-03R: (Introduction, Public Hearing and Action Tonight)

A RESOLUTION REVISING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

11. ORDINANCES: (NONE)

12. OTHER BUSINESS:

- A. **Congressman Warren Davidson:** Will hold "Mobile Office Hours" at the City Building on the fourth Tuesday of each month from 1:30PM until 2:00PM.
- B. **Intergovernmental Meeting:** Monday, January 28, 2019 at the Smith Park Shelter House. Meeting begins at 6:30pm.

13. **EXECUTIVE SESSION:** None

14. Adjournment

Next **Regular Meeting** of the City Council will be **Monday, February 4th, 2019 @ 7:00pm**
Location: Smith Park Shelter House, 801 West Jefferson Street, New Carlisle

RECORD OF PROCEEDINGS

Minutes of:	Council of the City of New Carlisle, Ohio	REGULAR MEETING
Held:	Monday	January 7, 2019

1. **CALL TO ORDER:** This Regular Meeting of Council called to order at 7:00 pm by Mayor Ethan Reynolds.
2. **ROLL CALL:** The Clerk of Council, Emily Berner then called the Roll:
5 members present Reynolds, Shamy, Lowery, Cobb, Cook Absent: Lindsey STAFF PRESENT: Clerk of Council Emily Berner, Service Director Howie Kitko, Deputy Allender
3. **INVOCATION:** Mayor Reynolds
4. **PLEDGE OF ALLEGIANCE**
5. **ACTION ON MINUTES: 12/17/18**
CM Cobb motions to accept with a second by CM Lowery YES: 5 Cobb, Cook, Reynolds, Shamy, Lowery Nay: 0 Minutes Accepted 5-0.
6. **COMMUNICATIONS:** None
7. **CITY MANAGERS REPORT:** Given by Service Director H. Kitko

City Manager's Report

TO: Mayor, Vice Mayor, City Council, Residents, and Business Owners
FROM: Randy Bridge, City Manager
DATE: January 4, 2019 for January 7, 2019

- Items that should be reported to or discussed with Council are indicated with an asterisk (*) and organized under separate headings.
- Council members may bring any other item up for discussion.

A - ACTION REPORT

B - FINANCE DISCUSSION

C - SERVICE DISCUSSION

D - FIRE DISCUSSION

E - POLICE DISCUSSION

***F. INFORMATIONAL ITEMS**

- **Income Tax Collection Reports**
 - 2017 - Attached
 - 2018 - Attached
 - Comments from City Manager
- **Motion to Approve Members to Various Boards**
 - Paul Molla Jr. - Tax Review Board
 - Steve Fields - Planning Board
 - Janet Addeo - Board of Zoning Appeals (BZA)
 - Karen Clark - Planning Board
 - Sharon High - BZA
 - Sally Raiteri - Planning Board
- **Various Board Openings**
 - Parks and Recreation Board - 1 Opening
 - Board of Zoning Appeals - 1 Opening
 - Tax Review Board - 2 Openings
- **2019 Council Information**
 - Pay Dates - Attached
 - Meeting Dates - Attached
 - Observed Holidays - Attached
- **Upcoming:**
 - Town Hall Meeting
 - 2019 Operating Budget Work Sessions
 - Year Close Out anticipated by end of month
 - Work Sessions to begin 2ed week in February
 - Set dates?

CM Cook motions to accept members to various board positions with a second by CM Shamy. NO COMMENTS OR QUESTIONS YES: 5 Lowery, Cobb, Cook, Reynolds, Shamy NAY: 0. Accepted 5-0

CM Cook noted the 9/3 meeting for Council needs to be Tuesday not Monday due to Labor Day Holiday.

8. COMMENTS FROM MEMBERS OF THE PUBLIC:

Linda Eggelston Nowakowski- Community Garden moving forward with beehives. Received \$15,000 grant towards the purchase of a tractor. Asks how the city will be notifying citizens of notices. Clerk comments she has been using Springfield News Sun. Asks how many people voted in the last election and would like to know why 50 signatures needed and not the minimum of 25 like BOE suggests. Reynolds notes these great questions. Per ORC 50 needed b/c we are outside the framework of the Charter. Additional comments about how information shared to residents and how will residents know this? Mayor noted once the resolution is passed, information will be announced and the BOE will know exactly what is needed to run for the Council position. CM Cook notes again, we did not fulfill the spot within our charter timeline so the city will follow the ORC. Interested individuals can go online to Ohio Secretary of State to print petition 3-0 Nominating a Statement of Candidacy. Reynolds notes it is up to the individual to read the Candidate guide to know their responsibility. Various comments from Council take place as to what needs done. Nowakowski notes she is concerned about how the members of council do not know their charter... notes read the charter. CM Lowery asks if the garden will take up the front half or the back part of the property. Nowakowski states middle part.

