

NEW CARLISLE CITY COUNCIL AGENDA

Regular Council Meeting, Monday, January 6, 2020 @ 7:00pm
Smith Park Shelter House, 801 W. Jefferson Street, New Carlisle, Ohio

1. CALL TO ORDER: Mayor Lowrey
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. OATH OF OFFICE by Clerk of Council
 - Mr. Mike Lowrey
 - Ms. Linda Eggleston-Nowakoski
 - Ms. Amy Hopkins
 - Mr. Dale Grimm
5. ROLL CALL: Clerk of Council
6. ELECTION OF MAYOR and VICE MAYOR
7. APPOINTMENT OF CLERK AND ACTING OF COUNCIL:
 - Emily Berner as Clerk of Council and Randy Bridge as Acting Clerk of Council
8. ACTION on MINUTES:
 - Work Session: 12/02/19
 - Regular Meeting: 12/1619
 - Work Session: 12/1619
 - Special Meeting: 12/30/19
9. COMMUNICATIONS: None
10. CITY MANAGER'S REPORT: Attached
11. COMMENTS – MEMBERS OF PUBLIC: Please limit comments to 5 minutes or less.
12. COMMITTEE REPORTS: None
13. RESOLUTIONS: (1 – Intro; 0 – Action)
A. Ordinance 20-01R: (Introduction Tonight. Public Hearing and Action on 1/21/20)
A RESOLUTION ADOPTING RULES OF COUNCIL
14. ORDINANCES: (0 – Intro; 1 – Action)
A. Ordinance 19-53: (Introduced on 12/16/19 - Public Hearing and Action Tonight)
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT FOR PROFESSIONAL ACCOUNTING AND CONSULTING SERVICES
15. OTHER BUSINESS:
 - A. City Offices Closed: Monday, January 20th in honor of Martin Luther King Day.
16. EXECUTIVE SESSION: None
17. ADJOURNMENT

Next **Work Session** of the City Council will be **Tuesday, January 21, 2020 @ 6:00pm** at Smith
Park Shelter House, 801 West Jefferson Street, New Carlisle

Next **Regular Session** of the City Council will be **Tuesday, January 21, 2020 @ 7:00pm** at Smith
Park Shelter House, 801 West Jefferson Street, New Carlisle

Mayor and Vice Mayor New Carlisle City Charter

Section 4.04. Mayor.

At the first regular Council meeting in January, Council shall elect, from among its membership a Mayor to serve for a term of two (2) years, and until a successor is sworn into office. The Mayor shall continue to serve as a regular Council member, having a vote on all matters which come before the Council but shall have no power of veto. The Mayor shall be the ceremonial and representative head of the City, but shall exercise no administrative authority. The Mayor shall have all judicial powers and other powers and privileges to which a Mayor is entitled by the Constitution and Laws of Ohio generally, and by the laws of Ohio to Mayors and Municipalities. The Mayor shall be recognized by the Governor of the State for purposes of military law, and by the Courts for civil processes involving the City. The Mayor shall serve as presiding officer of Council and shall preside at all Council meetings when in attendance. The Mayor shall perform such other duties as may be prescribed by ordinance(s) which are not inconsistent with the provisions of this Charter. A Council member may serve as Mayor for no more than two (2) full consecutive terms.

(Amended Nov. 3, 1998; Nov. 7, 2006)

Section 4.05. Vice Mayor.

At the time of electing the Mayor, the Council shall also elect one of its members to serve as Vice Mayor for a term of two (2) years, and until a successor is sworn into office. The Vice Mayor shall preside at all Council meetings when the Mayor is not in attendance, and shall have a vote on all matters which come before the Council. The Vice Mayor shall also perform the duties of the Mayor in that person's absence, and such other duties as may be assigned to the office by ordinance(s) and which are not inconsistent with this Charter. A Council member may serve as Vice Mayor for no more than two (2) full consecutive terms.

(Amended Nov. 3, 1998; Nov. 7, 2006)

Clerk and Acting Clerk of Council New Carlisle City Charter

Section 4.09. Clerk and Acting Clerk of Council.

There shall be a Clerk and Acting Clerk of Council appointed at the same time as the Mayor and Vice Mayor by a majority vote of the members of the Council. The Clerks shall come from outside the Council membership, and shall serve until successors are chosen and enter upon the duties of office. The Clerks are appointed or dismissed by Council and answer to Council only on matters connected with the duties of the Clerk of Council.

The duties of the Clerk shall include giving notice of Council meetings, keeping the journal, advertising public meetings, hearings, vacancies, and recording in a separate book all ordinances and resolutions approved by Council and seeing that such enactments are published as required by this Charter, and performing such other duties as may be assigned by this Charter or by ordinance. The Clerks may be appointed to serve full-time or part-time. The Clerks shall receive compensation as established by ordinance. The Clerk, Acting Clerk or Finance Director shall accept and give receipts for all petitions submitted by any petitioner. All petitions which meet the requirements of this Charter, except recall petitions which shall be handled as set forth in Article X, Section 10.02 Recall, shall be delivered to the Board of Elections for certification as provided in Section 10.01 of this Charter.

(Amended Nov. 3, 1998; Nov. 7, 2006)

RECORD OF PROCEEDINGS

MINUTES OF: CITY OF NEW CARLISLE, OHIO

WORK SESSION MEETING

HELD: MONDAY, December 2, 2019

1. CALL TO ORDER: MAYOR LOWREY CALLED THE MEETING TO ORDER
2. ROLL CALL: CITY MANAGER BRIDGE CALLS THE ROLE MEMBERS PRESENT: 7
COBB, COOK, LINDSEY, LOWREY, SHAMY, HOPKINS, EGGLESTON
STAFF PRESENT: BRIDGE, WATSON, KITKO, WRIGHT, COLEMAN
3. INVOCATION: CM COOK
4. PLEDGE OF ALLEGIANCE
5. ACTION ON MINUTES: NONE
6. COMMUNICATIONS: NONE
7. CITY MANAGER'S REPORT: NONE
8. COMMENTS FROM MEMBERS OF THE PUBLIC: NONE
9. COMMITTEE REPORTS: NONE
10. RESOLUTIONS: NONE
11. ORDINANCES: NONE
12. OTHER BUSINESS:

POTENTIAL NEW VEHICLE PURCHASE-DAVE COLEMAN PROVIDES INFORMATION ON POSSIBLE NEW VEHICLE 2010, CHEVY SILVERADO 16,000 MILES. PLOW CAN BE PURCHASED FOR TRUCK ALSO.

