

NEW CARLISLE CITY COUNCIL
REGULAR MEETING AGENDA
February 4, 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: 1/22/19
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: (NONE)

11. ORDINANCES: (1 - Intro and Action)

A. ORDINANCE 19-01E: (Introduction, Public Hearing and Action Tonight)

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE ONE INFLUENT RAW WATER PUMP FOR THE WASTEWATER INFLUENT BUILDING UPGRADE PROJECT AND DECLARING AN EMERGENCY

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. **City Offices Closed:** Monday, February 18, 2019 to observe President's Day

13. EXECUTIVE SESSION: None

14. Adjournment

Next **Regular Meeting** of the City Council will be **Tuesday, February 19th, 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:	Tuesday	January 22, 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:
6 members present Reynolds, Shamy, Lowery, Cobb, Cook, Lindsey **STAFF PRESENT:** City Manager Randy Bridge, Clerk of Council Emily Berner, Finance Director Debbie Watson, Service Director Howie Kitko, Police Administrator Sgt. Underwood, Fire Chief Steve Trusty.
3. **INVOCATION:** CM Cook
4. **PLEDGE OF ALLEGIANCE**
5. **ACTION ON MINUTES: 1/7/19**
CM Cobb motions to accept with a second by CM Shamy no comments or questions. YES: 5 Lowery, Cobb, Cook, Lindsey- Abstain, Reynolds, Shamy Nay: 0 Minutes Accepted 5-0.
6. **COMMUNICATIONS:** None
7. **CITY MANAGERS REPORT:**

City Manager's Report

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TO: Mayor, Vice Mayor, City Council, Residents, and Business Owners

FROM: Randy Bridge, City Manager

DATE: January 18, 2019 for January 22, 2019

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- 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

Finance:

Ms. Watson explains new finance report methods. No comments or questions from Council.

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 sock fee etc)	CCA-BANK PAYMENTS	DATE RECEIVED	STATE OF OHIO REVENUE (ACT)	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	80,566.81	0.00		80,566.81	-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)	197,000.00	76,032.45	-108.28	217,974.17	-1,568.82		216,355.35	-3,316.50	213,038.85	6/19/17			213,038.85
JUN (Est)	103,700.00	9,286.46	118.05	118,104.51	-5,245.23	-382.22	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	293.92	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	-32.66	116,732.12	-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

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

Service:

H. Kitko gives service report.

Comments and Questions from Council:

Kitko informs Council that currently we have a backup pump rented (\$5,000 a month) at the waste water plant. Kitko would like to bypass bidding process to put a rush on the new pump with a direct select so the pump can be ordered asap. Will be brought to Council at the next meeting.

VML: cost of new pump? - \$75,000.... Kitko notes it is in the budget and have cash to front the purchase.

Lowery: Life span of average pump? Waste water do not really know. 10 or so years.

Reynolds: Notes road crew has done a great job. Thanks for the fantastic job.

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 it 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)

Fire:

Mayor asks Chief with the MARX switch at one point service was not the best. Chief noted many towers are now unlocked, and new towers have been installed, so transmission is running with little to no problems.

CM Cobb thanks Chief for the fine work they do and notes he has needed to utilize them a few times and he appreciates all the work they do.

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

Police:

Underwood notes December was a better month. Starting in January DARE officers will be instructing 5th graders at New Carlisle elementary until May. For the month of January, we have had a business have car batteries and catalytic converters stolen.

City of New Carlisle
Clark County Sheriff's Office

Patrol Division
December
119 calls
2,719 miles patrolled
25 Traffic citations
52 Traffic warnings
27 Reports taken
587 Business checks
43 Assists
694 Citizen Contacts

No comments or questions from council.

***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

**Bridge notes as 12% increase in income tax collections. He would like to watch the fees CCA charge. Currently it is 90,000... if it can be done in house at a lower cost we should consider that in the future. Bridge would like a bilingual speaker and wants to know how much has been collected by cross checking the federal data base which the city does not have access to (one of the reasons they went with CCA).*

*Bridge needs a motion to approve Sue Thompson to the Tax Review Board.

VM LINDSEY MOTIONS TO APPROVE WITH A SECOND BY CM LOWERY. No comments or questions from Council. **YES: 6 COBB, COOK, LINDSEY, REYNOLDS, SHAMY, LOWERY NO: 0 ACCEPTED 6-0**

Bridge needs motion to approve Howard Kitko as Acting Clerk of Council.

VM LINDSEY MOTIONS TO APPROVE WITH A SECOND BY CM SHAMY. NO COMMENTS OR QUESTIONS FROM COUNCIL.