9. COMMITTEE REPORTS: NONE

10. RESOLUTIONS: (2- INTRO AND ACTION)

A. RESOLUTION 19-01R: (INTRODUCTION, PUBLIC HEARING AND ACTION TONIGHT)

A RESOLUTION REVISING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

CM LOWERY MOTIONS TO APPROVE WITH A SECOND BY CM SHAMY. *Comments/questions: Reynolds notes yearly housekeeping of rules and how meetings are ran. CM Cook comments on item c.. inserted copies of all ordinances, resolutions and **contracts** he would like **contracts** added to item c. **CM COOK MOTIONS TO AMEND THIS RESOLUTION. CM LOWERY MOTIONS TO TABLE THIS TO DISCUSS THE AMENDMENT.***

VARIOUS COMMENTS FROM COUNCIL AND LEGAL COUNCIL ON HOW TO PROCEED WITH THIS RESOLUTION.

CM LOWERY MOTIONS TO WITHDRAW HIS ORIGINAL ACCEPTANCE MOTION.

CM LOWERY MOTIONS TO TABLE WITH A SECOND BY CM SHAMY. YES: 5 COBB, COOK, REYNOLDS, SHAMY, LOWERY NAY: 0 MOTION TO TABLE ACCEPTED 5-0

B. RESOLUTION 19-02R: (INTRODUCTION, PUBLIC HEARING AND ACTION TONIGHT)

A RESOLUTION DIRECTING THE CLARK COUNTY BOARD OF ELECTIONS TO INCLUDE IN THE SPECIAL ELECTION BEING HELD ON MAY 7, 2019 AN ELECTION TO FILL THE VACANT SEAT ON THE CITY OF NEW CARLISLE CITY COUNCIL FOR THE DURATION OF ITS UNEXPIRED TERM

MOTION TO ACCEPT WITH A SECOND BY CM COOK. *COMMENTS/QUESTIONS- CM COOK NOTES 2 CHANGE/ AMENDMENTS NEEDED TO THE RESOLUTION.*

CM COOK MOTIONS TO AMEND AND CHANGE THE WORDING FROM "SPECIAL ELECTION WITHIN THE CITY OF NEW CARLISLE" TO "A POLING PLACE AS ESTABLISHED BY THE CLARK COUNTY BOARD OF ELECTIONS" with a second by CM SHAMY. NO COMMENTS OR QUESTIONS YES: 5 LOWERY, COBB, COOK, REYNOLDS, SHAMY NAY: 0 ACCEPTED 5-0.

CM COOK MOTIONS TO AMEND ITEM 3 WORDING "ELECTION IN" TO "ELECTION FOR" WITH A SECOND BY CM LOWERY. *NO COMMENTS OR QUESTIONS* YES: 5 COBB, COOK, REYNOLDS, SHAMY, LOWERY NAY: 0 ACCEPTED 5-0.

VOTE FOR ORIGINAL MOTION TO ACCEPT RESOLUTION: YES: 5 REYNOLDS, SHAMY, LOWERY, COBB, COOK NAY: 0 MOTION ACCEPTED 5-0

11. ORDINANCES: NONE

12. OTHER BUSINESS:

*Congressman Warren Davidson will hold mobile office hours at the City Building on the fourth Tuesday of each month from 1:30 pm until 2:00 pm.

*CM Lowery notes the firework show scheduled for New Year's Eve will take place in October during the Heritage of Flight Festival. Thanks Bobo Construction for the donation of these.

*CM COBB MOTIONS TO EXCUSE CM LINDSEY FROM THE MEETING WITH A SECOND BY CM SHAMY. YES: LOWERY, COBB, COOK, REYNOLDS, SHAMY NAY: 0 ACCEPTED 5-0

13. EXECUTIVE SESSION: NONE

14. ADJOURNMENT: CM LOWERY MOTIONS TO ADJOURN WITH A SECOND BY CM SHAMY.

MAYOR CITY OF NEW CARLISLE

CLERK OF COUNCIL

City Manager's Report

TO: Mayor, Vice Mayor, City Council, Residents, and Business Owners
FROM: Randy Bridge, City Manager
DATE: January 18, 2019 for January 22, 2019

- Items that should be reported to or discussed with Council are indicated with an asterisk (*) and organized under separate headings.
- Council members may bring any other item up for discussion.