CM HOPKINS- A SHOW VEHICLE? COLEMAN NOTED THE TRUCK WAS TAKEN TO SHOWS TO SHOW THE ITEMS THE COMPANY SELLS.

CM SHAMY- COMES WITH A PLOW? COLEMAN NOTES FOR \$26,500

VM LINDSEY- THOUGHT IT CAME WITH PLOW ALSO. \$26,500 BUYS TRUCK WITH PLOW, \$19,500 FOR TRUCK ONLY. COLEMAN NOTES THE PLOW THAT COMES WITH THE TRUCK IS A DIFFERENT BRAND AND NOT INTERCHANGEABLE WITH THE OTHER PLOWS THE CITY OWNS. CM COOK- NOTED HE LOOKED THE TRUCK OVER WITH THE CITY MECHANIC, FOR THE MONEY AND CONDITION A GREAT BUY.

MAYOR LOWREY- ASKS ABOUT TIME AND MONEY OF ITS WORTH GETTING THAT PLOW OR GOING WITH ONE THAT IS INTERCHANGEABLE.

CM COOK RECOMMENDS HAVING IT RUST PROTECTED.

CM HOPKINS NOTED SOME PHOTOS LOOKED LIKE RUST, NOTED IT WAS SURFACE RUST.

LOWREY ASKS ABOUT THE CAB IN THE BACK AND IF IT IS BENEFICIAL. KITKO AND COLEMAN NOTED THAT COULD BE SOLD B/C IT IS NOT NEEDED.

CM COOK MOTIONS TO PURCHASE WITH 2ND FROM SHAMY- MOTION WITHDREW WILL WAIT FOR REGULAR SESSION TO VOTE.

DISCUSSION ON THE MOTION NEEDS TO STATE WITH OR WITHOUT BOSS PLOW THAT IS INTERCHANGEABLE WITH OTHER CITY PLOWS.

RESOLUTIONS

RESOLUTION 19-19R

A RESOLUTION ADOPTING A CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF NEW CARLISLE, OHIO

CIP BUDGET VOTED ON TONIGHT

ORDINANCES

ORDINANCE 19-40

AN ORDINANCE ADOPTING AND IMPLEMENTING A UNIFORM POLICY FOR PROJECTS FUNDED IN WHOLE OR IN PART BY FEDERAL FUNDING

PASS THRU FUNDS- WILL REGULATE FEMA FUNDS IF NEEDED. BASICALLY, HOW THE FEDERAL GOVERNMENT WANTS YOU TO USE THEIR MONEY.

ORDINANCE 19-41

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MIAMI VALLEY LIGHTING, LLC FOR STREET LIGHTING SERVICES FOR USE ON PUBLIC GROUNDS AND STREETS IN THE CITY OF NEW CARLISLE

WHOEVER MOTIONS NEEDS TO ADD "WITH THE LED CHANGE OUT" COUNCIL AGREES AND EXCITED. LOWREY ASKS WILL THE CITY TAKE CARE OF THE POLES THAT ARE NOT COVERED. BRIDGE NOTES WE WOULD CHANGE OUT THOSE. COBB- 5% FEE AND IN 5 YEARS ANOTHER 5% FEE? BRIDGE NOTES HE UNDERSTOOD 5% FEE PLUS \$9,000 ALONG WITH ANOTHER 5% FEE 5 YEARS. COUNCIL THOUGHT IF THEY STAYED WITH SODIUM THERE IS A 5% FEE ALONG WITH ANOTHER 5% FEE YEARS LATER. COUNCIL CONCLUDES THE 5% FEE, THERE IS A 5% DEDUCT UP FRONT WITH LED AND 5% INCREASE IN 2023. CONTINUED DISCUSSIONS TAKE PLACE.

ORDINANCE 19-43E

AN ORDINANCE REPELLING SECTIONS 618.12 AND 672.12 OF THE CITY OF NEW CARLISLE CODIFIED ORDINANCES, AMENDING SECTIONS 672.01, 672.05, 672.07, AND 672.16 OF THE CITY OF NEW CARLISLE CODIFIED ORDINANCES, AMENDING CHAPTERS 648 AND 672 OF THE CITY OF NEW CARLISLE CODIFIED ORDINANCES, AND ENACTING SECTIONS 606.31 AND 672.16D OF THE CITY OF NEW CARLISLE CODIFIED ORDINANCES, TO COMPLY WITH HOUSE BILL 2:28 AND DECLARING AN EMERGENCY

COUNCIL DOES NOT HAVE TO PASS BUT HIGHLY RECOMMEND. CHANGES COMING INVOLVING HUNTING WITHIN THE CITY LIMITS. RECOMMENDED TO VOTE TONIGHT SO NO CITIZEN CAN BRING SUIT ONTO THE CITY. HOPKINS NOTES THAT THE HUNTING WITHIN THE CITY LIMITS CAN NOT BE DONE NEAR HOMES. THIS ONLY INVOLVES THE OUTSKIRTS OF TOWN WITHIN THE CITY LIMITS.

ORDINANCE 19-48E

AN ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS IN NEW CARLISLE CITY ORDINANCE 19-04, AND DECLARING AN EMERGENCY

INTEREST ONLY PAYMENTS WERE NOT BUDGETED FOR 2019. FUNDS NEEDED TO MAKE THE PAYMENTS.

ORDINANCE 19-49

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE SHERIFF OF CLARK COUNTY OHIO FOR POLICE PROTECTION WITHIN THE CITY LIMITS OF NEW CARLISLE OHIO

ORDINANCE 19-50

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE SHERIFF OF CLARK COUNTY OHIO FOR POLICE PROTECTION WITHIN THE CITY LIMITS OF NEW CARLISLE OHIO FUNDS TO ADD A 5TH DEPUTY, WILL VOTE ON 12/16/19. ADDING 5 WILL FILL THE GAPS, CAN "RENT" THE CRUISER FROM

LOWREY ASKS ABOUT POLICE ADMINISTRATOR? BRIDGE NOTES COUNTY WILL WORK WITH US BUT AN ADMIN WILL MOST LIKELY NOT PATROL AND BRIDGE SUGGESTS ADDING THE 5TH PATROL. DISCUSSIONS TAKE PLACE ON EACH COUNCIL MEMBERS WISH.