YES: 6 LOWERY, COBB, COOK, LINDSEY, REYNOLDS, SHAMY NO: 0 ACCEPTED 6-0.

***Upcoming work sessions set for 2/11 ,2/13, 2/19 following council meeting, 2/20 starting at 7:00pm.**

City Manager's report cont.

- **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

****Prentice Drive Reconstruction budget- Bridge was informed that the project was audited and found that the city owes \$22,400 due to miscalculations by no fault of the city. Letter below. The city is checking to see if \$21,000 from a previous block grant can be used to cover this block grant miscalculation. Bridge informed Council via phone once he found out. More info to come.***

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.

	Total	CIP	Formula	City
Projected	\$ 382,696.00	\$ 170,500.00	\$ 120,600.00	\$ 81,796.00
	100%	44.53%	31.50%	21.97%
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,


***Volunteer Fire Fighters Dependent Fund Board**

Motion needed to appoint 2 Council members to the board.

CM Cook motions to appoint VM Lindsey and Cm Cobb to the board with a second by Cm Shamy. No comments or questions. YES: 6 Lowery, Cobb, Cook, Lindsey, Reynolds, Shamy Lowery No: 0 Accepted 6-0.

*CM Cobb asks about Twin Creek HOA. Bridge notes HOA is having trouble getting title insurance. The city does not have the authority to "take away" their previous restrictions set forth by the HOA. Cobb notes it should end if they cannot come to an agreement and Bridge agreed. Bridge noted the city cannot take parcels of land without a title search.

8. COMMENTS FROM MEMBERS OF THE PUBLIC:

Linda Eggeston- Nowakowski 317 S. Main: Notes residents and businesses' and vacant homes need to do their part in clearing the sidewalks when it snows to get around. Is there any way the city can force the issue? Bridge notes to force is difficult b/c all have 5 days to fix the problem, but putting a notice out to remind others of cleaning off their sidewalks can be done to ensure safety and mobility of others.

Peggy Eggeston 312 S. Main: notes in 2018, Mayor and Vice Mayor have cost the city more than \$29,000. States Mayor and Vice Mayor are going against the Charter as well as the other Council members. Eggeston notes various accusations that go against the City Charter. She urges Council to remove the Mayor and Vice Mayor. CM Cook explains the reasoning as to the fact Council did not have the required number of votes (5) to proceed with the removal process. Additional expenses would have accumulated and would have cost the city even more. He noted members of Council did entertain it and knew it would be a waste. Cm Cobb notes residents attempted to remove those members. Eggeston noted many did not want to sign the petition b/c they were "afraid" to sign b/c they were afraid of "them". Cm Lowery noted he feels the things have happened but the city needs to continue to move forward. He does not disagree with what Eggeston is saying. He must look out for the better of the city.

Ron Bowling 10812 Schiller Rd: Would like to see the Council members help advocate for more assistance for residents in need such as elderly, those struggling financially and those individuals who are dealing with the current immigration laws. Mr. Bowling is a local business owner looking for assistance/ advice in how/where to get more involved to help. He also notes he struggles to find hard working individuals who are willing to do hard work daily. He noted the immigration laws are effecting his business. He has great hard working individuals having to leave the country due to the new laws. Fellow contractor Mr. Sanford agreed with Bowling, finding individuals to work in the construction/manual labor field is becoming very difficult.

Dale Grimm 114 S. Main: Doesn't think Council grasps the idea. "How do you expect us to obey your ordinances?" Grimm calls on the Vice Mayor and the Mayor to resign.

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

VM LINDSEY MOTIONS TO ACCEPT WITH A SECOND BY CM LOWERY. COMMENTS/QUESTIONS: BRIDGE NOTES YEARLY HOUSEKEEPING, RULES OF COUNCIL NEED ACCEPTED EACH YEAR.

YES: 5 COBB, LINDSEY, REYNOLDS, SHAMY, LOWERY NO: 1 COOK ACCEPTED 5-1

11. ORDINANCES: NONE**12. OTHER BUSINESS:**

A. CONGRESSMAN WARREN DAVIDSON WILL HOLD MOBILE OFFICE HOURS AT THE CITY BUILDING ON THE 4TH TUESDAY OF EACH MONTH FROM 1:30-2:00 PM.