A - ACTION REPORT

***B - FINANCE DISCUSSION** - Report Dispersed at Meeting

***C - SERVICE DISCUSSION** - Report Attached

***D - FIRE DISCUSSION** - Report Attached

***E - POLICE DISCUSSION** - Report Dispersed at Meeting

*F. INFORMATIONAL ITEMS

- **Income Tax Collection Reports**
 - 2017 - Attached
 - 2018 - Attached
 - Comments from City Manager
- **Motion to Approve**
 - Sue Thompson - Tax Review Board
 - Howard Kitko - Acting Clerk of Council
- **Various Board Openings**
 - Parks and Recreation Board - 1 Opening
 - Board of Zoning Appeals - 1 Opening
 - Tax Review Board - 1 Openings
 - Will Place all Board Openings in a Legal Ad as well as posting on Facebook
- **Upcoming:**
 - Town Hall Meeting
 - 2019 Operating Budget Work Sessions
 - Year Close Out anticipated by end
 - Work Sessions to begin 2cd week in February
 - Dates Available:
 - Monday 2/11; Tuesday 2/12; Wednesday 2/13; Thursday 2/14
 - Monday 2/18; Tuesday 2/19; Wednesday 2/20; Thursday 2/21
- **2019 Operating Budget Timeline**
 - Approve By *Regular Ordinance*
 - 2/23 - Legal Ad for Budget Runs in the Miami Valley Sunday News
 - 3/11 - SPECIAL MEETING for the purpose of having the Public Hearing and Passage of the budget
 - Approve by *Emergency Ordinance*
 - 3/11 - Legal Ad for the Budget Runs in the Miami Valley Sunday News
 - 3/25 - Public Hearing and Passage of Budget at REGULAR MEETING
 - This option would permit a few more work sessions for budget discussion
- **2016 (2017) Prentice Drive Reconstruction Project**
 - Miscalculations of Formulas Used for Price Allocations
 - Balance Owed
 - Letter Attached
 - City Manager & Service Director Meeting with County
 - Letter Attached
- **Volunteer Fire Fighters Dependent Fund Board**
 - Need Motion to Approve two (2) members from City Council to sit on Board
 - Information Attached



To: Mr. Bridge, City Manager
From: Howard Kitko, Service Director
Date: January 22, 2019
Subject: Council Update

Service Departments:

- Snow removal is in full swing. When the snow exceeds 2" or a plowable snow, we asked that residents pull their vehicles into the driveway. It makes is better for the crews to get the snow back to the curb.

2018-2019 Various Road Projects:

- Galewood Dr. Reconstruction Project: The 300 block of Galewood Dr. will be reconstructed in 2019. Engineers have surveyed the project and now are in the middle of the design phase

2019 Wastewater Plant Influent Building Upgrade:

- The City had a kickoff meeting on 12/12 with the engineers who will be designing the project. They anticipate having plans ready for bidding in about 8 weeks. I will be bringing an emergency ordinance in front of council for a turnkey pump install for 1 pump. Information will be put out prior to the ordinance. I will give some verbal information at the council mtg. 1/22/19

Traffic Signal Upgrade Project:

- Currently working on the right-of-way acquisition phase of the project. Construction, est. Spring 2020. (No current Update)



City of New Carlisle
City Council Meeting
01-21-2019
Fire-EMS Report

- In the Month of December the New Carlisle Fire Division responded to 66 EMS call in the City and 16 in Elizabeth Township.
- The Division responded to 8 Fire related calls in the City and 1 in Elizabeth Township.
- We had 3 EMS calls answered by mutual aid, either by Pike Township or Bethel Clark, due to medic 52 being on a response.
- We answered 2 mutual aid EMS calls for Pike Township and 2 for Bethel Clark.
- In the Month of December the Division responded to 0 Overdose calls,
- The Division had a total run volume for 2018 of 1301 runs in the city and 144 in Elizabeth Township.

Steven Trusty
Fire Chief
City of New Carlisle

New Carlisle Fire Division

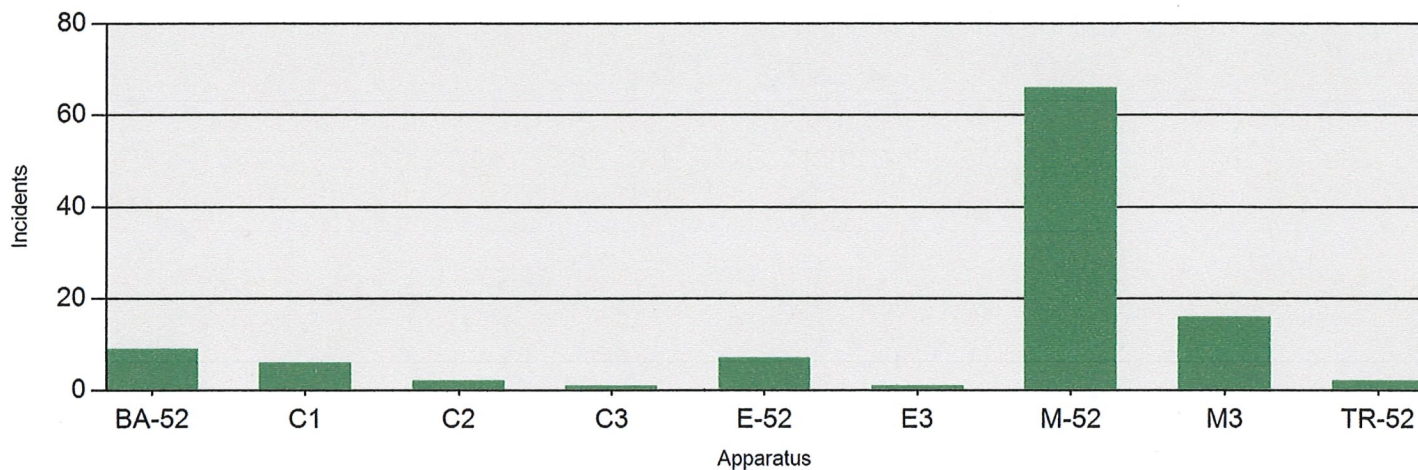
New Carlisle, OH

This report was generated on 1/13/2019 4:56:08 PM



Incident Count per Apparatus for Date Range

Start Date: 12/01/2018 | End Date: 12/31/2018



APPARATUS	# of INCIDENTS
BA-52	9
C1	6
C2	2
C3	1
E-52	7
E3	1
M-52	66
M3	16
TR-52	2

Canceled apparatus (per the THIS APPARATUS WAS CANCELLED checkbox on Basic Info 4) not included.
Only REVIEWED incidents included.