A. WARREN DAVIDSON: MOBILE OFFICE HOURS AT THE CITY BUILDING ON THE FOURTH TUESDAY OF THE MONTH FROM 1:30 PM UNTIL 2:00.

13. EXECUTIVE SESSION: NONE

14. ADJOURNMENT:

1ST VM LINDSEY

2ND CM SHAMY @ 6:49 PM

RECORD OF PROCEEDINGS

MINUTES OF: CITY OF NEW CARLISLE, OHIO

WORK SESSION

HELD: MONDAY, DECEMBER 16, 2019

1. CALL TO ORDER: MAYOR LOWREY CALLED THE MEETING TO ORDER
2. ROLL CALL: KITKO CALLS THE ROLE MEMBERS PRESENT 7
COBB, COOK, LINDSEY, LOWREY, SHAMY, HOPKINS, EGGLESTON
STAFF PRESENT: KITKO, WATSON
3. INVOCATION: VM LINDSEY
4. PLEDGE OF ALLEGIANCE
5. ACTION ON MINUTES: NONE
6. COMMUNICATIONS: NONE
7. CITY MANAGER'S REPORT: NONE
8. COMMENTS FROM MEMBERS OF THE PUBLIC: NONE
9. COMMITTEE REPORTS: NONE
10. RESOLUTIONS: NONE
11. ORDINANCES: NONE
12. OTHER BUSINESS:

GENERAL DISCUSSION OF UPCOMING LEGISLATION.

RESOLUTION 19-20R

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE SWIMMING POOL FUND AND DEBT SERVICE FUNDS OF THE CITY OF NEW CARLISLE

TRANSFER TO GF \$207,662.00, POOL TRANSFER IN 40,000, DEBT SERVICE OF \$95,000, TWINS CREEKS FUND \$71,923

CM COOK WHY TRANSFER OF MONEY TO POOL? WATSON NOTES NOT NEW MONEY JUST NEVER HAD LEGISLATION ON THE ORIGINAL TRANSFER.

RESOLUTION 19-21R

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF NEW CARLISLE

GF TRANSFER FROM SCARFF RD TOWER PROJECT.

ORDINANCE 19- 44

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CLARK COUNTY SHERIFF'S OFFICE FOR FIRE AND EMS DISPATCHING SERVICES

DECREASE FROM LAST YEAR OF \$450.

ORDINANCE 19-45

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR CITY EMPLOYEE HEALTH INSURANCE

HEALTH INS. FOR FULLTIME CITY EMPLOYEES. \$325,063 ANNUAL PREMIUM.

ORDINANCE 19-46

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF WATER SOFTENING ROCK

ANNUALLY CARGILL ONLY COMPANY OFFERED 130.41 PER TON. MORTON SENT A NO BID INSTEAD A BID.

ORDINANCE 19-47

AN ORDINANCE AMENDING SECTION 248 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING CITY POLICY COVERING FIXED ASSETS POLICY AND PROCEDURES. NEVER CODIFIED WITHIN ORDINANCES.

ORDINANCE 19-49

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE SHERIFF OF CLARK COUNTY OHIO FOR POLICE PROTECTION WITHIN THE CITY LIMITS OF NEW CARLISLE OHIO CONTRACT TO ADD 5TH DEPUTY. 49 IS FOR 5TH DEPUTY WITH LEASE OF CRUISER.

ORDINANCE 19-50

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE SHERIFF OF CLARK COUNTY OHIO FOR POLICE PROTECTION WITHIN THE CITY LIMITS OF NEW CARLISLE OHIO CONTINUE WITH CURRENT 4 DEPUTIES. VM LINDSEY ASKS IF THE LEVY FUND FALLS SHORT WOULD THE GF PICK UP THE COST. KITKO WILL ASK BRIDGE. WATSON NOTES THE GF DOES PICK UP FOR OTHER FUNDS IF NEEDED.

ORDINANCE 19-51E

AN ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS IN NEW CARLISLE CITY ORDINANCE 19-04, AND DECLARING AN EMERGENCY ADJUST POOL FUNDS, INCREASE OF \$6300 TO APPROPRIATE SPECIFIC LINE ITEMS.

ORDINANCE 19-52E

AN ORDINANCE ESTABLISHING TEMPORARY APPROPRIATIONS FOR FISCAL YEAR 2020, AND DECLARING AN EMERGENCY FUNDS TO GET US STARTED IN 2020 BEFORE BUDGET PASSES.

ORDINANCE 19-53

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ACCOUNTING AND CONSULTING SERVICES INTRODUCTION AT REGULAR COUNCIL MEETING- DISCUSS 1/6/20.

A. WARREN DAVIDSON: MOBILE OFFICE HOURS AT THE CITY BUILDING ON THE FOURTH TUESDAY OF THE MONTH FROM 1:30 PM UNTIL 2:00.

B. CITY BUSINESS ON UTILITY BILLS: DISCUSSION ON UTILITY BILLS, PRICE COMPARISONS MADE ON CURRENT BILLS VS NEW FOLDED/ENVELOPED BILLS \$105 INCREASE PER MONTH.

Utility Bill Cost Comparison

Fees and Man-Hour Elimination	
Cass Support	\$ 546.00
Burster Maintenance	\$ 100.00
Printronic Printer	
Maintenance	\$ 1,303.00
Green Bar Paper	\$ 368.75
Ribbon	\$ 485.76
Omni Printer	
Maintenance	\$ 586.96
Ribbon	\$ 119.93
Man Hours	
Travel to Tipp	\$ 37.00
Bursting Bills	\$ 27.75
	<u>\$ 3,575.15</u>

Fee Increases	
Bills	\$ 360
Postage	<u>\$ 4,476</u>
	<u>\$ 4,836</u>

Total Increase	
Fee Increases	\$ 4,836
Fee Elimination	\$ 3,575
	\$ 1,261 Per Year
	<u>\$ 105.07 Per Month</u>

Bills	
Current (Postcard)	\$ 1,800.00 Yearly
New (Folded In Envelope)	<u>\$ 2,160.00 Yearly</u>
	<u>\$ 360.00</u>

Postage	
Current @ .28 x 2900 x 12	\$ 9,744.00 Yearly
New @ .395 x 2900 x 12	<u>\$ 14,220.00 Yearly</u>
	<u>\$ 4,476.00</u>