B. INTERGOVERNMENTAL MEETING: MONDAY, JANUARY 28, 2019 AT 6:30 PM AT SMITH PARK SHELTER HOUSE.

C. BRIDGE NOTES HE WILL ADD A VOTE TALLY TO THE BOTTOM OF ALL RESOLUTIONS AND ORDINANCES TO KEEP TRACK EASIER.

13. EXECUTIVE SESSION: NONE

14. ADJOURNMENT: CM LOWERY MOTIONS TO ADJOURN WITH SECOND BY CM SHAMY AT 8:31 PM.

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: February 1, 2019 for February 4, 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

- **Various Board Openings**
 - Parks and Recreation Board - 1 Opening
 - Board of Zoning Appeals - 1 Opening
 - Tax Review Board - 1 Openings
- **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 our Town Hall meeting and the Public Hearing and Passage of the budget
- **2016 (2017) Prentice Drive Reconstruction Project**
 - Meeting set for Thursday, February 7
 - Updates After
- **Creating Healthy Communities**
 - Meeting set for Tuesday, February 5
 - Discuss 2019 Projects
- **Upcoming:**
 - Town Hall Meeting on 3/11?
 - Need Motion to Approve
 - 2019 Operating Budget Work Sessions
 - Monday 2/11; Wednesday 2/13; Tuesday 2/19; Wednesday 2/20
 - The Tuesday 2/19 Work Session begins after the regularly scheduled City Council meeting
 - All other work sessions begin at 7pm

ORDINANCE 19-01E

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE ONE INFLUENT RAW
WATER PUMP FOR THE WASTEWATER INFLUENT BUILDING UPGRADE PROJECT AND
DECLARING AN EMERGENCY

WHEREAS, The City is currently in the middle of the design phase to replace 2 raw water pumps and a bar screen in the influent building maintained by the wastewater department; and

WHEREAS, one of the two, 38-year-old pumps, broke down and cannot be realistically rebuilt because it would require cost-prohibitive custom work that would take a prolonged period of time to complete as this pump is no longer in production and replacement parts are no longer available; and

WHEREAS, there is only one pump in operation and the City is renting a standby pump costing an estimated \$5,000 per month and the rental of this pump must continue in order to attain EPA compliance; and

WHEREAS, this this circumstance has created a situation that requires immediate action to protect the health, safety and welfare of the community and that requires immediate action in order to avoid negative EPA action; and

WHEREAS, the City is working closely with the EPA regarding this matter and the EPA advises the City to expedite the procurement of this pump; and

WHEREAS, Ohio Revised Code Section 735.051 provides:

"In the case of a real and present emergency arising in connection with the operation and maintenance of the department of public service, including all municipally owned utilities, the department of public safety, or any other department, division, commission, bureau, or board of the municipality, the legislative authority of the municipality may by a two-thirds vote of all the members elected thereto, authorize the director of public service, director of public safety, city manager, board of public affairs, or other duly authorized contracting officer, commission, board, or authority, to enter into a contract for work to be done or for the purchase of supplies or materials without formal bidding and advertising"; and

WHEREAS, no lending is being sought to pay for this purchase which has already been appropriated by Council through the temporary appropriations passed via Ordinance 18-29; and

WHEREAS, the City's current operating condition constitutes a real and present emergency as contemplated by Ohio Revised Code Section 735.051.

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS as follows:

Section 1. The City of New Carlisle must take immediate action to respond to the real and present emergency that currently exists in the wastewater department.

Section 2. The City of New Carlisle has procured a quote from a reputable and competitive company in the industry, Buckeye Pumps Inc., attached as Exhibit A, which illustrates a turnkey install including all materials for a price of Seventy-Four Thousand Eight Hundred Seventy-Seven Dollars (\$74,877) plus an estimated air freight cost of Four Thousand Dollars (\$4,000) in order to reduce delivery time by two weeks, which is crucial given the cost of the rental pump and the uncertainty presented by this situation which directly impacts the health, safety and welfare of the community.

Section 3. The City Manager is hereby authorized, under the authority granted to the City under Ohio Revised Code Section 735.051 which exempts this project from all public bidding requirements, to execute all documents necessary for the purchase order of one pump, its necessary installation services, and expedited delivery not to exceed Eighty-Five Thousand Dollars (\$85,000).

Section 4. In order to best serve the health, safety, and welfare of the community and to timely execute the agreement to avoid negative EPA action, this ordinance is declared an emergency and will become effective upon passage.

Passed this _____ day of _____, 2019.

Ethan Reynolds, MAYOR

Emily Berner, CLERK OF COUNCIL

APPROVED AS TO FORM:

Lynnette Dinkler, DIRECTOR OF LAW

1st: _____

2nd: _____

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