FINANCE REPORT - 2017 INCOME TAX REVENUE

	CCA TAX RECEIPTS										STATE OF OHIO TAX RECEIPTS		
MONTH	GROSS COLLECTIONS	TAX ALLOCATION ADJUSTMENTS	GROSS COLLECTION REVISIONS (Admin)	TOTAL ADJUSTED GROSS COLLECTIONS	REFUNDS	RETURNED CHECKS	CCA -NET REVENUE	COLLECTION FEES (Incl annual audit fee adj)	CCA - BANK PAYMENTS	DATE RECEIVED	ST OF OHIO REVENUE (ACH)	DATE RECEIVED	TOTAL NET PAYMENTS
JAN	109,726.75	0.00		109,726.75			109,726.75		109,726.75	2/13/17	43.25		109,770.00
FEB	80,566.84	0.00		80,566.84	-392.00	-104.22	80,070.62		80,070.62	3/13/17			80,070.62
MAR	116,654.50	0.00		116,654.50	-1,329.00		115,325.50		115,325.50	4/17/17	611.85	3/1/17	115,937.35
APR (Est)	213,000.00	0.00		213,000.00	-1,726.48	-401.65	210,871.87	-10,400.00	200,471.87	5/16/17			200,471.87
MAY (Est)	192,000.00	26,032.45	-108.28	217,924.17	-1,568.82		216,355.35	-3,316.50	213,038.85	6/19/17			213,038.85
JUN (Est)	108,700.00	9,286.46	118.05	118,104.51	-5,245.29	-398.22	112,461.00	-1,975.00	110,486.00	7/17/17	6.93	6/1/17	110,492.93
JUL	114,058.86	4,110.66		118,169.52	-1,123.33		117,046.19	-2,202.00	114,844.19	8/14/17			114,844.19
AUG	101,312.92	0.00	298.92	101,611.84	-2,165.17		99,446.67	-2,030.00	97,416.67	9/18/17			97,416.67
SEP	112,760.76	0.00	630.19	113,390.95	-1,521.98	-103.78	111,765.19	-2,255.00	109,510.19	10/16/17	3.95	9/1/17	109,514.14
OCT	116,923.95	0.00	134.00	117,057.95	-293.17	-12.66	116,752.12	-2,340.00	114,412.12	11/13/17			114,412.12
NOV	115,391.30	0.00	300.62	115,691.92	-3,652.82	0.00	112,039.10	-2,310.00	109,729.10	12/18/17			109,729.10
DEC							0.00		0.00		428.74	12/1/17	428.74
TOTALS	1,381,095.88	39,429.57	1,373.50	1,421,898.95	-19,018.06	-1,020.53	1,401,860.36	-26,828.50	1,375,031.86		1,094.72		1,376,126.58