Item	In-House	Contract
Fees & Man-Hour Reduction	\$ 3,575.15	\$ -
Bills	\$ 1,800.00	\$ 2,160.00
Postage	\$ 9,744.00	\$ 14,220.00
	<u>\$ 15,119.15</u>	<u>\$ 16,380.00</u>
Difference	\$ 1,260.86	Yearly
	<u>\$ 105.07</u>	Monthly

C. DISCUSSION ON CATCH BASIN REPAIRS.

Catch Basin Repair Review - In House v. Contract			
New Carlisle City Council			
In-House		Contract Out	
Item	Cost	Item	Cost
Estimated Labor	\$ 1,427.64	212 S. Main Street Catch Basin	\$ 2,680.00
Estimated Material & Equipment	\$ 1,664.42	308 S. Main Catch Basin	\$ 2,680.00
Estimated Total	<u>\$ 3,092.06</u>	306 N. Main Catch Basin	\$ 2,790.00
Estimated Project Total	<u>\$ 12,368.24</u>	219 N. Main Catch Basin	<u>\$ 1,860.00</u>
		Project Total	<u>\$ 10,010.00</u>

Notes:

212 South Main - Complete replacement with new frame/grate, concrete apron around Inlet

308 South Main - Complete replacement with new frame/grate, concrete apron around inlet. In driveway approach

306 North Main - complete replacement with new frame/Grate, concrete apron and curb work.

219 North Main - 6" extension, new frame/grate, concrete apron around inlet.

Proposal includes all labor, equipment and materials.

Proposal includes barricades and traffic control.

Proposal includes all curb tie ins.

It would cost an estimated \$2,358.24 more to keep the project in-house.

D. PLOW DISCUSSION FOR VEHICLE FISCHER VS BOSS (INTERCHANGEABLE WITH OTHER CITY VEHICLES). FISCHER IS \$1,100 CHEAPER TO PURCHASE AND COMES WITH THE NEW VEHICLE. CURRENTLY CITY HAS 7 PLOW TRUCKS. REPAIR OPTIONS ARE AVAILABLE. VM LINDSEY: BEST

OPTION TO PURCHASE TRUCK WITH FISCHER PLOW. CM COBB NOTES THE BUSINESS LOCATED IN HUBER, WHICH WILL TAKE TIME TO GET TO VS THE LOCAL BLOW BUSINESS. KITKO NOTES THE PLOWS ARE GOOD PLOWS, WE HAVE 7 IF ONE GOES OUT, BOTH ARE 9 FEET, BOTH PUSH SNOW. KITKO RECAPS, TO GO WITH THE TRUCK AND FISCHER PLOW THAT COMES WITH TRUCK. COUNCIL AGREES.

13. EXECUTIVE SESSION: NONE

14. ADJOURNMENT: 1ST VM LINDSEY 2ND CM SHAMY @7:35PM

RECORD OF PROCEEDINGS

MINUTES OF: CITY OF NEW CARLISLE, OHIO

REGULAR MEETING

HELD: MONDAY, DECEMBER 16, 2019

1. CALL TO ORDER: MAYOR LOWREY CALLED THE MEETING TO ORDER

2. ROLL CALL: CLERK CALLS THE ROLE MEMBERS PRESENT 7
COBB, COOK, LINDSEY, LOWREY, SHAMY, HOPKINS, EGGLESTON
STAFF PRESENT: BERNER, KITKO, WATSON, TRUSTY, MAJORCAK

3. INVOCATION: VM Lindsey

4. PLEDGE OF ALLEGIANCE

5. ACTION ON MINUTES:

MINUTES 12/2 REGULAR SESSION

1ST CM SHAMY 2ND CM COBB YES: 7 NAYS: 0 ACCEPTED 7-0

6. COMMUNICATIONS:

PRESENTATION FROM LEGO LEAGUE- GROUP OF 5TH AND 6TH GRADERS FROM TLS THAT BUILD
AND CODE LEGO ROBOTS.

7. CITY MANAGER'S REPORT:

City Manager's Report

TO: Mayor, Vice Mayor, City Council, Residents, and Business Owners
FROM: Randy Bridge, City Manager
DATE: December 13, 2019 for December 16, 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. FINANCE REPORT - Attached

*B. SERVICE REPORT - Attached

*C. FIRE REPORT - Attached

*D. POLICE REPORT - At Meeting

*E. INFORMATIONAL ITEMS

- New Building Update
 - Abatement Removal Cost
 - Writing on date of work
 - Proof of Insurance Received
 - Architect Securing Quote (for informational purposes)
 - Bidding after 1st of Year
 - Cost of Services and Goods due to Memorial Day Tornadoes
 - 2020 Operating Budget
 - Adoption on 3/9/20 or 3/23/20 (prefer/aiming for 3/9/20)
 - Work Sessions should begin in late January/ Early February
 - New Playground Equipment
 - Information Attached
 - Deputy Sheriff Equipment and Depreciation List:
 - Attached
 - Utility Bills
 - Discussed during Work Session
 - Discussion during Regular Session for those who missed Work Session
 - Example Attached
 - Cost Comparison Attached
 - Rules of Council
 - Attached for Review
 - Will be introduced as a Resolution at the 01/21/20 Regular Meeting
 - Please note, that meeting day is on a Tuesday due to Martin Luther King Day
-

A. FINANCE: No comments or questions

**COUNCIL FINANCIAL REPORT SUMMARY
NOVEMBER 2019**

NOVEMBER Total Revenue General Fund: \$ 9,037.83
OCTOBER Total Expenses General Fund: \$61,409.17
INCOME TAX WITHHOLDING ACCOUNT
REVENUE –NOVEMBER \$115,590.63

Year-To-Date Total Revenue Collected:	\$ 5,726,721.27
Year-To-Date Total Expenses:	\$ 4,805,592.34

Special Notes:

Updates:

- The reports that are included this evening are:
 - Statement of Cash Position with MTD Totals by funds
 - Check Report for the month of OCTOBER
 - Monthly Revenue Report
 - Monthly Expense Report
 - CCA Reports

I have added a line for the income from our income tax. This is receipted into a holding account until we can reconcile actual figures.