INCOME TAX REVENUE REPORT - 2018

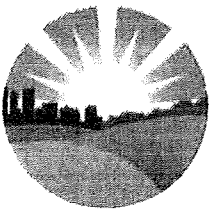
	CCA TAX RECEIPTS										STATE OF OHIO TAX RECEIPTS			
MONTH RCV (TAX MONTH)	GROSS COLLECTIONS	TAX ALLOCATION ADJUSTMENTS	GROSS COLLECTION REVISIONS (Admin)	TOTAL ADJUSTED GROSS COLLECTIONS	REFUNDS	RETURNED CHECKS	CCA -NET REVENUE	COLLECTION FEES (Incl annual audit fee adj)	CCA - BANK PAYMENTS	DATE RECEIVED	QTRLY MUNI INC TAX	MONTHLY MUNI NET PROFIT TAX	NET STATE PAYMENTS	TOTAL NET PAYMENTS
JAN (Dec)	137,249.12	0.00	131.08	137,380.20	-604.75	-682.00	136,093.45	-2,745.00	133,348.45	1/12/18	0.00	0.00	0.00	133,348.45
FEB (Jan)	136,230.92	0.00	1,531.00	137,761.92	-437.61	0.00	137,324.31	-2,725.00	134,599.31	2/16/18	0.00	0.00	0.00	134,599.31
MAR (Feb)	97,036.43	0.00	39.00	97,075.43	0.00	0.00	97,075.43	-1,940.00	95,135.43	3/19/18	1,757.95	0.00	1,757.95	96,893.38
APR (Mar)	143,000.00	0.00	115.67	143,115.67	-1,551.01	-1,500.00	140,064.66	-2,860.00	137,204.66	4/16/18	0.00	0.00	0.00	137,204.66
MAY (Apr)	233,000.00	930.68	0.00	233,930.68	-858.00	-557.44	232,515.24	-24,813.00	207,702.24	5/14/18	0.00	2,190.79	2,190.79	209,893.03
JUN (May)	190,000.00	3,841.11	0.00	193,841.11	-4,062.54	-50.00	189,728.57	-24,785.00	164,943.57	6/18/18	2,843.35	69.86	2,913.21	167,856.78
JUL (Jun)	121,234.99	-1,360.98	326.95	120,200.96	-1,539.13	0.00	118,661.83	-5,250.00	113,411.83	7/16/18	0.00	0.00	0.00	113,411.83
AUG (Jul)	121,256.17	0.00	117.00	121,373.17	-6,670.55	0.00	114,702.62	-5,250.00	109,452.62	8/13/18	839.39	4,269.71	5,109.10	114,561.72
SEP (Aug)	97,641.80	0.00	-67.24	97,574.56	-3,337.25	0.00	94,237.31	-4,230.00	90,007.31	9/17/18	0.00	0.45	0.45	90,007.76
OCT (Sep)	127,514.66	0.00	5.00	127,519.66	-4,953.41	0.00	122,566.25	-5,525.00	117,041.25	10/15/18	0.00	66.50	66.50	117,107.75
NOV (Oct)	123,582.19	0.00	1,073.01	124,655.20	-1,895.28	0.00	122,759.92	-5,355.00	117,404.92	11/19/18	1,059.90	141.48	1,201.38	118,606.30
DEC (Nov)	112,507.48	0.00	695.95	113,203.43	-635.78	-60.18	112,507.47	-4,875.00	107,632.47	12/17/18	0.00	32.37	32.37	107,664.84
REVENUE TOTALS-FIN DEPT	1,640,253.76	3,410.81	3,967.42	1,647,631.99	-26,545.31	-2,849.62	1,618,237.06	-90,353.00	1,527,884.06	—	6,500.59	6,771.16	13,271.75	1,541,155.81

Estimated Revenue

2018 vs. 2017 (Side-by-Side)

2018 Income Tax Collections		% Increase from 2017 to 2018	2017 Income Tax Collections	
Total Adjusted Gross Collections	\$ 1,647,631.99	16%	Total Adjusted Gross Collections	\$ 1,421,898.95
Refunds (Minus)	\$ 26,545.31	40%	Refunds (Minus)	\$ 19,018.06
Returned Checks (Minus)	\$ 2,849.62	179%	Returned Checks (Minus)	\$ 1,020.53
CCA Net Revenue	\$ 1,618,237.06	15%	CCA Net Revenue	\$ 1,401,860.36
CCA Collection Fees (Minus)	\$ 90,353.00	237%	CCA Collection Fees (Minus)	\$ 26,828.50
Total CCA Bank Payments	\$ 1,527,884.06	11%	Total CCA Bank Payments	\$ 1,375,031.86
State of Ohio Tax Receipts (Plus)	\$ 13,271.75	1112%	State of Ohio Tax Receipts (Plus)	\$ 1,094.72
Total Net Payments	\$ 1,541,155.81	12%	Total Net Payments	\$ 1,376,126.58

Total Dollar Amount: **\$165,029.23**



Clark County Community and Economic Development

Springview Government Center
3130 E. Main Street, Suite 1A
Springfield, Ohio 45505

Thomas A. Hale, CBO, RBO, Director
Phone (937) 521-2160 | Fax (937) 328-2621
communitydevelopment@clarkcountyohio.gov

January 16, 2019

Randy Bridge
City Manager
The City of New Carlisle
New Carlisle, Ohio 45344
P.O. Box 419

Dear Mr. Bridge,

This letter is in regards to the Prentice Drive CDBG FY16 Project. The County has been informed by the State of Ohio Development Services Agency under grant guidelines, when the project came in under-budget; the County was not at liberty to credit the City for the full amount of the resulting savings. Below, you will find a spread sheet showing the calculations of the funds owed to the State.

	<u>Total</u>	<u>CIP</u>	<u>Formula</u>	<u>City</u>
Projected	\$ 382,896.00	\$ 170,500.00	\$ 120,600.00	\$ 91,796.00
	100%	44.53%	31.50%	23.97%
Actual	\$ 332,435.50	\$ 170,500.00	\$ 120,600.00	\$ 41,335.50
	100%	51.29%	36.28%	12.43%
Pro-Rated	\$ 332,435.50	\$ 148,030.41	\$ 120,600.00	\$ 63,805.09
	100%	44.53%	36.28%	19.19%
Difference between Actual and Pro-Rated CIP Funds:	\$	22,469.59		

Please remit the following amount of \$22,469.59 to the Clark County Community and Economic Development Department so that we may get these funds returned as directed by the State.