Respectfully Submitted
Deborah Watson
Finance Director

B. SERVICE:

To: Mr. Bridge, City Manager
From: Howard Kitko, Service Director
Date: December 16, 2019
Subject: Council Update

Service Departments:

- Completed some minor road repairs in areas that need a more in-depth repair, such as, ruts created from trash truck operations.
- Storm drains on Main St. These have orange cones on them. Getting estimates to replace with new structures. Council given City crew estimate.
- Leaf Pick-up season is coming to a close for curb side pick-up. Section D (Southeast) will be the last curb-side collection, during the week of December 16th. All other leaves will need to be taken to the old School at 600 W. Madison until December 24th. Also, leaves may be put in your Trash toter. Do not use the recycling toter for leaves.

2019 Wastewater Plant Influent Building Upgrade:

- Peterson Construction was awarded the contract. Equipment is on sight and being installed. Start-up is tentatively scheduled for 12/18 and 12/19.

2019/2020 Primary #1 Clarifier Project:

- Demolition and Installation of new Clarifier in existing Concrete structure. City Manager has been approved to Proceed with the project. Initial down payment has been sent for the Clarifier.

Traffic Signal Upgrade Project:

- Project was awarded to Bansal Construction Co. Construction is to be completed by 8/31/20. As I get updates, I will pass those along.

CM Shamy asks about the LED light poles. He mentions the leaf pick up and asks if it is too early? Kitko informs Council that leaf pick up may change due to nowhere to go with the leaves. VM Lindsey mentions some piles on Henry. CM COOK asks about the downtown area at the 1st section of the curve, will be picked up again. CM Eggleston asks if the City is responsible for curb

repair, Kitko informs her it is the home owners responsibility. Discussion on areas needed, ways to get grants or group pricing.

C. FIRE/EMS:

City of New Carlisle
City Council Meeting
12-16-2019
Fire-EMS Report

- In the Month of November the New Carlisle Fire Division responded to 63 EMS call in the City and 08 in Elizabeth Township.
- The Division responded to 12 Fire related calls in the City and 0 in Elizabeth Township.
- We had 4 EMS calls answered by mutual aid, either by Pike Township or Bethel Clark, due to medic 52 being on a response.
- We answered 1 mutual aid EMS calls for Pike Township and 2 for Bethel Clark.
- In the Month of November the Division responded to 2 Overdose calls,

Mayor Lowrey thanks Trusty for their work on the fire on Rt. 40.

D. POLICE:

36 Calls, 2 domestic, 3 thefts, 2 non-injury crash, 1 citation, 3 drug complaints, 3 overdoses. Work with Drug Task Forces to arrest a large drug dealer in the area. Department uses 4 special radios which are encrypted for privacy. Vehicle break ins increased.

VM Lindsey asks if the radios are portables? Majorcak notes yes portables, 1 has been completed, the other 3 will be completed ASAP.

8. COMMENTS FROM MEMBERS OF THE PUBLIC:

9. COMMITTEE REPORTS: NONE

10. RESOLUTIONS:

RESOLUTION 19-20R

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE SWIMMING POOL FUND AND DEBT SERVICE FUNDS OF THE CITY OF NEW CARLISLE

1st VM LINDSEY 2ND CM COOK- FUNDS TRANSFER OF \$2,766.20 TO POOL AND TWIN CREEKS NO COMMENTS OR QUESTIONS YES: 7 NAYS: 0 ACCEPTED 7-0

RESOLUTION 19-21R

A RESOLUTION PROVIDING FOR THE PERMANENT TRANSFER OF FUNDS FROM THE WATER FUND TO THE GENERAL FUND OF THE CITY OF NEW CARLISLE

1ST VM LINDSEY 2ND CM SHAMY PAYOFF TO GENERAL FUND FOR SCARFF RD. TOWER PROJECT IN THE AMOUNT OF \$28,875.00. NO COMMENTS OR QUESTIONS YES: 7 NAYS: 0 ACCEPTED 7-0

11. ORDINANCES:

ORDINANCE 19- 44

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CLARK COUNTY SHERIFF'S OFFICE FOR FIRE AND EMS DISPATCHING SERVICES

1ST CM HOPKINS 2ND VM LINDSEY YEARLY CONTRACT FOR DISPATCHING SERVICES. NO COMMENTS OR QUESTIONS YES: 7 NAYS: 0 ACCEPTED 7-0

ORDINANCE 19-45

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR CITY EMPLOYEE HEALTH INSURANCE

1ST CM SHAMY 2ND CM EGGLESTON YEARLY CONTRACT FOR HEALTH INSURANCE NO COMMENTS OR QUESTIONS FROM COUNCIL. YES: 7 NAYS: 0 ACCEPTED 7-0

ORDINANCE 19-46

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF WATER SOFTENING ROCK

1ST VM LINDSEY 2ND CM HOPKINS 2020 SOFTENING SALT AT 130 PER TON. NO COMMENTS OR QUESTIONS. YES: 7 NAYS :0

ORDINANCE 19-47

AN ORDINANCE AMENDING SECTION 248 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE REGARDING CITY POLICY

1ST CM SHAMY 2ND CM EGGLESTON EX: FIXED ASSESSTS AS ORDINANCE. VM LINDSEY ASKS IF THIS KEEPS US FROM "BEING DINGED" ON THE AUDIT? WATSON NOTES: YES YES: 7 NAYS: 0 ACCEPTED 7-0

ORDINANCE 19-49

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE SHERIFF OF CLARK COUNTY OHIO FOR POLICE PROTECTION WITHIN THE CITY LIMITS OF NEW CARLISLE OHIO

1ST CM SHAMY 2ND CM HOPKINS CONTRACT FOR 5 DEPUTIES DOES NOT INCLUDE PRICE OF CRUISER. NO COMMENTS OR QUESTIONS. YES: 7 NAYS: 0 ACCEPTED 7-0

ORDINANCE 19-50

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE SHERIFF OF CLARK COUNTY OHIO FOR POLICE PROTECTION WITHIN THE CITY LIMITS OF NEW CARLISLE OHIO

1ST CM COOK WITHDRAWS MOTION, ONLY VOTED ON IF ORD. 19-50 FAILED.

ORDINANCE 19-51E

AN ORDINANCE SUPPLEMENTING CERTAIN APPROPRIATIONS IN NEW CARLISLE CITY ORDINANCE 19-04, AND DECLARING AN EMERGENCY

1ST VM LINDSEY 2ND CM EGGLESTON MOVING MONEY WITHIN POOL FUND. NO COMMENTS OR QUESTIONS YES: 7 NAYS: 0 ACCEPTED 7-0

ORDINANCE 19-52E

AN ORDINANCE ESTABLISHING TEMPORARY APPROPRIATIONS FOR FISCAL YEAR 2020, AND DECLARING AN EMERGENCY

1ST VM LINDSEY 2ND CM SHAMY PROCEED TO EXPEND FUNDS UNTIL 2020 BUDGET PASSES. NO COMMENTS OR QUESTIONS FROM COUNCIL. YES: 7 NAYS: 0 ACCEPTED 7-0

ORDINANCE 19-53 ACTION ON 1/6/20

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ACCOUNTING AND CONSULTING SERVICES

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:** Friday, December 20th @ NOON for Employee Christmas Party
- C. **City Offices Closed:** Tuesday, December 24th for Christmas Eve
- D. **City Offices Closed:** Wednesday, December 25th for Christmas Day
- E. **City Offices Closed:** Wednesday, January 1st for New Year's Day

CM Shamy thanks everyone and reads the following:

Mr. Mayor,

I would like to take this opportunity to discuss with the council about an issue regarding a certain council member not paying their taxes and was found guilty by the Court. Under the city charter section 4.08⁶⁴⁻⁸³ this is clearly misconduct and would cause forfeiture of office. You see, Last year this council wanted to remove the sitting mayor for at first not paying his taxes but through investigation they had been paid but paperwork was not filed. I recall a few members of council past and present as well as our past law director wanted to remove the mayor and have a hearing. The push to kick the mayor off council was intense coming from these council members and a few citizens.

I would also add that there is only one person in this room I agreed with during that time. That is Mr. Grimm. He said and I quote, an honorable man would resign. The hypocrisy is at a high level while motioning to remove the former Mayor this said person was in court for not paying their taxes. The removal of the former mayor seems to be for political gain. I request at this time that the city taxes be released for the time they sat on council. Our former law director stated it was legal to do so. Mr. Mayor, you are the said member of council whom hasn't paid your taxes and was found guilty. In fact there is a judgment against you for \$978.68 for not paying taxes. I would like to motion that council invoke section 4.08 of the charter for the removal of Mayor Mike Lowery for failing to pay his taxes which is misconduct section B3 of the Charter. I ask the council to do the right thing for New Carlisle.

18SJ2695 OHIO DEPARTMENT OF TAXATION vs. LOWREY, APRIL L RJO

Case Status: Open	
File Date: 12/26/2018	
Action: T DEPARTMENT OF TAXATION PERSONAL INCOME TAX	
Case Judge: ONELL, RICHARD J	
Next Event:	

All Information	Party	Tax Lien	Docket
Party Information OHIO DEPARTMENT OF TAXATION - CREDITOR			
DOB		Address	
Disposition	Alias		
Disp Date	Party Attorney		
LOWREY, APRIL L - DEBTOR			
DOB		Address	
Disposition	016 PLUMWOOD DR NEW CARLISLE, OH 45344		
Disp Date	Alias		
Party Attorney			
LOWREY, MICHAEL R - DEBTOR			
DOB		Address	
Disposition	Alias		
Disp Date	Party Attorney		

Liens	
Tax Amount	
5978.68	
Tax Account #	
15763429	
Execution Case #	
Crv/Serial/Claim	
02201807342814	
Released Date	
Rendered Date	

- 12/15/2018
- Time Filed
- 0:12 PM

Docket Information

<u>Date</u>	<u>Docket Text</u>
12/26/2018	STATE JUDGMENT LIEN FILED

-CM Shamy motions to remove Mayor Lowrey from Council under section 408 in the City Charter with a 2nd by VM Lindsey.

-Clerk reads the charter section and Lowrey requests a hearing.

-VM Lindsey thanks the Citizens, Council, Administration and Clerk. Thanks everyone for supporting Council. Moves to adjourn but withdraws his motion.

-Mayor Lowrey invites everyone out to watch the Ball Drop on New Year's Eve.

-CM Hopkins thanks Shamy and Lindsey for their service.

-VM Lindsey wishes everyone a Merry Christmas and moves to adjourn with a 2nd from CM Cobb at 8:08 pm.

13. EXECUTIVE SESSION: NONE

14. ADJOURNMENT: 1st VM Lindsey 2nd CM Cobb @ 8:08 pm.

RECORD OF PROCEEDINGS

MINUTES OF: CITY OF NEW CARLISLE, OHIO

SPECIAL MEETING

HELD: MONDAY, DECEMBER 30, 2019

1. CALL TO ORDER: MAYOR LOWREY CALLED THE MEETING TO ORDER

2. ROLL CALL: CLERK CALLS THE ROLE MEMBERS PRESENT 7

COBB, COOK, LINDSEY, LOWREY, SHAMY, HOPKINS, EGGLESTON

STAFF PRESENT: JEFFERIES, MAJORCAK, BERNER

3. INVOCATION: VM LINDSEY

4. PLEDGE OF ALLEGIANCE

5. ACTION ON MINUTES: NONE

6. COMMUNICATIONS: NONE

7. CITY MANAGER'S REPORT: NONE

8. COMMENTS FROM MEMBERS OF THE PUBLIC:

JANELLE ZIMMERMAN- VOICES HER DISAPPOINTMENT AT COUNCIL FOR THE ALLEGATIONS BROUGHT AGAINST MAYOR LOWREY.

CATHY SPENCER- VOICES HER DISAPPOINTMENT AT COUNCIL FOR THE ALLEGATIONS BROUGHT AGAINST MAYOR LOWREY. NOTES IT IS TIME FOR THE COUNCIL TO WORK TOGETHER.

9. COMMITTEE REPORTS: NONE

10. RESOLUTIONS: NONE

11. ORDINANCES: NONE

12. OTHER BUSINESS:

HEARING: PRELIMINARY DISCUSSIONS ON STEPS OF THE MEETING.

CM SHAMY OPENING/CONCLUDING STATEMENTS: SHAMY RECAPS EVENTS, NOTES AFTER HIS MOTION HE DID FIND OUT THAT THE COUNTY DOES NOT INFORM YOU IF A LIEN IS PLACED ON YOUR PROPERTY.