Sincerely,


Ethan Harris

Planning and Development Administrator
Clark County Community and Economic Development
3130 E. Main Street, Suite 1a
Springfield, Ohio 45505

CC Tom Hale, Clark County Community and Economic Development Director



Department of Commerce

Division of State Fire Marshal
John R. Kasich, Governor
Jacqueline T. Williams, Director

2019 VOLUNTEER FIREFIGHTERS' DEPENDENTS FUND CERTIFICATE OF ANNUAL ELECTION OF BOARD MEMBERS

F12019

VFDF - NEW CARLISLE FIRE DIVISION

1. The Certificate of Annual Election of Board Members must be **entirely** completed. **THE BOARD ELECTED SECRETARY MUST SIGN THIS FORM TO CERTIFY ITS VALIDITY** and return form no later than January 31st.
2. Direct all inquiries to: Julie Karchnick, Senior Financial Analyst, 614-752-7122 or 800-515-0023. Those individuals noted below have been elected to the VFDF Board to serve a one year term commencing on January 1 of the year elected.
(PLEASE PRINT OR TYPE INFORMATION BELOW)

Name of Board Member Elected by Legislative Authority	Address/City/Zip
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Name of Board Member Elected by Legislative Authority	Address/City/Zip
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<i>Rollin McIntosh</i> Name of Board Member Elected by Fire Department	Address/City/Zip
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<i>Diana St. John</i> Name of Board Member Elected by Fire Department	Address/City/Zip
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<i>April Fox</i> Name of Board Member Elected by Other four members	Address/City/Zip
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<i>Rollin McIntosh</i> Board Member to Serve as Chairperson	<i>Diana St. John</i> Board Member to Serve as Secretary
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I hereby certify that the individuals noted above were elected in accordance with the provisions of 146.03 and 146.04, of the Ohio Revised Code.

<i>Diana St. John</i> Signature of Board Secretary	Address/City/Zip
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Email Address	Phone number
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RESOLUTION 19-03R

A RESOLUTION REVISING THE NEW CARLISLE CITY COUNCIL RULES OF COUNCIL

WHEREAS, the Rules of Council establish guidelines under which the Council of the City of New Carlisle conducts business; and

WHEREAS, said Rules state that they shall be reviewed and adopted by Council in January after any Council elections; and

WHEREAS, the Rules of Council were last revised on May 21, 2018 via Resolution 18-08R; and

WHEREAS, any of the Rules of Council may be amended by a two-thirds vote of the Council members present at a regular meeting.

NOW, THEREFORE, THE MUNICIPALITY OF NEW CARLISLE HEREBY RESOLVES that the New Carlisle City Council Rules of Council be as follows:

SECTION I: MEETINGS

A. Regular Meetings

Regular Meetings shall be held every first and third Monday of each month at 7:00 P.M. When the date of a regular meeting is determined to create a conflict, or falls on a holiday observed by the City, Council may, by majority vote, change the date and/or hour and issue proper notices thereof.

B. Special Meetings

The Mayor, Vice-Mayor, City Manager or at least four (4) members of Council may call for a special meeting. If Council membership should fall to five (5) or less, a simple majority may call a special meeting. The special meeting may be called upon at least a twelve (12) hour written notification to all Council Members. This notice may be delivered to each Member personally or left at his or her place of residence, and should generally state the subjects to be discussed at the meeting. Every effort shall also be made to contact the Member by telephone, e-mail, and in other ways. Written notice to any Member may be waived by that Member.

C. Closed Sessions/Executive Sessions

All meetings during which official business is conducted will be held in public. However, Council may convene in a closed or executive session to discuss those matters which are permitted by section 121.22(G) of the Ohio Revised Code. All Council Elect shall be included in all executive sessions after being certified by the board of election

SECTION II: NOTIFICATION OF MEETINGS

Upon establishment of special meetings, the City Manager, Council Members, and the public shall be notified. Notification shall be made by posting a notice at the City Building, by contacting a newspaper of general circulation within the City, any requesting media organization, and others regularly notified of meetings.

SECTION III: AGENDA

- A. The Clerk of Council, in conjunction with the City Manager, the Law Director and the Council, shall prepare and distribute the meeting agenda, listing the items for discussion and the order of business for the meeting.
- B. In order for an item to be included on the agenda, it must be submitted to the Clerk or the City Manager no later than three (3) working days preceding the meeting date.
- C. A copy of all Ordinances or Resolutions must be made available to all Council Members, the Clerk, and any department head whose department may be involved in the legislation, a minimum of forty-eight (48) hours prior to the Council meeting at which the legislation is to be introduced.
- D. An item that does not appear on the agenda shall not be acted upon without suspension of the Rules of Council.
- E. No letter or communication to Council shall be considered or acted upon by Council unless the letter or communication has been signed by its sender.
- F. Subsections B, C, & D are not applicable in regard to emergency legislation.

SECTION IV: PRESIDING OFFICER AT MEETINGS

- A. The Mayor, selected in the manner set forth by the City Charter (Section 4.04), shall assume the duties and responsibilities contained therein, and shall act as Presiding Officer over all Council Meetings.
- B. The Vice-Mayor, selected in the manner set forth by the City Charter (Section 4.05), shall assume the duties and responsibilities contained therein and perform the duties of Mayor in the Mayor's absence, including that of Presiding Officer.
- C. In the case of absence of both the Mayor and Vice-Mayor at a Council meeting, the Council shall select a Temporary Presiding Officer by a majority vote of Members present.
- D. The Presiding Officer shall preserve decorum and decide all questions of order, subject to appeal to Council, by any one of its Members. Should any Member transgress these rules of Council, the Presiding Officer shall, or any Member may, call him or her to order, and in the latter instance, the Presiding Officer shall render a decision as to the point of order. The Presiding Officer shall be sustained unless overruled by a majority vote of Council Members present.
- E. Addressing the Presiding Officer
A Member of Council shall address the Presiding Officer when requesting permission to speak. The Presiding Officer shall then declare the person entitled to the floor. All discussion shall be confined to the question under debate. Members of the audience will also request permission to address Council from the Presiding Officer, and should do so by raising their hand(s).