MAYOR LOWREY BEGINS HIS OPENING/CONCLUDING STATEMENTS: LOWREY RECAPS TAX EVENTS, MISTAKE ON 2015 STATE TAXES, RECALCULATED BILL RECEIVED, PAID IN FULL BY FEB. 2018, WAS NOT AWARE A LIEN WAS PLACED ON PROPERTY, REQUESTED LETTER FROM STATE, TURNED INTO COUNTY AUDITOR. LIEN REMOVED. NOTES AN HONEST MISTAKE, NOT A REASON TO BE REMOVED FROM COUNCIL.

CM SHAMY NOTES HOW THE VOTE WILL END UP.

VM LINDSEY CALLS FOR A VOTE.

CLERK CALLS THE ROLL FOR THE MOTION OF REMOVING MAYOR LOWREY FROM CITY COUNCIL.

YES: 0 NAYS: 7 MOTION TO REMOVE FAILS 0-7.

CM HOPKINS AND VM LINDSEY DISCUSS POSITIVE ACCOMPLISHMENTS COUNCIL HAS MADE. VM LINDSEY NOTES GOING FROM 1-5 DEPUTIES, GOING FROM NEARLY FISCAL WATCH, TO BEING ABLE TO MAKE CASH PURCHASES.

CM HOPKINS THANKS SHAMY AND LINDSEY FOR THEIR WORK.

VM LINDSEY WISHES EVERYONE A HAPPY NEW YEAR AND TO STAY SAFE.

13. EXECUTIVE SESSION: NONE

14. ADJOURNMENT: 1ST VM LINDSEY 2ND SHAMY

City Manager's Report

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

FROM: Randy Bridge, City Manager

DATE: January 3, 2020 for January 6, 2020

- 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. FINANCE REPORT - Attached

B. SERVICE REPORT - Attached

C. FIRE REPORT - Attached

D. POLICE REPORT - At Meeting

***E. INFORMATIONAL ITEMS**

- **New Building Update**
 - Abatement of Asbestos Completed
 - Architect Securing Quote (for informational purposes)
 - Bidding After Quote
- **2020 Operating Budget**
 - Adoption on 3/9/20 or 3/23/20 (prefer/aiming for 3/9/20)
 - Work Sessions should begin in late January/ Early February
- **Christmas Party**
 - Great Event
 - Thanks to all!
- **2020 City Council - Important Information**
 - Attached
 - Meetings Dates, Pay Dates, Observed Holidays, and Important Numbers



2020 City Council - Important Information

Meeting Days (Work & Regular Sessions)	
Monday, January 6th	Monday, July 6th
Tuesday, January 21st	Monday, July 20th
Monday, February 3rd	Monday, August 3rd
Tuesday, February 18th	Monday, August 17th
Monday, March 2nd	Tuesday, September 8th
Monday, March 16th	Monday, September 21st
Monday, April 6th	Monday, October 5th
Monday, April 20th	Monday, October 19th
Monday, May 4th	Monday, November 2nd
Monday, May 18th	Monday, November 16th
Monday, June 1st	Monday, December 7th
Monday, June 15th	Monday, December 21st

*Work Sessions Begins @ 6:00PM

*Regular Sessions Begins @ 7:00PM

Pay Dates
Thursday, January 23, 2020
Thursday, February 20, 2020
Thursday, March 19, 2020
Thursday, April 30, 2020
Thursday, May 28, 2020
Thursday, June 25, 2020
Thursday, July 23, 2020
Thursday, August 20, 2020
Thursday, September 17, 2020
Thursday, October 29, 2020
Wednesday, November 25, 2020
Wednesday, December 23, 2020

Important Numbers
City Building: 845-9492
City Building Fax Number: 845-2338
Sheriff's Non Emergency: 328-2560
City Manager: 604-2121
Mike Lowrey: 543-8435
Amy Hopkins: 718-3275
Bill Cook: 845-9072
Ron Cobb: 845-8170
Peggy Eggleston: 423-329-7117
Dale Grimm: 284-2715
Linda Eggleston-Nowakoski: 823-6476
Emily Berner, Clerk of Council: 901-8206

Observed Holidays
Martin Luther King Jr. Day: Monday, January 20th
President's Day: Monday, February 17th
Good Friday: Friday, April 10th
Memorial Day: Monday, May 25th
Independence Day: Friday, July 3rd
Labor Day: Monday, September 7th
Columbus Day: Monday, October 12th
Veterans Day: Wednesday, November 11th
Thanksgiving Day: Thursday, November 26th
Thanksgiving Day After: Friday, November 27th
Christmas Eve: Thursday, December 24th
Christmas Day: Friday, December 25th

RESOLUTION 20-01R

A RESOLUTION ADOPTING RULES OF COUNCIL

WHEREAS, the Rules of Council, attached as Exhibit A, 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, said Rules were issued to City Council via this Resolution on the first meeting of 2020, held on January 6th; and

WHEREAS, said Rules have been reviewed by Council, have been found to be sufficient and were approved by Resolution on January 21, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Carlisle, Ohio, that the attached Rules of Council shall be adopted for use in the conducting of the business of the City Council of the City of New Carlisle.

Passed this _____ day of _____, 2020.

MAYOR

Emily Berner, CLERK

APPROVED AS TO FORM:

Jake Jeffries, DIRECTOR OF LAW

1st _____

2cd: _____

R. Cobb	Y	N
B. Cook	Y	N
P. Eggleston	Y	N
M. Lowrey	Y	N
A. Hopkins	Y	N
D. Grimm	Y	N
L. Eggleston-Nowakoski	Y	N

Totals:

Pass

Fail

Intro: 1/6/20

Action: 1/21/20

Effective: 2/6/20

Document History
Revised 01/20/04
Reviewed 01/04/10
Reviewed 01-17-12
Revised 01-06-14
Revised 3/8/18 via Res 18-03R
Revised 5/21/18 via Res 18-08R
Revised 1/22/19 via Res 19-03R

RULES OF COUNCIL
CITY OF NEW CARLISLE, OHIO

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.

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.

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.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

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.

ORDINANCE 19-53

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT FOR PROFESSIONAL ACCOUNTING AND CONSULTING SERVICES

WHEREAS, the services of a professional accounting and consulting firm are necessary to prepare basic financial statements associated with the annual audit; and

WHEREAS, a proposal has been received from Kennedy Cottrell Richards; and

NOW, THEREFORE, THE CITY OF NEW CARLISLE HEREBY ORDAINS the following:

SECTION 1. That the City Manager be, and hereby is, authorized to enter an agreement, here attached, on behalf of the City of New Carlisle with Kennedy Cottrell Richards for basic financial statement preparation associated with the annual audit.

SECTION 2. This agreement will be for calendar years 2019 and 2020 with a total cost not to exceed \$12,000 for each year.

SECTION 3. By a two-year agreement, this would save the City \$1,000 in 2019 and an additional \$1,000 in 2020.

Passed this _____ day of _____, 2019.

Mike Lowrey, MAYOR

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2cd: _____

R. Cobb	Y	N
B. Cook	Y	N
P. Eggleston	Y	N
M. Lowrey	Y	N
A. Hopkins	Y	N
D. Grimm	Y	N
L. Eggleston-Nowakoski	Y	N

Totals:

Pass

Fail

Intro: 12/18/19

Action: 01/06/20

Effective: 01/21/20

**Technical Proposal
for
City of New Carlisle
for
Professional Accounting and Consulting Services**



December 3, 2019

Deborah Watson, Finance Director
City of New Carlisle
331 South Church Street
New Carlisle, Ohio 45344

Dear Debbie:

Kennedy Cottrell Richards is pleased that City of New Carlisle (the City) has expressed its confidence in our firm and our government expertise, and greatly appreciates the opportunity to submit our proposal for accounting and consulting services.

Kennedy Cottrell Richards takes pride in its commitment to providing quality accounting and advisory services to the public sector. As former State auditors, Bill Kennedy, Ken Richards and I have extensive experience with the Auditor of State audit approach, as well as a wide range of experience compiling financial statements and auditing various forms of state and local governmental entities throughout Ohio. We share this experience with our clients through unprecedented partner involvement on each engagement.

In addition, we have substantial technical knowledge and experience in the areas of governmental accounting standards, U.S. generally accepted auditing standards, Ohio Revised Code requirements, Auditor of State compliance supplement and audit bulletins, and *Government Auditing Standards*. In fact, Ken Richards and I have both instructed governmental accounting and reporting courses for the American Institute of Certified Public Accountants (AICPA). Our commitment to staying technically sound will most certainly be of great benefit to the City. Our entire firm's extensive background, experience, and training in governmental accounting and auditing is unparalleled.

Kennedy Cottrell Richards is actively involved with the local governmental accounting and auditing community as well, serving as board members and volunteers with the Ohio Government Finance Officers Association (GFOA) and the Central Ohio Association of Government Accountants (AGA). We are also a member of the AICPAs' Governmental Audit Quality Center for CPA firms. The Center is a national community of CPA firms that demonstrate a commitment to governmental audit quality and raise awareness about the importance of governmental audits. The Center provides members with best practices, guidelines, and tools CPAs need to perform quality governmental audits and better serve their clients.

Scope of Services

You have requested that we prepare the financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of New Carlisle, Clark County, for the calendar year ended December 31, 2019, and the related notes to the financial statements. Kennedy Cottrell Richards will also provide other accounting and consulting services, as requested by the City.

Kennedy Cottrell Richards' Responsibilities

The objective of our engagement is to prepare financial statements in accordance with accounting principles generally accepted in the United States of America based on information provided by you. We will conduct our engagement in accordance with Statements on Standards for Accounting and Review Services (SSARSs) promulgated by the Accounting and Review Services Committee of the AICPA and comply with the AICPA's *Code of Professional Conduct*, including the ethical principles of integrity, objectivity, professional competence, and due care.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or a conclusion or provide any assurance on the financial statements.

Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations. However, we will inform the appropriate level of management of any material errors and any evidence or information that comes to our attention during the performance of our procedures that fraud may have occurred. In addition, we will inform you of any evidence or information that comes to our attention during the performance of our financial statement preparation procedures regarding any wrongdoing within the entity or noncompliance with laws and regulations that may have occurred, unless they are clearly inconsequential.

City's Responsibilities

The engagement to be performed is conducted on the basis that management acknowledges and understands that our role is the preparation of the financial statements in accordance with accounting principles generally accepted in the United States of America. Management has the following overall responsibilities that are fundamental to our undertaking the engagement to prepare your financial statements in accordance with SSARS:

- 1) The selection of accounting principles generally accepted in the United States of America as the financial reporting framework to be applied in the preparation of the financial statements.
- 2) The prevention and detection of fraud.
- 3) To ensure that the City complies with the laws and regulations applicable to its activities.
- 4) The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement to prepare financial statements.
- 5) To provide us with—
 - Documentation, and other related information that is relevant to the preparation and presentation of the financial statements,
 - Additional information that may be requested for the purpose of the preparation of the financial statements, and
 - Unrestricted access to persons within the City with whom we determine it necessary to communicate.

The financial statements will not be accompanied by a report. However, you agree that the financial statements will clearly indicate that no assurance is provided on them.

Engagement Fees

Our proposed fee for preparing the City's basic financial statements will be \$13,000 for fiscal year 2019. Should the City opt for a two-year contract, our proposed fee will be \$12,000 for each of calendar years 2019 and 2020. Our fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the work performed. If additional fees are necessary, we will discuss the circumstances with you before we incur any additional costs.

Other accounting and consulting services offered include, but are not limited to, federal schedule preparation, internal control reviews, account reconciliations, agreed-upon-procedures engagements, grant administration and monitoring, policy and procedure reviews, and training and education. Should the City request additional accounting and consulting services, KCR will invoice the City for actual services incurred at our standard hourly rates.

Our invoices for services will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes more than 30 days delinquent and will not resume until your account is paid in full. If we elect to terminate our services for nonpayment, you will be obligated to compensate us for all time incurred and reimburse all out-of-pocket expenses through the date of termination.

In the event our proposal for services is accepted, we would be available to begin our procedures as soon as authorized by the City. We expect our services to be completed by the deadlines imposed by the Auditor of State. If you have any questions, please contact me at (614) 358-4682. If the terms of our agreement as described in this letter meet your satisfaction, please sign and return one copy to us so that we may begin our procedures.

Sincerely,



Jared Cottrell, CPA
Partner



Acknowledged:

This letter correctly sets forth the understanding of City of New Carlisle. We agree to have Kennedy Cottrell Richards LLC perform the procedures described.

By: _____

Date: _____

Title: _____