SECTION V. THE CLERK OF COUNCIL

Council shall select a Clerk and one or more Acting Clerks in accordance with the City Charter (Section 4.09).

SECTION VI. MEETING PROCEDURE

The order of business by the Council shall be:

- (1) Call to Order
- (2) Roll Call
- (3) Invocation
- (4) Pledge of Allegiance
- (5) Action on Minutes of previous meeting(s)
- (6) Communications
- (7) City Manager's Report
- (8) Comments from Members of the Public
- (9) Committee Reports
- (10) Resolutions
- (11) Ordinances
- (12) Other Business
- (13) Executive Session

As a courtesy to the audience, the presiding officer should announce if any additional business is anticipated after executive session.

- (14) Return to regular session
- (15) Adjournment

SECTION VII: VOTING

A. Quorum

A majority of Council Members must be present at any meeting for official and valid business to be conducted, except as otherwise provided by the City Charter.

B. Absences

If a Council Member is to be absent from a meeting and desires to be excused from that meeting, the Member shall communicate that information to the Mayor or the Vice Mayor as early as possible prior to that meeting, and should specify the reason(s) for said absence. If unable to contact them, the Member shall contact any other Council Member or the City Manager.

Having received such request, the Mayor, or Vice Mayor, or other Council Member or City Manager shall present that information during the "other business" portion of the meeting from which the Member wishes to be excused.

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C. Voting Procedure

Voting on all proposed legislation and motions shall be oral and in open Council. The Clerk of Council shall call the roll, beginning with the member seated to the left of the member who seconded the motion. Members may signify approval with a "Yes" vote, disapproval with a "No" vote, or "Abstain" for reasons such as:

(1) The Member feels his or her vote would constitute a conflict of interest.

(2) The Member was not present at the previous meeting (re: minutes).

When a Council Member chooses to abstain, he or she shall state, "I abstain because," indicating the reason for the abstention. No other comments shall be in order during the voting procedure. The Clerk of Council shall announce the result and the vote immediately after the roll call.

D. Voting on Suspension of Rules

Suspensions of these Rules of Council shall require a two-thirds (2/3) vote of Council Members present.

E. Dissent from Majority Opinion

Any Member of Council may dissent or protest a decision of the majority of Council, or any Ordinance, Resolution, or Motion, and may have that dissent entered into record. Such dissent may be oral or written and shall be presented at the next meeting following the action on such Ordinance, Resolution, or Motion.

F. Reconsideration

Any Member who voted with the prevailing side on the vote on a given action of Council may move a reconsideration of that action, provided that the motion be made not later than the next regular meeting after the action was taken.

A motion to reconsider shall be in order at any time except when a motion on some other subject is standing.

A motion to reconsider being laid on the table may be taken up and acted upon at any time when the Council is engaged in transaction of miscellaneous business.

No motion to reconsider shall be made more than once on any matter or subject, and the same number of votes shall be required to reconsider the action of the Council as are required to pass or adopt the same.

No Motion, Resolution, or Ordinance, having been voted upon, shall be reintroduced within ninety (90) days, except with majority concurrence of Council.

SECTION VIII: SPEAKING REGULATIONS

- A. Each Council Member and person addressing Council during the legislative agenda shall make every effort to confine his or her discussion to the question under debate. Members of Council and members of the audience shall be limited to five (5) minutes and shall not speak more than once on any subject.

- B. Comments from persons in the audience should be addressed to the Presiding Officer, not to proponents or opponents of any issue, not to city staff, and not to other members of the audience.
- C. A public meeting or a public hearing is an opportunity for Council to receive input from citizens of the community. It is not the place for a debate between persons in the audience and other citizens, persons in the audience and city staff, or persons in the audience and members of Council. Debating tactics such as demanding answers to questions are frowned upon and may be prohibited.

Since the meetings are for input, not an instant dialogue or debate, questions to which Council chooses to respond may well be answered at a subsequent meeting or as decided by the presiding officer.

- D. The Council reserves the right to put an end to that portion of any meeting or hearing in which comments from the audience are allowed, in order to leave adequate time for Council to proceed with its other business.
- E. When citizens raise questions or complaints which can be dealt with best by staff or do not require immediate action, arrangements may be made for discussion outside of the meeting. Citizens may, of course, return to a later meeting of the Council to speak to the subject, if they are not satisfied with the response they receive.
- F. During the public comment part of the agenda, members of the audience may speak on subjects of their choice, addressing comments and questions to the Presiding Officer after being granted the floor, and shall be limited to five minutes.
- G. Language used shall be appropriate for a public meeting.

SECTION IX: LEGISLATION

A. Drafting

The Director of Law shall, on motion of Council, prepare legislation, in writing and over the Director's signature, in which the City is concerned.

B. Ordinances and Resolutions

Ordinances and Resolutions that are proposed by any Member of Council will contain the signature of the Member of Council introducing the legislation. Resolutions shall require one reading by title only. Ordinances shall require two (2) readings by title only. Upon the request and approval by a majority of Council, legislation may be read in its entirety.

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C. Motions of Council

Motions shall be used only to expedite the orderly transaction of business of Council and shall not be substituted for Resolutions or Ordinances. The form of all Motions shall be, "I move that...", followed by the substance of the motion. A second shall be required for any motion except as specifically provided for in a rule, but upon demand of any Member, any motion shall be reduced to writing by the Clerk of Council. Any such motion may be withdrawn by the maker with the consent of the second before it has been amended or voted upon. When a motion is made, it shall be stated by the Presiding Officer before any debate is in order. All motions which have been entertained by the Presiding Officer shall be entered upon the minutes.

D. Precedence of Motions. When a question is before Council, no motion shall be entertained except the following:

- (1) To adjourn
- (2) To fix the hours of adjournment
- (3) To request that discussion on the previous question end and that the motion being considered be voted on
- (4) To lay on the table
- (5) To postpone definitely
- (6) To postpone indefinitely
- (7) To refer to a committee
- (8) To amend.

These motions shall have precedence in the order indicated. The motion to adjourn and the motion to previous question shall be put to a vote without debate. The motion to fix the hour of adjournment shall be debatable only as to the time of such adjournment. All other motions shall be debatable.

A motion to adjourn shall be in order at any time with a second.

A motion for the previous question shall require a majority vote of Council Members present. It shall be considered only once; may be renewed after intervening business; shall take precedence over all debatable questions. When the previous question is moved and seconded by one other Member of Council, it shall be stated by the Presiding Officer: "Shall the main question be now put?"

There shall be no further amendment or debate, but pending amendments shall be put in their order before their main question. If the question, "Shall the main question be now put?" is decided in the negative, the main question remains debatable before Council.

A motion to lay on the table (to table) shall dispose finally of all legislation against which it is invoked, but a motion to lay on the table a pending amendment to an Ordinance or Resolution shall not carry the Ordinance or Resolution with it. The motion to lay on the table shall require a majority vote of Council Members present.

A motion to postpone to a certain date shall require a majority vote of Council Members present; shall be subject to reconsideration; may be renewed after intervening business; shall be debatable as to the propriety of the postponement, but not upon the merits of the legislation; and may be amended by changing the date. Upon the arrival of the date to which postponed, the legislation shall be considered in the regular order of business.

A motion to postpone indefinitely shall have the same effect as the motion to lay on the table and shall require a majority vote of all Council Members present. A motion to postpone indefinitely shall not be reconsidered, shall be debatable, shall open the legislation to debate, may be renewed after intervening, may not be amended or laid on the table, and shall be subject to the previous question.

A motion to amend shall be susceptible to but one amendment. An amendment, once rejected, may not be moved again in the same form.

Any Member of Council may call for a division of the question, or the Presiding Officer may direct the same, and the same in either case shall be divided if it comprehends questions so distinct that, one being taken away, the other will stand as an entire question for decision.

Questions of privilege shall be: First, those affecting the rights of the Council collectively, and the safety, dignity, and integrity of its proceedings; second, the rights, reputation, and conduct of the Members of Council individually in their capacity as Council Members. A question of privilege shall have precedence over all questions except a motion to adjourn.

SECTION X: COMMITTEES

Council, shall have the authority to appoint committees, or to establish a Committee of the Whole (Council), for any purpose the Council deems necessary. Such committees shall exist only until their work is completed.

SECTION XI: CITY CHARTER OF NEW CARLISLE

- A. These rules acknowledge the existence of the City Charter of New Carlisle, Ohio.
- B. In cases of conflict between these Rules and the Charter, the City Charter shall prevail.

SECTION XII: ROBERT'S RULES OF ORDER

In the absence of any Council rule or Charter provision upon the matter of business, Council shall be governed by Robert's Rules of Order.

SECTION XIII: ADOPTION OF RULES

These Rules of Council shall be effective upon adoption of a Resolution passed by a two-thirds (2/3) (five) vote of Council. They shall be reviewed and adopted by Council in January after Council elections.

SECTION XIV: AMENDMENT TO RULES

These Rules may be amended by a resolution approved by a two-thirds (2/3) vote (five) of the Council.

Passed this _____ day of _____, 2019.

Ethan Reynolds, MAYOR

Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

Lynnette Dinkler, DIRECTOR OF LAW

1st: _____

2cd: _____

Councilman Cobb	Y	N
Councilman Cook	Y	N
Vice Mayor Lindsey	Y	N
Mayor Reynolds	Y	N
Councilman Lowrey	Y	N
Councilman Shamy	Y	N
Vacant	Y	N
Totals:		
	Pass	Fail